OFFICIAL REPORT

OF THE

DEBATES

OF THE

HOUSE OF COMMONS

OF THE

DOMINION OF CANADA

THIRD SESSION—TENTH PARLIAMENT

6-7 EDWARD VII., 1906-7

VOL. LXXXI

COMPRISING THE PERIOD FROM THE EIGHTH DAY OF APRIL TO THE TWENTY-SEVENTH DAY OF APRIL, INCLUSIVE.



OTTAWA
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1906-7

ERRATA.

VOL. IV.

Col. 6585, 15th line from bottom, 'Manitoulin and North Shore Railway Company,' should read 'Ontario, Hudson Bay and Western Railways Company.'

Col. 6586, 25th line from top, 'Ontario, Hudson Bay and Western Railways Company,' should read 'Manitoulin and North Shore Railway Company.'

House of Commons Debates

THIRD SESSION—TENTH PARLIAMENT

HOUSE OF COMMONS.

MONDAY, April 8, 1007.

The SPEAKER took the Chair at Eleven o'clock.

FIRST READINGS.

Bill (No. 149) to incorporate the Rock Life Insurance Company of Canada.—Mr. Galliher.

Bill (No. 150) to incorporate the Collingwood Southern Railway Company.—Mr. L. G. McCarthy.

Bill (No. 151) to incorporate the Live Stock Insurance Company of Canada, Limited.—Mr. Talbot.

Bill (No. 152) to incorporate the Ottawa Terminals Railway Company.—Mr. Talbot.

Bill (No. 153) for the relief of Victor Harold Lyon.—Mr. Galliher.

SUCCESS OF LABOUR DISPUTES ACT.

On the Orders of the Day being called :

Hon. RODOLPHE LEMIEUX (Minister of Labour). Mr. Speaker, with your leave I would like to inform the House that the first experiment with the new Labour Bill has been highly satisfactory, the welcome news of this fact having just been received. As you are aware a strike in which about 1,700 men were interested and in which the collieries of Nova Scotia were also deeply interested was about to be declared at Springhill. An application for the appointment of a board of arbitration, required by the new law, had been made by the General Manager of the Cumberland Railway and Coal Company, Limited. The men were informed through the deputy minister of labour, Mr. King, that the law would apply and he told them what the consequences would be if the strike were declared.

Mr. R. L. BORDEN. What strike is the hon. gentleman speaking of ?

Mr. LEMIEUX. Springhill. The men, I am pleased to say, publicly yielded and they have understood that if an investigation took place perhaps public opinion would not be with them. This morning we received a telegram from Mr. Hector McInnes, of Halifax. It reads as follows :

Halifax, Nova Scotia, April 8, 1907.

I have pleasure in advising you that all the men at Springhill collieries have returned to work and no question was raised on their return as to open or closed shop ; under the circumstances it will be unnecessary to take any further steps on the application for reference submitted by Cumberland Railway and Coal Company.

(Sgd.) HECTOR McINNES.

I cannot express too highly my sympathy with the men and the trades union, who have so quietly and so openly abided by the new law which was passed by this parliament.

Mr. J. HERRON, (Alberta). I am pleased that the hon Minister of Labour (Mr. Lemieux) has been able to give us such an encouraging report regarding the success of the new Labour Bill in the part of the country to which he has referred, but I would like to ask him for further information regarding the coal strike in the Crow's Nest Pass and in the west generally where they are mining coal. I have a telegram here from Mr. Sherman, President of the Division of the United Mine Workers of America, located in the Crow's Nest Pass :

Fernie, British Columbia, April 6, 1907.

John Herron, M.P.,
House of Commons, Ottawa.

Government has refused to enforce industrial Disputes Act against Taber Coal Companies who locked out men on April 2. As result referendum vote now being taken ; may result immediate strike at all mines this district.

(Sgd.) F. H. SHERMAN.

I wish to impress upon the minister the great importance of the government taking immediate action and of doing everything possible to avert trouble in the west as he states that he has been successful in doing in the east. Owing to the present conditions in that country we would look for a worse situation than that which occurred last year if this threatened strike should take place ; in fact it has already to some extent taken place as we are informed that a lockout has occurred. I would judge from the telegram received that all the

mines in our locality would be affected, and it would make the situation much more serious than it was last summer. I would like to hear an explanation from the minister.

Mr. LEMIEUX. I am glad my hon. friend (Mr. Herron) has called attention to this matter. I received a telegram yesterday from Mr. Sherman, and also many telegrams from the owners of the mine. There seems to be a misapprehension as to the enforcement of the law. Mr. Sherman seems to be under the impression that it is the duty of the government to take proceedings against those who declared a lockout. We have reminded Mr. Sherman that the remedy was in his own hands, and that if the law was being violated, it was open to any individual concerned to go before a justice of the peace and to avail himself of the procedure provided by the Criminal Code. I expect that during the day I will be able to give further, and I hope more encouraging news.

Mr. R. L. BORDEN. Has either party made the necessary application to bring the pending dispute under the Act.

Mr. LEMIEUX. The deputy minister has been informed that an application has been sent from a place called Taber, but it has not yet reached the department.

Mr. R. L. BORDEN. I would not be prepared to acquiesce in what the minister says about the enforcement of the statute. If this parliament passes a law which provides that no strike or lockout shall take place under certain conditions, and that statute is deliberately violated by one party or the other, it does not seem to me that the government can say to one of the parties : You can violate this law as much as you please unless the other party takes the responsibility of proceeding to punish you. If that is the proper way to look at it, I doubt very much whether the statute will be effective.

Mr. LEMIEUX. I should think it would be the same as in the case of any other statutory offence where a penalty is provided. If the law is violated, it is the duty of any person who is aggrieved to take action. That is specially provided for in cases where in the Criminal Code, a distinction is made between 'malum in se' and 'malum prohibitum.' We have advised the men in the west that if a lockout has been declared by the company without an application being made to the department, there is a penalty provided, and it is open to them to take action against the company. This strike occurs at a great distance from Ottawa and the details are not yet in the possession of the department.

Mr. R. L. BORDEN. It is necessary to have the facts definitely ascertained before one can say very much about it, but I absolutely dissent from the proposition which the minister has laid down as to the enforcement of the law. If this statute was passed for any purpose at all it was passed in the general interest of the public, and not in the interest of those who lockout or those who strike. To say, notwithstanding this, that the general interests of the public may suffer even to the last extremity, that people shall suffer for lack of coal, and that the government shall leave it to either one party or the other to enforce the law, seems to me to be a complete departure from the policy which the Minister of Labour laid down when he introduced this Bill. If there was any basis at all for this law, it was, that, when the public interest demanded it, the government should step in to enforce the law if either party to the dispute did not enforce it. I protest against any policy which declares that the government should not enforce this law in the public interest, whether that policy be followed by this government or any other government.

Mr. SPROULE. And especially so in view of the fact that we have established a Department of Labour whose duty it should be to enforce such a law. You might as well say, when we pass an Inland Revenue law for the protection of the revenue, that it is not the duty of the Department of the Inland Revenue to enforce it, as to say that it is not the duty of the Labour Department to enforce this law.

GOLD AND SILVER MARKING ACT.

Hon. W. S. FIELDING (Minister of Finance). I would move that order No. 52 for the second reading of Bill (No. 137), from the Senate, to amend the Gold and Silver Marking Act, be called, so that the Bill may be referred to the Committee on Banking and Commerce. This is a Bill to amend the Act of last session, which was of a very technical character, and in order that the parties may be heard, it should be referred to the committee.

Motion to call the order agreed to.

On motion of Mr. Macpherson the Bill was read the second time and referred to the Select Standing Committee on Banking and Commerce.

YUKON COUNCIL GRANT—AUDIT.

Hon. FRANK OLIVER (Minister of the Interior). In the discussion in committee on the Yukon Amendment Bill last Wednesday the question was raised as to whether the expenditures of the grants to the local council of the Yukon were audited by the Auditor General. The impression seemed to have been that they were not so audited, and that the Auditor General's Report

did not contain the items of the expenditure. That impression resulted from the fact that on page L—42 of the Auditor General's Report, on which the bulk sums appear, no reference is made to the part of the report in which the details of the expenditure are shown. The expenditure of the grant is audited here in the same manner as are all other expenditures of moneys appropriated by parliament. On pages L—21 to L—131 of the Auditor General's Report there are given the items of the revenue of the local council, including the grants of $225,000 from the Dominion, and complete details of the expenditures.

RETIREMENT OF LORD AYLMER.

Mr. SAM. HUGHES (Victoria and Haliburton). Before the Orders of the Day are called, I desire to ask for details in connection with the retirement of Lord Aylmer, and the appointment of his successor.

Hon. W. S. FIELDING (Minister of Finance). I regret that the hon. gentleman's question comes in the absence of the Minister of Militia, who of course has a personal acquaintance with the facts which I have not. I can only give the facts as they appear on the record. Lord Aylmer, who formerly held the position of adjutant general and was in receipt of a salary of $3,200, on November 1, 1904, as the record shows, was appointed to the position of inspector general at a salary of $6,000. The order in council specified that the appointment was only until December 31, 1906. The object, as it appears to have been understood, was that he should have that period of service which would entitle him to retire on his full pension, and the order in council making this arrangement was initialled by Lord Aylmer, which, in the absence of personal information, I would assume to mean that he was consulted with and that the matter was arranged to his satisfaction. Subsequently his time of service was extended, not by special order in council, but he held the office for a certain time until the department was ready to appoint a successor. Lieut.-Colonel Vidal was appointed his successor, and Lord Aylmer retired with the rank of Major General and a pension of $4,200 per annum. These are the facts shown by the records of the department and that is all the information I can give my hon. friend.

Mr. BENNETT. What is the age of Lord Aylmer and Colonel Vidal respectively?

Mr. FIELDING. The papers do not furnish the age, but my colleague tells me that Lord Aylmer is sixty-five and Colonel Vidal sixty-three years of age.

Mr. BENNETT. Will the country be expected to superannuate Colonel Vidal in another year?

Mr. FIELDING. Sufficient to the day is the good thereof.

Mr. BENNETT. The evil.

Mr. R. L. BORDEN. Before the Orders of the Day are called, I would like to point out to the Minister of Finance that the Prime Minister (Sir Wilfrid Laurier), before leaving informed me that there would be no objection to passing notices of motion numbers 20 and 21. This is perhaps a convenient time to do it.

Mr. FIELDING. There would be no objection.

MOTIONS AGREED TO WITHOUT DISCUSSION.

For a return showing, in respect of timber berths Nos. 824, 1062, 1107, 1108, 1171 and 1212, all bonuses, rentals or dues paid to date by the lessees or other assigns to the government, together with a copy of all applications, correspondence, reports, advertisements, tenders, leases, transfers, or memoranda of any description, and a copy of the regulations of the Department of the Interior in force at the time said timber berths were leased, and the corresponding regulations in force at the present time.—Mr. Boyce.

For a copy of all memorials, petitions, resolutions, correspondence or documents of any description in the possession of the government, relating to or referring to the recent appointment of a senator to represent the district of Rougemont.—Mr. Ames.

PRIVATE BILLS.

CONSIDERED IN COMMITTEE—THIRD READINGS.

Bill (No. 123) respecting the Midway and Vernon Railway Company.—Mr. Ross (Yale-Cariboo).

Bill (No. 124) respecting the Alberta Central Railway Company.—Mr. McIntyre (Strathcona)..

Bill (No. 126) to incorporate the Bonaventure and Gaspé Telephone Company, Limited.—Mr. Marcil.

QUESTIONS.

CANADIAN NORTHERN RAILWAY.

Mr. W. J. ROCHE asked:

1. What lands have been reserved for selection by the Canadian Northern Railway on account of Hudson Bay Railway, in townships 18, 19 and 20, ranges 9, 10, 11 and 12, W. of 1st?
2. What lands have been reserved for the Canadian Northern Railway for any other purpose in the townships mentioned in question No. 1?
3. What lands have been selected by the said railway company in above-mentioned townships?

Hon. FRANK OLIVER (Minister of the Interior) :

1. All available odd-sections in these townships.

2. Answered by answer to question 1.

3. The north half of 1, all 3, 5, 7, north half and southwest quarter 9, south half and northwest quarter 13, west half 15, all 17, 19, 25, 27, 31, 33 and 35, township 18, range 12, west of the first meridian. All 1, 3, 5, 7, 9, 13, 15, 17, 19, 21, 23, 27 and 31, township 19, range 12, west of the first meridian. Southwest quarter 5, township 20, range 12, west of the first meridian.

INVERNESS, N.S., PUBLIC BUILDING.

Mr. BLAIN asked :

1. Is there a public building being erected by the government in the town of Inverness, Nova Scotia ?

2. What is the material used in its construction ?

3. From whom was the site purchased, and was there a building on the said site when purchased ?

4. How was the building disposed of, to whom, and how much was received for said building ?

5. Has any work been done on the public building within the last two months ?

6. Who is the inspector, and when was he appointed ?

7. Is the inspector an architect, mason, bricklayer or carpenter ?

8. What are the duties of an inspector ?

9. What amount has the inspector been paid for his services to date, and how much does he receive per day ?

10. Has the inspector received any pay as inspector during the last two months ?

11. Who is the contractor, and when is the work to be finished ?

Hon. SYDNEY FISHER (Acting Minister of Public Works):

1. Yes.

2. Brick building on stone foundation.

3. (a) From V. A. McLelland and John B. McLellan. (b) Yes.

4. Sold to John A. McRae for the sum of $300.

5. Work not carried on during winter months.

6. Duncan A. McIsaac, appointed 15th August, 1906.

7. Mr. McIsaac was recommended as a competent man.

8. To supervise work and see that contract is carried out according to specifications and plans, to prepare estimates and reports.

9. (a) $591 to March 1. (b) $3 per day.

10. Paid up to March 1.

11. (a) E. F. Munro. (b). Completion 1st November, 1907.

HUDSON BAY COMPANY RETIRED SERVANTS.

Mr. FOSTER—by Mr. Blain—asked :

1. What question referred to the Minister of Justice for his opinion regarding the claims of the retired servants of the Hudson Bay Company ?

2. Has the Minister of Justice given his decision or report ?

3. What is his decision or report ?

Hon. A. B. AYLESWORTH (Minister of Justice) :

1. The question whether the claims rested on any legal foundation.

2. Yes.

3. That the claims do not appear to have legal foundation.

MR. JOHN P. MALLOY—MR. IRA STRATTON.

Mr. STAPLES—by Mr. Schaffner—asked:

1. Is John Patrie Molloy, V.S,. of the town of Morris, province of Manitoba, still in the employment of the government as veterinary inspector ? If not, when did he resign ?

2. How much was paid him during the years 1905 and 1906 ?

3. Is Ira Stratton still postmaster at Stonewall ? If not, when did he resign ?

4. Who is now postmaster at Stonewall ?

Hon. SYDNEY FISHER (Minister of Agriculture) :

1. No. He wired his resignation on the 25th February last, which resignation was accepted on the 28th February.

2. 1905, salary, $440; expenses, $655.87; $1,095.87. 1906, salary, $1,249.98 ; expenses, $1.340.95; $2,590.93—$3,686.80.

Hon. RODOLPHE LEMIEUX (Postmaster General). In answer to question 3, Mr. Stratton resigned the 9th of March, 1905. Miss Barbara Stratton is now postmistress at Stonewall.

THE FRENCH LANGUAGE.

Mr. A. LAVERGNE—by Mr. Talbot—asked :

1. What measures have been taken by the Postmaster General for the spread of the French language as the requirements of the department, of business and of the population demand ?

2. Will the Postmaster General have postage stamps issued this year in French and in English ?

3. Will the post office stamps that bear the name of the office, the date of the arrival or of the sending off of letters, &c., be printed in French as well as in English, as the laws of the Dominion require ?

Hon. RODOLPHE LEMIEUX (Postmaster General) :

1. All necessary measures have been provided for in the Post Office Department to meet the requirements of the public such as the printing in both languages of :

All general and special circulars of instructions to postmasters ;
Annual Official Postal Guide ;
Supplements to Postal Guide ;
Postmaster General's Report.
Postal Notes ;
Postal Note forms and books ;

Postal Note instructions to postmasters ;
Post Office Savings Bank cheques and acknowledgments of deposit ;
Post Office Savings Bank instructions to postmasters ;
Post Office Savings Bank forms and books ;
Forms of Money Order ;
Forms of Money Order advice ;
Instructions to Money Order Offices ;
Money Order forms and books ;
Notices of departure and arrival of mails, &c. The correspondence of the department is also conducted in French whenever necessary.

2. The postage stamps, in the opinion of the Postmaster General, bear all the information required by the public to prevent any possible mistake. The stamp itself with the figure thereon indicating the value is sufficient for all purposes.

The size of the postage stamp, especially the space available for lettering, is very limited. Besides, the present inscription on postage stamps is so familiar, and therefore so easily understood by all elements of the Canadian population, that it would be unnecessary to make the suggested change.

To engrave and print a new series in order to admit of a dual inscription might, in addition to the extra expense, involve a radical change in the existing contract. Therefore no change is contemplated in the system which has been in force during the last 50 years.

3. The post office stamps that bear the name of the office, the date of the arrival or of the sending off of letters, &c., are, for all practical purposes, printed in both languages. The name of the post office can not vary, the date is expressed in numerals. As regards the name of the month, the abbreviation standing for them are almost identical. No change is contemplated.

MR. JOHN C. BOURINOT.

Mr. JOHNSTON asked :

1. Is Mr. John C. Bourinot an officer of the Department of Customs ?
2. What are his duties ?
3. What salary does he receive ?

Hon. WM. PATERSON (Minister of Customs) :

1. John C. Bourinot is an officer of Customs.
2. His duties are to aid in discovering and in preventing frauds on the Customs revenue.
3. His salary is $1,000 a year.

MR. WM. WILSON.

Mr. JOHNSTON asked :

1. Is Mr. William Wilson an officer of the Customs Department ?
2. What are his duties ?
3. What salary does he receive ?

Hon. WM. PATERSON (Minister of Customs) :

1. William F. Wilson is an officer of Customs.
2. His duties are to aid in discovering and in preventing frauds on the Customs revenue.
3. His salary is $900 a year.

MR. H. C. BLAIR.

Mr. JOHNSTON asked :

1. Is Mr. H. C. Blair an officer of the Department of Customs ?
2. What are his duties ?
3. What salary does he receive ?

Hon. WM. PATERSON (Minister of Customs) :

1. H. C. Blair is a special officer of Customs.
2. His duties are to assist in discovering and preventing frauds on the revenue ; to instruct Customs officers and to supervise the frontier service.
3. His salary is $1,600 a year.

STATISTICAL YEAR-BOOK.

Mr. ARMAND LAVERGNE—by Mr. Talbot—asked :

1. Is the Statistical Year-book of Canada translated into French ?
2. When will the translated edition be distributed ?

Hon. SYDNEY FISHER (Minister of Agriculture). The translation was completed on the 12th February, and the copy sent at once to the Printing Bureau. On the 30th of March last the last corrected proofs went in, and the book will be ready for distribution shortly.

THE FRENCH LANGUAGE.

Mr. ARMAND LAVERGNE—by Mr. Talbot—asked :

1. Has the Minister of Railways taken any steps to have the rights of the French language better respected on the government railways ?
2. Will time tables in French be distributed on the Intercolonial ?
3. What steps have been taken for the use of the French language on the Intercolonial Railway, in accordance with the requirements of business and of the people ?

Hon. W. S. FIELDING (Minister of Finance). Instructions have been given for the printing of time tables in the French language to be placed in all the Intercolonial Railway stations in the province of Quebec. The question whether any further printing beyond what is now done is needed in order to meet the convenience of the people of that province is under consideration ; and, if needed, additional French documents will be printed.

DOMINION NOTES.

Mr. ARMAND LAVERGNE—by Mr. Talbot—asked :

1. Does the government purpose conforming with the wishes of an important portion of the population by having the Dominion notes printed in the two official languages of the country ?

2. Does the government intend to have the money of the country struck in English and in French ?

Hon. W. S. FIELDING (Minister of Finance). The forms of the notes and coins of the Dominion of Canada, so far as language is concerned, are the same as they have been from the beginning of confederation. The government has no reason to believe that they have caused any disadvantage to any class of the Canadian people. Therefore, there is no present intention of changing them.

ALGOMA LAND SALE.

Mr. BOYCE—by Mr. Blain—asked :

1. What lands in the townships of Tilley, Tupper, Archibald, Pennefather and Aweres, in the district of Algoma, have been sold by the Department of Indian Affairs to John Bromley, of Pembroke ?

2. When was such land sold, what was the acreage of the land conveyed, and what was the total price paid?

3. Were there any special terms or conditions incident to the sale ? If so, what were they, and have such terms and conditions been performed, respectively, by the purchaser or purchasers ?

4. What timber reservations were contained in the sales ?

5. Have all payments been made by the purchaser for these lands ? If not, what amount remains unpaid ?

6. Has the grant for these lands, or any portion of them, been made to the purchaser ? If so, when and to whom ?

7. Was any valuation of the lands made prior to the sale ? If so, who was the valuator, and what is the date of his report ?

Hon. FRANK OLIVER (Minister of the Interior) :

1. The following lands in the townships of Tilley, Archibald, Tupper and Pennefather, have been sold to John Bromley of Pembroke :—Township of Tilley : Sections 1, 2, 3, 10, 11, 12, 13, 14, 15, 22, 23 and 24. Township of Archibald : Lots, 9, 10 and 11, concession 1 ; lots 8, 9, 10, 11 and 12, concession 2 ; lots 8, 9, 10, 11 and 12, concession 3 ; and lots 8, 9, 10, 11 and 12, concession 4. Township of Tupper : Lots 9, 10, 11 and 12, concession 3 ; lots 8, 9, 10, 11 and 12, concession 4 ; lots 8, 9, 10, 11 and 12, concession 5 ; and lots 8, 9, 10, 11 and 12, concession 6. Township of Pennefather : N. E. ¼ section 1, W. ½ N. W. ¼ section 1, N. ½ S. W. ¼ section 1, N. ½ S E. ¼ section 1, S. ½ S. W. ¼ section 1, S. ½ S. E. ¼ section 1, N. W. ¼ section 2, N. E. ¼ section 9, S. ½ section 9, section 10, section 11, section 12, section 15, section 16, N. E. ¼ and S. ½ section 17, S. W. ¼ section 18, sections 19, 20, 21, 22, 28, 29 and 30.

2. The land was sold on the 9th April, 1904, the total area being 28,505½ acres, and the total price paid, $9,185.50.

3. Yes. The following are the conditions :—(a). The land and timber thereon to be explored and valued by a competent valuator under oath, and payment therefor, other than pine and spruce, to be made in cash at the time of sale, at the value placed thereon. (b). Sections and broken sections, reported for the whole or most part fit for settlement to be subject to the following settlement duties :—One settler to be placed on each section or broken section ; a house, at least 18 x 24 feet, to be erected thereon and occupied for three years, and five acres in every hundred, or in that proportion, to be cleared and cultivated. (c). Sections or broken sections reported unfit, or for the most part unfit, for settlement, not to be subject to settlement duties. (d). The sale to be made subject to the existing timber license covering the lands, as regards pine and spruce, which timber may be cut and removed by licenses within three years from date of sale, provided the license is yearly renewed. (e). Pine and spruce, not removed by licensees within three years, to be paid for by the purchaser of land at value placed thereon by valuator. (f). The purchaser to establish a sawmill at a point on Batchewana bay with a capacity of from three to five million feet per annum, and to give Indians a preference in the employment of labour, when found suitable for the work to be performed. (g). All minerals, precious and base, to be reserved from sale, as well as the right to work mines and remove the minerals. (h). Letters patent to be issued after the expiration of three years from date of sale, upon proof being furnished of the due fulfilment of the conditions. (i). The purchaser to pay cost of valuation of the lands found to be unfit for settlement.

The above conditions have been complied with, except those under (e).

4. Pine and spruce were reserved in the sale for three years from date.

5. All payments have been made, except for pine and spruce under condition (e).

6. Letters patent for these lands, or any portion thereof, have not been issued.

7. Yes, by Andrew McAuley, 14th November, 1902, and 2nd January, 1903.

ST. ANN'S ISLAND LEASE.

Mr. CLEMENTS—by Mr. Blain—asked :

1. Who is the lessee of St. Ann's island, in the district of St. Clair ?

2. Was there a written lease between the government and the lessee ?

3. What is the date and terms of said lease ?

4. Will the government lay a copy of the lease on the table of the House ?

Hon. FRANK OLIVER (Minister of the Interior) :

1. John Maughan, of the city of Toronto, insurance agent; Zebulon Alton Lash, of the same place, barrister-at-law ; and Edward Roper Curzon Clarkson, of the same place, accountant, in trust, for the St. Ann's Island Shooting and Fishing Club.

2. Yes.

3. Ninth day of August, 1906, issued in renewal of lease for ten years from 1st October, 1894. New lease is for a term of ten years from the 1st of October, 1904, at an annual rental of $750, payable half-yearly in advance.

4. Copy of lease herewith.

POLLUTION OF RIVER ST. JOHN.

Mr. WILMOT asked :

1. Is the government aware that the city of Fredericton, New Brunswick, has recently established a sewerage system, no provisions being made to prevent the raw sewerage from entering the River St. John, notwithstanding protests being made by the Provincial Board of Health, and of the people residing along the river, for a distance of thirty miles below the city ?

2. If it is shown that in thus polluting the river, the fishing interests will be injuriously affected and human life endangered, will the Dominion authorities interefere and insist upon the Fredericton municipality sterilizing the sewage, or otherwise secure the people from danger and loss ?

Hon. A. B. AYLESWORTH (Minister of Justice) :

1. No representations have been made to the government on the subject.

2. Should circumstances arise such as are described in the question, the matter would appear to be of a local nature and would no doubt engage the attention of the provincial authorities.

SUPPLY.

House in Committee of Supply.

Harbours and rivers, Nova Scotia—Annapolis—repairs to Queen's wharf, $1,300.

Mr. AMES. How much more is required to complete this work ?

Hon. SYDNEY FISHER (Acting Minister of Public Works). This vote will complete it.

Mr. AMES. Is it being done by day's work ?

Mr. FISHER. Yes.

Mr. AMES. Last year a stricture was made on the way the work was being done, as there appeared to be an inspector, a superintendent and a walking boss for eleven men. The government had no explanation. Was that looked up afterwards ?

Mr. FISHER. I am informed that that is not the case. I am told that there is just one superintendent.

Mr. AMES. What is his name ?

Mr. FISHER. Whitman.

Mr. AMES. The point I was raising was that F. C. Whitman is reported as being an inspector. Now is James Parks superintendent, and is Carmen Odell the walking boss, and are those three men all engaged in superintending the work ?

Mr. PICKUP. Whitman was the commissioner and Parks was the foreman, Odell was a common labourer on the work the same as any other man.

Mr. FISHER. There is only one superintendent to look after the work generally. On very large works there are sometimes more than one superintendent. I do not know whether he is called a superintendent or an inspector, I think they are the same person. Sometimes he is called an inspector and sometimes a superintendent.

Mr. PICKUP. As I have just stated, there is a foreman and also commissioner.

Mr. SPROULE. What is the salary allowed for an inspector or a superintendent ?

Mr. FISHER. Generally $3 a day. There is a foreman of the carpenters who generally gets a little more than ordinary carpenters, probably half a dollar more. Ordinary carpenters get $1.50 or $1.75, and the foremen $2.50.

Mr. BLAIN. Are we to understand then that there are two inspectors, that is men who are not labourers ? As I understand, there is one man who assembles the materials, and in addition there is an inspector of construction.

Mr. FISHER. The man who does that is called by the department the inspector. I am informed that sometimes the Auditor General calls him the superintendent. In the department the man who has general charge of the work, who buys the material and authorizes the employment of men, is called the inspector. There is only one such man.

Mr. PICKUP. That is a correct statement of the facts.

Mr. BLAIN. Are we to understand that there is a man who purchases the raw material for the work, and then another man who superintends it ?

Mr. FISHER. The information I have from the department is that there is an inspector appointed by the department who looks after the construction of the work. He probably has a foreman or boss carpenter who actually works with his hands and directs the other men on the work. Then there is an inspector who is sometimes

called a superintendent by the Auditor General.

Mr. BLAIN. The information I have is that F. C. Whitman is inspector of the work, James Parks is the superintendent, and Carmen Odell the walking boss.

Mr. FISHER. I do not know what the hon. member means by saying that James Parks is the superintendent. There is no such information in the department. My officers do not know the name at all. Of course, if desired I could lay on the table to-morrow the names of all the employees on that work.

Mr. MARSHALL. About what salary do these foremen receive each ?

Mr. FISHER. Inspectors in charge of the work are generally paid $2.50 or $3, according to the importance of the work.

Mr. MARSHALL. In some items he is called a foreman, would that be an inspector ?

Mr. FISHER. I do not know that he is ever called a foreman. The inspector is not supposed to work with his hands, but a foreman actually works with his hands.

Mr. MARSHALL. I suppose an inspector then is overseer of the work?

Mr. FISHER. Yes.

Mr. MARSHALL. Suppose a work begins in April and lasts until November, are they paid for the year, or are they paid for actual days work done?

Mr. FISHER. They are usually paid for the actual days they work.

Mr. MARSHALL. Are inspectors or foremen on public works or harbours paid for the whole year ?

Mr. FISHER. I am informed they are not.

Baddeck wharf, $5,600.

Mr. AMES. There were three sites suggested, were there not ? Which of the three was selected ?

Mr. FISHER. There were three sites offered. The Campbell property acquired by Alexander Macdonald in 1904 ; reduced price, $2,300. Then there was the Macdonald property, $5,500 ; and the Park property, the original price of which was $7,500.

Mr. AMES. What was paid for the property that was purchased?

Mr. FISHER. $3,300.

Mr. BENNETT. The Auditor General B—174, says only $3,000 was paid.

Mr. FISHER. I suppose it was got a little cheaper by bargaining. The offer was $3,300.

Mr. FISHER.

Bay St. Lawrence boat harbour, $10,000.

Mr. AMES. Will the minister tell us whethere this expenditure at Bay St. Lawrence will finish this work?

Mr. FISHER. No, the estimated cost is $20,000; $5,500 was voted in the year just closed and we are now voting $10,000, so that $5,500 is a revote. There will be $15,500 expended on it during the coming year.

Mr. AMES. Is it expected that when this money is expended the work will be fully and finally completed and is the work of a permanent character?

Mr. FISHER. $20,000 will have to be expended from now on. I understand this is an ordinary wharf at the extreme north end of Cape Breton island.

Mr. AMES. The last work that was done at that point was all washed away by the sea. Is it expected that this work will be permanent?

Mr. FISHER. Yes, it is hoped so.

Big Lorraine harbour—dredging entrance channel, $3,600.

Mr. FISHER. This is a revote also, no work has been done, but it is hoped this season to do some.

Mr. BERGERON. Which county is it in?

Mr. FISHER. Cape Breton south.

Mr. AMES. I would like to know how it is that this money is revoted year after year. Is it the intention of the government to proceed with this work this year?

Mr. FISHER. We have not been able to get dredges.

Mr. AMES. Will it be undertaken just before the next election?

Mr. FISHER. That will depend altogether on whether we can get dredges.

Mr. AMES. It would seem as if the work were not very necessary if it can be postponed from year to year.

Mr. FISHER. It would not have been put in if it were not thought necessary.

Mr. AMES. Here is a harbour that is two miles from the excellent harbour of Louisburg and which can only be used for a few fishing boats. When the government ask for money year after year to spend on this same work it would seem that the government were not very positive that this expenditure was of any great value. Is it intended to really do the work this year?

Mr. FISHER. If we can get any dredges this year.

Charlo's cove—breakwater, $14,200.

Mr. FISHER. This is under contract, I am told, and we now hope to carry it on.

The reason it was not proceeded with was that the contract was not arranged for.

Mr. BLAIN. How much was expended last year?

Mr. FISHER. Nothing. The vote was taken very late in the season as my hon. friends know and nothing could be arranged for for fall work. The contract is now let in order that the work may be proceeded with early this spring.

Mr. BLAIN. What will be the total cost?

Mr. FISHER. $14,200. The amount of the contract is $12,875.

Mr. BLAIN. What county is this in?

Mr. FISHER. Guysborough. Mr. Hugh Macdonald, North Sydney, is the contractor.

Church point—extension of groyne and repairs to wharf, $2,000.

Mr. AMES. I think the government have had very difficult work at Church Point if one can judge from the reports. In 1901-2. the work was rebuilt, in 1902-3, 134 feet of it had to be rebuilt; in 1903-4, the reconstruction of the wharf wall was necessary and in 1905-6 it was necessary to spend $2,000 in rebuilding the wharf wall. I would like to know if this is going to continue year after year.

Mr. FISHER. Unfortunately wharfs are very frequently damaged by storms and the undermining of the sea. A system was adopted years ago of building a good many of these wharfs in a way that the engineer does not like to continue, which resulted in the construction of wharfs of what I might call a temporary character. The department is now recommending very much more complete and permanent structures, but in the earlier days these wharfs were frequently constructed in a way that has involved very heavy repairs. That was one of the reasons why the votes this year and in future years will call for larger sums.

Mr. FOWLER. I think it would be well if the minister would explain to us the character of this temporary work and the character of the permanent work. It is very important to know if we have to build these wharfs year after year. There has been a great deal of money wasted at Church Point and we would like to have some information from the minister with respect to the difference between the temporary and permanent character of these works.

Mr. FISHER. If the hon. gentleman will be good enough to look up the report for the year, page 166, he will find a full description of this work. Works of a temporary character were built with native timber and not with concrete. Lately we have been using creosoted timber and concrete on top.

Mr. FOWLER. Are you importing the timber?

Mr. FISHER. We have had to import creosoted timber in the past. There is a question before the department of establishing a creosoted plant, but it has not yet been determined upon. It involves a very heavy investment, but if we are going to require a large quantity of creosoted timber there is no doubt it will pay but still the department has not yet arrived at a decision upon that point. Personally, I would be in favour of it but as acting minister I do not feel justified in starting a new departure of that kind.

Mr. FOWLER. I think it is a very important matter and that it should be taken up by the department. It perhaps may not be a proper thing for the department itself to establish that plant, but it might adopt the plan that the minister has adopted in the Department of Agriculture and give a certain bonus to any person who will establish a plant of that kind. I think it is a matter that certainly should be considered. If our native timber is creosoted it will last about as well as imported timber. In addition to which you will provide a home market for your own timber.

Mr. FISHER. I quite agree with the hon. gentleman.

Mr. AMES. Is the Church Point work to be done by days's work?

Mr. FISHER. Yes.

Mr. AMES. Is it proposed to finally complete it this year?

Mr. FISHER. We will complete whatever repairs are necessary now. I would not like to say what may be necessary next year because it depends upon the storms, &c.

Mr. AMES. It would seem as if this history of building up and taking down should be closed.

Cow bay (Port Morien)—Repairs to breakwater, $10,000.

Mr. FISHER. This is the continuation of a work that was commenced some years ago.

Mr. AMES. On this work $200,000 has been expended altogether, and $60,000 of that within the last four years. It is a large work to keep on doing by day's work from year to year; is it not possible to have a careful estimate made, tenders called for and a contract given to complete the work? I do not think we are getting satisfactory results from the present system.

Mr. FISHER. For repairs of this kind I do not believe any estimate could be made or that any one would care to take it as a contract.

Mr. JOHNSTON. This is a work of very great importance to the community. The

work done for the past four or five years is on repairing the existing breakwater. Some twelve years ago about 250 feet of this breakwater was swept into the ocean and what remained was considerably damaged. For the past two years the department has been repairing the existing breakwater and making it somewhat of a permanent character in cement and stone. The 250 feet which was destroyed has not been reconstructed, and it is necessary that it should be in order to make the harbour a proper one. I would suggest that when the present repairs to the part of the pier remaining are completed, the work of constructing the new portion should be done by tender and contract. I would impress on the minister that this is a very important matter, and I hope he will see his way clear at an early date to proceed with the work of reconstructing the portion of the pier destroyed. That, in my judgment, should be done by tender and contract.

Mr. AMES. The minister stated last year the total estimated cost of this work was $200,000. How much of that is for repairs and how much for new work ?

Mr. FISHER. That estimate was for the whole of the new work, should it be carried out.

Mr. AMES. Is it not possible that this new work should be done by tender and contract?

Mr. FISHER. There will be no trouble about that.

Mr. AMES. Is it the intention of the government to have the new work done by contract?

Mr. FISHER. This vote is for repairs simply.

Mr. AMES. This $10,000 is to be used entirely for repairs?

Mr. FISHER. Yes, the vote says 'repairs to breakwater.'

Culloden breakwater, $6,500.

Mr. GANONG. In what county is this?

Mr. FISHER. Digby.

Mr. GANONG. When was the first vote made for this work?

Mr FISHER. The arrangement for the contract was made last year and if a vote had been taken earlier it is probable that a contract would have been let before that.

Mr. GANONG. Is the property owned by the government?

Mr. FISHER. It is a breakwater out in the sea, and we control all water within three miles of our shores.

Mr. GANONG. Do we own the landing to the breakwater?

Mr. FISHER. Yes.

Mr. GANONG. What is the estimated cost of the total work?

Mr. FISHER. $6,500. The contract is let for $5,850 and the superintendence and contingencies are estimated at $650.

Mr. GANONG. What population is there at Culloden?

Mr. FISHER. There is a statement here that this is situated seven miles north of Digby town and that a number of families partly engaged in farming and partly in fishing are resident there; this is to give protection to their fishing boats.

Mr. GANONG. What protection are you giving to the farmers?

Mr. FISHER. We help them in the Department of Agriculture.

Mr. GANONG. According to 'Hansard' the minister stated formerly that this would cost $20,000.

Mr. FISHER. I think that must be a mistake. There is a statement here which calls attention to the fact that the people have subscribed $2.000 in labour and $700 in timber towards this work.

Mr. GANONG. The $20,000 in 'Hansard' may be a misprint for $2,000.

Digby harbour—improvements, including repairs to pier, $2,000.

Mr. FOWLER. I want some explanation of this.

Mr. FISHER. This is for repairs to the old wharf.

Mr. FOWLER. In 1906-7 $12,000 was voted.

Mr. FISHER. $10,000 is spent and $2,000 revoted.

Mr. FOWLER. Was that $10,000 to carry out the contract that was made between the member for Digby (Mr. Copp) and the town?

Mr. FISHER. No.

Mr. FOWLER. The minister will remember that contract?

Mr. FISHER. I do not. I remember some talk about it.

Mr. FOWLER. The member for Digby was to receive $5,000 if he got Digby made a winter port.

Mr. FISHER. I have not charged my memory with it.

Mr. FOWLER. The member for Digby is not here.

Mr. COPP. I am here.

Mr. FOWLER. The member for Digby might give us an explanation as to that contract which was in writing between himself and the municipality of the town of Digby, whereby he was to render his eminent services to procure from the government a very large grant for Digby and in return he was to receive $5,000. I believe he got the $500 on account. Is that $10,000 part of the grant he was to get from the government? I would like to know whether he received any more of the amount?

Mr. COPP. I can assure the hon. gentleman that the $10,000 voted last year has not been expended as yet. I am in hopes that it will be expended and that we will some day have a new peir at Digby. I can further assure the hon. gentleman that it has nothing to do with any contract I may have had with the town council in reference to any pay I may have received from them. I have never received any pay out of any moneys voted by the Dominion government with respect to the Digby pier or in any other way. This $2,000 now voted is simply an annual grant that has been going on for years. Some years when it is found necessary it is expended and some years it is not. I think last year only about $300 was spent, but this vote is put in every year and stands there so that if anything happens they will have it to fall back on and if nothing happens it is not expended. I never need ask for it.

Mr. FOWLER. I did not say that the hon. gentleman received any portion of the government grant. I want to know whether the $10,000 voted last year was a carrying out of the contract made between him and the town.

Mr. COPP. I know nothing about it.

Mr. FOWLER. The hon. gentleman knows nothing about it? Does he mean he does not know anything about such a contract being in existence, because we had the papers here a year ago, and there was $500 voted by the town for the hon. gentleman, as I understand.

Mr. BENNETT. $5,000, was it not?

Mr. FOWLER. The agreement was for $5,000, but he received $500 on account.

Mr. COPP. I assume the reference is to a matter which was brought up by the hon. member for Simcoe (Mr. Bennett) some few years ago. I was only too anxious that the hon. gentleman should have gone on and had an investigation. However, he did not see proper to take that course. There is nothing in the transaction between the council and myself of which I am ashamed. I had no agreement with the council, but what took place between us had nothing to do with the moneys voted by the government then or now, or in the future. The $10,000, I believe, was put in by the Minister of Public Works himself. I had nothing to do with it; I did not ask him for it; and, in fact, I might say that I was urging something in another direction. But the pier is an interprovincial pier, and one which the members for St. John are as much interested in as I am. We want a new pier; we must have one. Whether it shall be provided for by the government or by the steamship owners is a question that has not been decided on as yet.

Mr. FOWLER. Does the hon. gentleman say that there was not a contract entered into between himself and the municipality, whereby he was to receive a certain sum of money from the municipality, provided he got a grant from the government? If he says so, that ends it.

Mr. COPP. The hon. gentleman does say so. The agreement had nothing to do with the government whatever; the agreement between the council and myself had nothing to do with the Dominion government or the municipality of Digby. It was an agreement between the town council—

Mr. FOWLER. For what purpose?

Mr. COPP. To induce a company to undertake harbour improvements at Digby.

Mr. FOWLER. Will he say that the agreement in terms specified a company?

Mr. COPP. I almost forget what the agreement did specify, but that was the intention.

Mr. FISHER. The Digby pier was constructed many years ago, largely for the trade between Digby and St. John and also United States ports, and it has been getting into bad repair. We have had to expend public money on it from time to time. I am informed it is in even worse repair than usual, and the probability is that some very considerable works will have to be undertaken there, whether by the government, the steamship companies or the town of Digby, is a matter for future decision. The expenditure here indicated is a revote of part of the $12,000 voted last year, some of which has been expended.

Mr. FOWLER. I do not want the minister to think I am condemning the vote; I think it is very necessary. I know the wharf there; it is a very long pier, rendered necessary by the depth of water there, and Digby is an important point, and no doubt the expenditure is necessary. I was simply trying to ascertain whether it had anything to do with the contract we heard of some time ago.

Mr. BENNETT. In reference to this bargain and contract between the member for Digby and the town council, it is quite true that I brought it up, and I do not regret doing so. I simply brought it up to show the people of Canada an illustration of how business is conducted in this country.

Mr. DEPUTY SPEAKER. Does the hon. member think it is relevant to this vote? It has been denied by the hon. member for Digby that there is any connection between the two. This is a vote for repairs to the pier; the other is an altogether different question.

Mr. BENNETT. The hon. gentleman has not denied that there was an agreement. I will put it another way.

Mr. DEPUTY SPEAKER. I do not think you can put it on this vote.

Mr. BENNETT. In the event of this grant being made for Digby this year, does the minister think that it will be beneficial to the municipality that the municipality should enter into a contract with any member of parliament to use his efforts to induce the government to make a grant, or does he think it would be to the interest of the country that a member of parliament should place himself in the position of a suppliant at the door of the department urging them to make a grant? An investigation has been conducted in the Public Accounts Committee as to the affairs of the Collingwood Dry Dock Company. From the papers produced there it is quite plain that the member for North Simcoe (Mr. L. G. McCarthy) is promoting the interests of that company for the purpose of gaining a subvention of $300,000. Will it be to the interest of that company to still engage the services of the law firm of which the hon. member for North Simcoe (Mr. L. G. McCarthy) is a member, in order that the company may secure a continuance of that grant?

Mr. FISHER. I do not think the hon. gentleman should discuss another item, which will come up later, on this item. I am not going to express an opinion on a supposititous case. When there is a case in concrete form before the House I will certainly be ready, as a minister, to express an opinion, but not to express an opinion on a supposititous case, and I am not going to express an opinion on another case under this vote. I do not think he should discuss the Collingwood dry dock under this item.

Mr. BENNETT. I am discussing the Digby grant.

Mr. DEPUTY SPEAKER: In committee we can only discuss what is referred to us, and this refers to the Digby vote.

Mr. FOWLER.

Mr. BENNETT. This will be particularly well ventilated on the public platform.

Mr. SPROULE. I rise to a point of order. I think any member is quite within his rights, in connection with the harbour improvements and repairs——

Mr. DEPUTY SPEAKER. At Digby.

Mr. SPROULE. On harbour improvements and repairs at Digby, he is quite within his province and his rights in discussing it.

Mr. DEPUTY SPEAKER. But not at Collingwood.

Mr. SPROULLE. But at Digby.

Mr. DEPUTY SPEAKER. Yes.

Mr. SPROULE. I understood the hon. member was prevented from discussing this question because he had been referring to something that occurred in the past. The member for East Simcoe (Mr. Bennett) was quite within his rights in discussing anything in connection with that harbour.

Mr. DEPUTY SPEAKER. We are in committee on certain items.

Mr. BENNETT. I ask the minister whether it will be to the advantage of the town of Digby to employ that hon. member, or some other hon. member from that province or another province, to fee and pay the member for Simcoe? He will not be making any contract with the government at all, there will be no violation of the Independence of Parliament Act. It may be a question of public ethics whether a municipality seeking a grant from the government should think it necessary to go to a member of parliament and ask his assistance. So far as I am concerned, I will give the public every opportunity of learning the facts, which are admitted, that the people of Digby thought that it would be to their interest as a municipality in asking a grant to fee the member a very substantial and handsome sum of money in order that the claim might progress through the department. If the minister thinks that is right, it may be well for other municipalities to know it, so that they can act accordingly. We have the Digby case right under the vote.

Mr. FISHER. No, it is not.

Mr. BENNETT. Is it not a Digby vote?

Mr. FISHER. Yes, but my hon. friend for Digby (Mr. Copp) has said that there is no such contract, and the hon. member for Simcoe (Mr. Bennett) has to accept his statement.

Mr. FOWLER. He did not say that.

Mr. FISHER. Yes, he said that any arrangements which he entered into with the Digby town council had no reference to the government of the day. That being the case, the argument of the hon. member for East Simcoe (Mr. Bennett) does not apply.

Mr. FOWLER. As a matter of fact the contract that was entered into between my hon. friend and the town of Digby did not confine its operation to the company at all, and the natural inference would be——

Mr. FISHER. My hon. friend has made the statement and the hon. member has to accept it.

Mr. FOWLER. I quite understand that, but I am pointing out how the layman outside, who is not bound to accept any statement made in this House.

Mr. DEPUTY SPEAKER. The hon. gentleman has to accept the statement and that must be the end of the matter for the present. There is another way of bringing it up if he wishes.

Mr. FOWLER. I am not disputing the ruling of the chair in the slightest, but I am saying that while I accept the statement as absolutely true, I still have the right to point out how a person who is not bound by parliamentary rule looks at it. It seems to me that that position is unassailable. That being the case and the contract being silent as to where this money is to be got, the natural inference to the lay mind would be that, as the hon. gentleman representing that district in this House is a supporter of the government, he was going to get the money from the Dominion treasury.

Mr. FISHER. Honi soit qui mal y pense.

Mr. FOWLER. That is very true but at the same time——

Mr. FISHER. You do not dispute it?

Mr. BERGERON. But there was a question of woman in that case.

Mr. FOWLER. Since the hon. gentleman has said that it has nothing to do with the Dominion government, I am bound to accept his statement and do so most cheerfully.

Eskasoni wharf, Nova Scotia, $1,000.

Mr. AMES. What is the population of the town?

Mr. FISHER. It includes the village of Eskasoni. The wharf is used by a large number of people in the back part of the country, who come down and use it for fishing operations in the fishing season.

Mr. AMES. Are the inhabitants mostly Indians?

Mr. FISHER. There is an Indian settlement there who do a good deal of fishing.

Mr. AMES. From whom was the land purchased?

Mr. FISHER. The site was purchased from Mr. E. T. Bowen for $1. That is to say the approach to it.

Mr. AMES. Is Mr. Bowen a storekeeper there?

Mr. FISHER. I do not know.

Mr. AMES. Is the wharf of service to anybody but him?

Mr. FISHER. It is of service to a large settlement, comprising a number of Indians and about a hundred white men.

Mr. SAM HUGHES. Is there a collector of customs there?

Mr. FISHER. I do not know.

Mr. BERGERON. Are you going to build a post office there?

Mr. FISHER. Not at present.

Mr. AMES. How many tenders were there?

Mr. FISHER. Six in answer to public advertisement. The lowest $2,875; the highest $3,700. The lowest was accepted.

Mr. AMES. Where does Mr. T. D. Morrison, the contractor, live?

Mr. FISHER. At Descouse.

Mr. AMES. I wish in this case to congratulate the government. Here is an expenditure of $3,000 all told, yet it has been thought advisable to call for tenders and give a definite contract for the work and the work is to be done in one season. This should be applied in many cases which are now done by days work, but the minister has always contended that small contracts could not be carried out except by days work. Well, here is proof to the contrary. This work will soon all be completed and that will be the last we shall hear of the euphonious name of Eskasoni.

Mr. FISHER. We always call for tenders in the case of a work which is specific and can be measured in advance.

Mr. PERLEY. Does the government own the land?

Mr. FISHER. This is an enlargement of a wharf.

Mr. PERLEY. Is it the policy of the government to own the land on which wharfs are built?

Mr. FISHER. Yes.

Mr. PERLEY. In this county there have been public works built on land which the government did not own. There is one particularly at Gunning cove, a short distance away, about which I asked a question

this session. On the 11th February I got an answer that there was no public road leading to the wharf at Gunning cove, but it was expected that arrangements would be made to secure a road from the municipal authorities. There are one or two other cases of the same kind in this county, where the government has built public works on private land to which there is no public access.

Mr. FISHER. In years gone by that was done but not in the last five or six years.

Mr. PERLEY. This did not happen so long ago. A wharf was built at Gunning cove, in John Doane's backyard, and that wharf was inaccessible from the shore except by traversing his private property.

Mr. FISHER. When was it built ?

Mr. PERLEY. I do not know when it was commenced ?

Mr. FISHER. My hon. friend it was built many years ago. I remember the instance and I understood that the municipality agreed to provide access when the wharf was built. For some reason or other they did not carry out that agreement, and the condition arose which my hon. friend has described.

Mr. PERLEY. I am informed that during the past year the municipality was asked to arrange with Mr. Doane to open up a road to this wharf, but John Doane wanted $500 before he would allow the public access to the wharf. When MacKenzie and Mann wished to land supplies there for their railway, they were allowed access to the wharf provided they paid John Doane for the privilege of crossing his land and any damages caused thereby. This is in the county of Shelburne and Queen's N.S. There are one or two similar cases in the same county which I do not propose to discuss to-day, but this seems to be a very aggravated one.

Mr. AMES. To this particular expenditure, I think, we have no objection, because we realize that if the railway goes to that point, it is necessary that there should be ample accommodation. But I am struck with a sentence which occurs in the report of the Public Works Department for 1906 which states that here in the county of Shelburne for a stretch of ten miles there are no wharf facilities. I had no idea that there was such a state of things anywhere in Nova Scotia. When you remember that that county has been represented for about eleven years by the Minister of Finance, there must be some mistake.

Mr. FISHER. Does my hon. friend think it ought to be remedied ?

Mr. AMES. I should say that if the government's policy were carried out, there would be a wharf every two miles. It must be a Tory district.

Mr. SINCLAIR. If my hon. friend will do me the honour of paying a visit to my county next summer, I will show him a coast where for twenty-five miles there is not a public work of any kind, although it is thickly settled, and although applications have been made for breakwaters, wharfs and other improvements.

Mr. WILLIAM ROCHE. I think there would be more facility in the discharge of the business of the committee if the hon. member from Montreal (Mr. Ames) would confine himself to the particular item under discussion, and not make a general flout at the province of Nova Scotia because we might contrast the expenditures in that province with those made in the immediate neighbourhood of Montreal.

Mr. AMES. I should be delighted to do so in this House and in the country, to compare the expenditures made along the seacoast of Nova Scotia with those made on the St. Lawrence route. The latter are for the general benefit of Canada, while the former are almost invariably for the benefit of a small group of favoured individuals.

Mr. PERLEY. Who was the supervisor in charge of this work at Frude's Point?

Mr. FISHER. His name is Harlow.

Mr. PERLEY. I am informed that a lawsuit has been brought against him by a workman named Hardy, because he did not employ him after having promised to do so. My information is that after having promised to employ the man, Harlow told him he could not do so unless he voted for the Liberal candidate. I would like to ask the minister whether there has been any lawsuit of this kind brought against Harlow?

Mr. FISHER. I am not aware of it and I do not believe it.

Mr. A. K. MACLEAN. I happen to know that there was such an action brought against the foreman of the works, but I believe the foreman denies having refused the man employment. On the contrary, he states that this man was offered employment, but refused to accept it.

Mr. PERLEY. Was a writ issued ?

Mr. A. K. MACLEAN. The writ was issued at the time of the last by-election in Shelburne for political purposes, and I do not suppose that it has proceeded any further.

Glace Bay—assistance towards harbour improvements, $6,910.38.

Mr. BLAIN. What is the difference between the Dominion Coal Company and the government with respect to this work ?

Mr. FISHER. The Coal Company undertook to build this wharf and make these improvements as an ordinary contractor, and this is to pay the balance of the contract.

Mr. BLAIN. Is this on public or private property ?

Mr. FISHER. On public property.

Mr. BLAIN. My understanding was that it belonged partly to the Dominion Coal Company.

Mr. FISHER. The Coal Company owned the property, but an agreement was come to at the time of the contract, that the work to be done should be open to the public and be for the use of the public.

Mr. BARKER. Is that a written provision of the contract ?

Mr. JOHNSTON. Yes, and the contract has been produced on three occasions in this House, and is a matter of record for at least two or three years. The Dominion Coal Company own the land and the harbour, by reason of the fact that it is an artificial harbour; but an arrangement has been made between the company and the people of Glace Bay, which has been discussed in this House on several occasions, by which the public are entitled to all the privileges in this harbour that they have in any other harbour of the country. There is a contract between the Dominion Coal Company and the government to that effect, and as that company is a responsible company, it will be subject to damages if the contract is not carried out. It serves all the purposes of a public harbour, and the people of Glace Bay generally are satisfied with the arrangement and have so signified on many occasions.

Mr. BLAIN. My information is that the public are not quite satisfied, but that they see growing up there a great monopoly, which I am informed has the support of my hon. friend who has just spoken. The minister has stated that the policy of the government is to expend money only on government property. My hon. friend varies that policy in this case by expending money on property owned by a private corporation. Therefore my hon. friend will have to be a little careful in future in stating that the policy of the government is to expend money upon public property rather than upon private property? I could give him some instances in the province of Ontario where the government have expended money upon properties owned by private individuals.

Mr. FISHER. That is the general policy, but at the same time there may be instances and special circumstances where it is advisable to make the change, and if ever there was an instance here is one, where an important harbour serving a large number of people is in the hands of a private corporation, and by an arrangement with that corporation the government is able to secure all the benefits and advantages which that corporation has provided for the benefit of the public.

Mr. SPROULE. Has the government any control over the charges ?

Mr. FISHER. Yes, a contract is entered into by which this company is obliged to put all the benefits and advantages of their expenditure at the disposal of the public at large, and as a further expenditure of government money was necessary in order to complete the work, the company obligated themselves to give all their former work for the benefit of the public.

Mr. AMES. In case any other coal company should wish to ship coal by that wharf could they do so under this contract ?

Mr. FISHER. No.

Mr. AMES. Therefore that coal company has the absolute and exclusive monopoly, so far as coal shipping is concerned, of a wharf for which the government pays $25,000.

Mr. FISHER. There is nothing in the contract to prevent it.

At one o'clock, committee took recess.

Committee resumed at three o'clock.

Mr. AMES. Mr. Chairman, the question I asked before you left the Chair was whether this contract would permit another coal company, in case there was another coal company in the neighbourhood of this wharf, to use this wharf for the shipment of their coal, or whether, in the case of coal shipments, it would give an absolute monopoly to the Dominion Coal Company in respect to this wharf.

Mr. FISHER. I am informed that it would not and am also informed that there is no other coal near there and no mines that can be used for that purpose.

Mr. AMES. It may be that there has been no coal discovered up to the present time but unless the entire area subject to this place is owned by the Dominion Coal Company, one can never be sure that, with the great wealth of Nova Scotia, additional deposits of coal may not yet be discovered. It may be that a coal mine will be discovered somewhere in the neighbourhood which will be subject to this particular harbour.

Mr. FISHER. I am informed that this whole area has been exploited for coal and that is all in the hands of the Dominion Coal Company.

Mr. HAGGART. What amount has been expended upon this undertaking and will this finish it ?

Mr. FISHER. It is finished and this is for the payment. The government have paid $25,000 and the coal company was to have spent about $13,000 more.

Mr. HAGGART. Do I understand the minister to say that this finishes it ?

Mr. FISHER. Yes.

Mr. HAGGART. That is $38,000 altogether ?

Mr. FISHER. Yes.

Mr. HAGGART. But there has been a far larger sum than that expended on Glace Bay.

Mr. JOHNSTON. Not by the government.

Mr. HAGGART. Oh, this is an expenditure on a private undertaking ?

Mr. JOHNSTON. That is the explanation ; that is right.

Mr. HAGGART. In whose name is the wharf ?

Mr. FISHER. The wharf belongs to the Dominion Coal Company but there is a contract with the company that as the government paid this $25,000 the wharf and its approaches shall be made public so that the public may use it.

Mr. HAGGART. Has the coal company contributed anything towards the expenditure ?

Mr. FISHER. About half as much as the government in addition to all the work which was there before.

Mr. HAGGART. They built the work that was there before and for the work that has now been completed they have contributed one-half.

Mr. FISHER. No, the government contribute $25,000 and the whole work cost about $38,000.

Mr. BLAIN. What about the future in respect to repairs ?

Mr. FISHER. That is for the future to decide.

Mr. BLAIN. As I understand it the government has expended $25,000 and the Dominion Coal Company, $13,000 ?

Mr. FISHER. $13,000 now.

Mr. BLAIN. Making a total of $38,000, which completes the work ?

Mr. FISHER. Which completes the work, but this is not the whole work because the Dominion Coal Company spent large sums before the government did anything.

Mr. FISHER.

Mr. BLAIN. I understand that the government spent something before the Dominion Coal Company ?

Mr. FISHER. No, this is the first expenditure by the government.

Mr. BLAIN. The government having an investment of $25,000 in a private enterprise, with the exception that the minister has given that it is open to the public on certain conditions which practically give a monopoly to the Dominion Coal Company, has the company control of the wharf under the contract that has ben entered into with it by the government ? What about the future ?

Mr. FISHER. The government is under no obligation as to the future.

Mr. BLAIN. Are we to understand that the government do not spend any more money ?

Mr. FISHER. I am not prepared to say. I do not know what the future may bring forth.

Mr. HAGGART. Do I understand the minister to say that the government have only expended at Glace Bay, $25,000?

Mr. FISHER. As I am informed.

Mr. HAGGART. That is under the new arrangement, but, before that, surely the government expended some money ?

Mr. FISHER. I am told not.

Mr. JOHNSTON. Not at Glace Bay.

Mr. FOWLER. Have there been any complaints from any people resident at Glace Bay who want to use these works but who have been prevented from doing so by the coal company ?

Mr. FISHER. I do not think so.

Mr. JOHNSTON. No.

Mr. BLAIN. I would like to hear from the hon. gentleman representing the county as to whether the citizens of the town and surrounding country are perfectly satisfied with the agreement which has been entered into between the government and the Dominion coal company ?

Mr. JOHNSTON. I have on three or four former occasions assured my hon. friend that the citizens generally approve of this scheme.

Mr. BLAIN. No complaints whatever ?

Mr. JOHNSTON. Well, there may be two or three Bourbons who are opposed to this as they would be to any other movement, but I have only to assure my hon. friend that a gentleman who is so keen to give him information does not know very much about what the citizens of Glace Bay desire. This scheme is perfectly acceptable to the people of Glace Bay. It was approved by them as

represented by their mayor and town council on several occasions.

Mr. BLAIN. That is a very good explanation except for the fact that the town council and mayor are all or nearly all in the employ of the Dominion Coal Company.

Mr. JOHNSTON. I must again correct my hon. friend; I am bound to say that, knowing as I do the source from which he gets his information, I will give him the correct information in regard to it.

Mr. BLAIN. I would like the hon. gentleman to give us the correct information. Is the mayor of the corporation in the employ of the Dominion Coal Company?

Mr. JOHNSTON. No.

Mr. BLAIN. Was he last year or a year or two ago?

Mr. JOHNSTON. Yes, he was.

Mr. BLAIN. What about the town council at the present time?

Mr. JOHNSTON. There may be one or two members of the town council at the present time in the employ of the Dominion Coal Company. As nearly as I can recall there is one member of the town council of Glace bay in the employ of the Dominion Coal Company, but I want to assure my hon. friend that there is no member sitting at the town council board of Glace Bay one whit more independent than is the member who is in the employ of the Dominion Coal Company. In the consideration of this matter they were actuated simply by a desire to meet the views of the citizens generally of Glace Bay.

Mr. DANIEL. It seems unusual to have a harbour in the control of a private company. How did the coal company become possessed of Glace Bay harbour?

Mr. JOHNSTON. The harbour was originally constructed by the Glace Bay Mining Company, one of the companies absorbed by the Dominion Coal Company in 1893. The harbour was constructed by the Glace Bay Mining Company a good many years ago, and when it sold all its rights and properties to the Dominion Coal Company the harbour was part of the assets. Originally there was only the mouth of a small stream that runs into the ocean, and at very great expense the Glace Bay Mining Company dredged it out. As to $38,000 respresenting the expenditure made by the Dominion Coal Company, they are obliged under their contract with the government to dredge the harbour and keep it dredged, which represents a very considerable additional expenditure to the $38,000.

Grand Etang—repairs to and part reconstruction of channel protection works, $2,800.

Mr. FOWLER. In what county is this?

Mr. FISHER. Inverness.

Mr. AMES. Who is the owner of the bridge that has been built across this pond?

Mr. FISHER. The government.

Mr. AMES. Is it customary for the government to own a bridge across a creek, the bridge being portion of the highway?

Mr. FISHER. The creek was enlarged by the government there and it was thought they should build a bridge.

Mr. AMES. In such a case is it not desirable that the bridge should be dedicated to the provincial government who has the duty of keeping the highway in repair? Should not the maintenance of the bridge be with the provincial authorities, as the rest of the roadway is?

Mr. FISHER. The bridge is our property, but, without knowing more about the case I am not prepared to express an opinion on whether it would be better for us to keep it under our own control, or to hand it over to the municipal or provincial authorities.

Mr. McLENNAN. The harbour of Grand Etang is navigable beyond this bridge, and I think the government should retain control of the bridge in order to secure the navigation of the harbour.

Mr. FOWLER. The argument of the hon. gentleman (Mr. McLennan) does not hold, because I can point out to him that the St. John river is navigable beyond the bridges crossing it, but these bridges were not built by the Dominion government. There are cases in the province of Quebec, notably the Disraeli case where the Dominion government have built bridges. In that case they did it under the pretense of calling it a wharf, but it was built in a cow pasture and could not be a wharf. Outside of the province of Quebec this is the first instance I know of, where the Dominion government built a bridge of this kind. But the hon. member for Inverness has influence enough with this government to induce them to go outside of their proper sphere and to build a bridge which certainly should have been built by the municipal or provincial authorities.

Mr. FISHER. The St. John river was there before the Dominion of Canada came into existence, but in this case it was by reason of dredging out to make a harbour that the government of Canada made a bridge necessary.

Mr. FOWLER. The river was there, but if you dredge it out and deepen it, it does not necessarily make it any wider. The space has to be crossed by a bridge whether the water is six feet or sixty feet deep, so that the dredging out cannot place any responsibility on the Dominion government to build the bridge.

Mr. FISHER. That shows the danger of talking about a situation which the hon. gentleman is not familiar with. It happens that this was a beach, and that there was no connection between the sea and the pond inside, and the public road went along that beach. The government, in order to help the fishermen, dredged a channel into the lagoon which was at the back of the beach, and when that dredging was done the bridge was necessary. Before, there was no creek, and no water, and no bridge. Under the circumstances it was thought right that the government should build a bridge.

Mr. FOWLER. I am not aware whether the minister was reading me a lecture or reading himself a lecture about talking of something he knows nothing about. The minister told us this river was there before there was a Dominion government——

Mr. FISHER. I said that of the St. John river.

Mr. FOWLER. The minister certainly referred to this creek.

Mr. FISHER. No.

Mr. FOWLER. If the minister reads 'Hansard' to-morrow he will see I am right.

Mr. FISHER. No; I referred to the St. John river.

Mr. FOWLER. If the minister does not attempt to fix the 'Hansard,' I will guarantee it does not state what he says.

Mr. FISHER. I will promise not to touch it.

Mr. FOWLER. The minister now says there was a lagoon there, and they dug a ditch through to it.

Mr. FISHER. A channel.

Mr. FOWLER. We have heard of lagoons in the province of Nova Scotia to which ditches have been dug from the ocean, and the lagoon emptied itself and there was a lagoon no more. Is this one of these?

Mr. FISHER. No.

Mr. FOWLER. Of course not, because in that case you would not require a bridge because the ditch would be dry. You must have dug a very large ditch to necessitate the expenditure of $10,000 for a bridge.

Mr. McLEAN. The bridge in question is built across what the hon. gentleman calls a lagoon. It is called Grand Etang in French, and therefore, as the name implies, it required a bridge of considerable size. As the minister has very properly said, the old highway was across the beach between Grand Etang and the Gulf of St. Lawrence. The Dominion dredged a channel there, through which nice sized fishing schooners can go in and out, and they had to cut the highway in order to do that. The harbour having become a navigable harbour by means of the dredging of this channel, the municipality or the provincial government would not dare cross that lake, or pond, without coming to the Dominion government and asking leave, thus demonstrating that that harbour was the property of the Dominion government. I object to the hon. gentleman (Mr. Fowler) comparing this to something found in the Quebec harbour cow pasture. I can assure my hon. friend that we have not such shady transactions on our hands down there as could be found in some other parts of the country—known to the hon. gentleman from King's, N.B.

Some hon. MEMBERS. Hear, hear.

Mr. McLENNAN. And therefore all our grants should not be viewed with that miserable degree of suspicion that seems to have been cast upon every grant that has been under consideration before this committee to-day, for the simple reason, in my judgment, that they are grants to public services in Nova Scotia, a province that has committed the unpardonable offence of sending an unbroken contingent of Liberals here. I cannot account for this in any other way. To return to my point, the Dominion government very properly assisted the fishermen of Grand Etang by aiding them in getting a harbour for their boats before which time about 100 or 150 fishermen were obliged to build small slips and to place capstans at the heads of these slips and pull their large fishing boats up along these crude slips. To-day the member for King's N.B., (Mr. Fowler)) could not wish to see a prettier sight than 25 or 30 large sized fishing boats coming in from sea on a beautiful summer day and sailing straight into that harbour——

Mr. FOWLER. I am glad that the hon. gentleman resents the idea that this is nothing like so nefarious an affair as the Disraeli bridge. Of course, we know it is difficult to parallel such a case as the Disraeli matter. The hon. gentleman is very much mistaken if he thinks I was criticising the creation of this harbour.

Mr. McLENNAN. Calling it a ditch would look like that.

Mr. FOWLER. It is not the pier that is the ditch, the ditch was made across the beach connecting the ocean with the lagoon. It was explained by the acting minister that this channel across the beach was made necessary and that destroyed the highway. I understood from the minister that this bridge was built across the new channel. Now my hon. friend tells us that this bridge was built across the lagoon itself and was necessitated owing to the channel being cut through the beach. It then became necessary to change the highway and

the Dominion government built the bridge across. I still fail to see why this calls for the building of a bridge out of the Dominion treasury. The fact that the provincial authorities would have had to get permission by reason of this being a navigable water is of no consequence as the same thing exists with regard to St. John which is a navigable water.

Mr. McLENNAN. Where is St. John, anyway ?

Mr. FOWLER. It is a fairly prominent point, the great winter port of Canada.

Mr. FOSTER. Next to Port Hood.

Mr. FOWLER. This is the point I make that the Dominion government have no right to use the money from the federal treasury to build bridges which should be built and maintained by the provinces. They are built by the province in New Brunswick and every other province.

Mr. AMES. So long as that bridge remains a Dominion government property we shall continue to spend $1,500 or $2,000 a year in repairing it. When the highway ran along the bar it was the duty of the provincial government to maintain it, and to rebuild it in case the bar should be washed away in the spring. If the Dominion government places the highway in a position equivalent to what it was before, then this bridge should be handed over to the provincial government and the cost of maintenance borne by them.

Mr. FISHER. That would be a question of whether the maintenance now is more expensive. If it is more difficult to maintain the bridge then it may be said that the Dominion should maintain it.

Half Island Cape—breakwater, $6,000.

Mr. GANONG. What sized boats will this accommodate ?

Mr. FISHER. I am informed there will be about nine feet of water at low water. This is under contract. None of last year's appropriation has been expended.

Mr. FOSTER. What will the total cost be ?

Mr. FISHER. $7,500. It was begun last year but the season got too late to go on with the work.

Mr. GANONG. The principal claim made by the member for Guysborough in connection with this was that steamers could not under present conditions, take freight from this point. It seems to me if you have only nine feet of water that a very large steamer could not get into it.

Mr. FISHER. That is nine feet at low water.

Mr. GANONG. You must have the steamer to correspond with the tide.

Mr. FISHER. My hon. friend knows there are lots of places where steamers can get in only at high water.

Mr. SINCLAIR. I have no doubt that the steamer which collects fish along that coast will be able to call on the outside of that breakwater. The water is not deep and it will be difficult for a steamer of any size, but these steamers are small.

Mr. GANONG. It may be necessary to ask another grant next session of $10,000 to put it out into deep water, may it ?

Mr. SINCLAIR. It might be a very good thing to consider.

Hall's harbour, $6,000.

Mr. FOWLER. How large a place is Hall's harbour and who will be served by this ?

Mr FISHER. This is situated on the south side of the Bay of Fundy about 65 miles northeast of Digby and 12 miles southwest of Scott's bay. It is near Kentville, that is, it is opposite Kentville on the coast. The headquarters of the Dominion Atlantic Railway are in Kentville, and there is considerable traffic to the harbour from the back country.

Mr. FOWLER. Is there a branch line from this harbour to Kentville ?

Mr. FISHER. No.

Mr. FOWLER. What the minister has said is, no doubt unwittingly, rather misleading. He would have the committee understand that Halls harbour was the harbour for Kentville and the terminus of this railway.

Mr. FISHER. No.

Mr. FOWLER. But a mountain lies between. Halls Harbour is a village of about twenty families, which had once a little trade, but to-day that trade is gone and no vessels go there. This is just an expenditure to satisfy some private individual.

Mr. FISHER. I have not got information of the exact size of the village, but it is a place some distance from any other harbour along that coast and with what is known as the mountain back of it. The people on that mountain could come here, and there is no doubt a considerable population along the coast who need shelter for their fishing boats.

Mr. FOSTER. What is to be the total cost ?

Mr. FISHER. $8,300.

Mr. FOWLER. There is a wharf there at present ?

Mr. FISHER. This is for repairs.

Mr. FOWLER. Do you propose to let the work by contract ?

Mr. FISHER. No, by days work.

Mr. FOWLER. What was the original cost of the wharf you are repairing?

Mr. FISHER. I have not got the details.

Mr. FOWLER. My instructions are the total amount expended on this wharf from 1839, when the wharf was begun, to the present would not amount to $8,300. And now it is proposed to expend a similar amount. This is really a new work, and as such is one that may well be let by contract. So far as days work is concerned, my own opinion is that there are many instances where that is the only way you can do the work properly. The whole thing depends on the honesty of the men in charge, but there are even repair jobs which might be done by contract; and wherever possible, I think the government should do the work that way. The great majority of repair jobs can only be done by days work because when you come to repair an old wharf, you do not know exactly how much you may have to do.

Mr. FISHER. That is the trouble.

Inverness (Broad cove) mines—harbour improvements, $10,000.

Mr. BARKER. Have these harbour works been transferred to the government?

Mr. FISHER. Not yet, but we do not propose to do any work on them until they are. An arrangement is about being completed for their transfer.

Mr. BARKER. This has become a very old story. We have had it ever since 1905. We were told in 1905 that the government expected to have a transfer of these works and were going to expend $10,000 on them; but at that time Mr. Brodeur, who was then minister, said the vote was for the extension of the harbour works, and the member for the county (Mr. McLennan) was good enough to inform us that the work to be done was simply placing brush and stone for the protection of the entrance of the harbour, and they apparently wanted for that $10,000. But in 1906, the succeeding Minister of Public Works (Mr. Hyman), wanted that $10,000 revoted, but not for the extension of the works at all. What he wanted it for was for repairs. He was going to spend $10,000 in repairs on works already in existence and not for brush and stone. Now we come to the present acting minister (Mr. Fisher), and he wants the $10,000 for improvements. But if we are giving $10,000 here and there along this coast, the minister or the acting minister should know what he wants the money for. First we had three years ago a demand for $10,000 to be used for the extension of the harbour. Then he wanted that same $10,000 to repair the works already in existence. And now we want it for improvements. It strikes me that if the department does not know what it wants the money for, it had better postpone the expenditure three or four years longer. We have got on very well for three years without spending that money, why not wait a little longer? I would ask the member for the county (Mr. McLennan) why this expenditure has been put off until next year. I suppose we are going to have an election then, and I would like to know whether the hon. gentleman has requested the government to postpone this expenditure from time to time until an election is certain, and does he propose to have $10,000 expended next year on day labour?

Mr. McLENNAN. The member for the county has not made any such request to the government.

Mr. FISHER. The member for the county has been very keen indeed about getting an arrangement completed with the owners of this harbour for its transfer to the government. I am not very familiar with what occurred several years ago but I can tell the hon. gentleman what the situation is at present? The harbour is in the hands of Messrs. Mackenzie and Mann. They own certain wharfs and foreshores. We wish to acquire the rights of McKenzie and Mann so as to make this a public harbour. The arrangment now is pretty nearly but not absolutely completed. We are to pay them $3,500 for their rights.

Mr. BARKER. We were told that the company offered it free.

Mr. McLENNAN. They did nothing of the kind.

Mr. FISHER. There is no knowledge of that in the department. If we acquire their rights, we shall then have to make some repairs to the wharfs. If we do not get their rights, we will not do any work. The reason this money was not spent last year was that the arrangement was not completed, and until it is nothing will be spent; but if an arrangement is completed satisfactory to the department, the work will go on, and out of this $10,000 a sum sufficient to purchase the rights of McKenzie and Mann will be used and the rest go to repairs.

Mr. BARKER. I understand that the Inverness Railway and Coal Company are the only people who use these works. If they can use them three years in their present condition, the government had better leave them alone and not pay $3,500 and then $10,000 in repairs.

Mr. McLENNAN. They are not using the harbour.

Mr. BARKER. Who are using it?

Mr. McLENNAN. Nobody, it is unfit for use. The company allowed the works to go into desuetude. The entrance is out of

repair, and on that account no one can use it.

Mr. BARKER. Nobody wants to use it, I suppose.

Mr. FISHER. That is another thing.

Mr. McLENNAN. A very nice harbour can be made of it if it is properly handled.

Mr. BLAIN. This is the result of having these estimates passed while the work is allowed to remain in that condition. When this matter was up in 1905, the minister made the bald statement to the committee that not a dollar of this money would be expended for the property, but that it would all go for the construction of the work. Evidently now, from the statement of the hon. gentleman representing the county, here is a wharf owned by a coal company which has allowed it to get into bad repair, and now that it is of no use they propose to sell it to the government.

Mr. McLENNAN. Would the hon. gentleman have it left to the company ?

Mr. BLAIN. What I say is that it looks to me as if the coal company were anxious now to sell it to the government.

Mr. FISHER. They have been so little desirous of doing so that we have not been able to get them to do it for over a year.

Mr. BLAIN. The same statement was made a year ago. I think these matters should be looked into a little more closely.

Mr. BARKER. Has the government an item in the estimates for the $3,500 which they propose to pay for that harbour work?

Mr. FISHER. It is included in this vote of $10,000.

Mr. BARKER. The hon. gentleman does not tell us so. This is an estimate of $10,000 for harbour improvements, and he is going to purchase a harbour with it.

Mr. BLAIN. When the item was before the committee in June, 1905, this is what was said :

Mr. BRODEUR. The committee may be sure that no money will be spent unless a transfer is made to the government.
Mr. BARKER. That is, all the money is to be spent on the work ?
Mr. BRODEUR. Yes.
Mr. BARKER. There are no payments for property ?
Mr. BRODEUR. No.

Mr. McLENNAN. Will the hon. gentleman be pleased to hear that not one dollar of that vote was expended in any way whatever, for the reason that the conditions expected by the minister did not prevail ?

Mr. BLAIN. I understand that quite well. The vote was passed in 1905 and repeated in 1906. It was passed first with a distinct understanding that not one dollar would be spent for the property itself.

Mr. McLENNAN. It was not spent. Is the hon. gentleman satisfied ?

Mr. BLAIN. No, I am not, for the reason that there is now a change of front on the part of the government, and they say that out of the $40,000 which we are revoting, $3,500 will be paid to this company for a property which is of no value, which the hon. gentleman representing the county says is of no service to anybody.

Mr. FISHER. I do not think that is a fair statement of the case. Here is a property which is out of repair, which, however, when constructed cost a considerable amount of money. The hon. gentleman quotes Mr. Brodeur, though I do not know why Mr. Brodeur was dealing with the matter, because he was not Minister of Public Works. But the government having failed to get the property for nothing, the question is whether they will take it over and turn it into a useful harbour. $10,000 is asked for that purpose. Negotiations are now going on. If the property is not acquired by the government, the money will not be spent ; if the government gets the property for $3,500, which I understand is the amount nearly agreed upon, they can with the balance, $6,500, make a useful and effective harbour for the people. The government think that is worth while. They are not buying a useless thing. On the contrary, they buy a work which has cost a considerable amount of money, and which can be made useful with a little repair. In the hands of a private corporation it would be of no use to the public, while in our hands, with the expenditure of $3,500 for the property and $6,500 for putting it in repair, it would be made available and useful to the public. That is the whole state of the case.

Mr. FOWLER. All this difficulty is due to the fact that we have so often an acting Minister of Public Works. Since the Hon. Mr. Tarte left that office, with the exception of a few months, we have always had an acting Minister of Public Works. We had first Mr. Sutherland as acting minister, then for a little while as minister, and then he went away for his health. Then we had Mr. Hyman as acting Minister of Public Works, then as minister for a little while, and then he too left for his health. Then we had Mr. Brodeur acting minister, and now we have the Minister of Agriculture. Hence all this confusion and difficulty. I would like to know from the hon. Minister of Agriculture if he expects to expend these votes ? There is a rumour about the country that the hon. gentleman is to be translated from the position of Minister of Agriculture.

Mr. FISHER. Do not believe rumours. They are very insidious and untrustworthy.

Mr. FOWLER. Sometimes there is a foundation for them, and this rumour says

that the hon. gentleman is to be translated from the office of Minister of Agriculture to that of Minister of Public Works. I think the hon. gentleman might take the committee into his confidence and tell us whether that rumour is true or not. If we felt that he was going himself to expend this money, we would feel greater confidence in the statements he is making with respect to these votes, because we would know that he would be in a position to carry them out, and we believe that he would make a really earnest and honest attempt to carry them out. So it would shorten the discussion on this item if the hon. gentleman would get up and make a clean breast of it, and tell the committee whether or not he is going to be Minister of Public Works.

Mr. FISHER. The hon. gentleman is expressing the hope with so much confidence that it tempts me very much. I am not in a position to make any such statement, but I can assure the hon. gentleman that whatever minister is dealing with the department, he will be quite sure to try to carry out the intentions of the government and the pledges I have given.

Mr. SPROULE. It seems to me that the conduct of the various departments of this government for the last few years is little less than an abuse of parliamentary privileges. We have never had the same minister at the head of it two years in succession. The man under whose supervision we voted the money is not here to tell us how the money has been expended; he is not here to give us the information of the manner in which he has carried out the promises of the government. The acting minister for the time being always falls back on some excuse, saying, Well, the government endeavoured to expend it properly, but I did not make these promises, therefore I am not responsible for the performance of the work. So we do not know where responsibility rests; we have no man to hold responsible. When one minister gives a promise to the House that he will do a certain thing and it is not done according to promise, we have no one whom we can hold responsible. It is getting to be a very grave abuse. We have not had the same minister two sessions in succession. We had Mr. Tarte, who made certain promises, but he went out and he could not be held responsible afterwards. Then we had Mr. Sutherland for a short time, and he went away for his health. Then after that we had Mr. Hyman, who made certain promises, very few of which have been fulfilled, then he goes away for his health. Now we have the Minister of Agriculture (Mr. Fisher) for the time being. We ought to get down to some stability and be able to hold some one responsible.

Mr. FISHER. I can tell the hon. gentleman that we will try our best to see that the government is made stable for the next ten years.

Jersey cove—wharf, $5,200.

Mr. AMES. Is this wharf situated inside or outside the bar which crosses St. Ann's harbour?

Mr. FISHER. It is on the north eastern side of the harbour, at the angle formed between the beach and the mainland. I cannot say whether it is inside or outside.

Mr. AMES. If it is on the inside, as I think it is, it is to the west of the bar which crosses St. Ann's harbour, where there is a shallow bay filled with eel grass with two or three feet of water, with an impassable mountain at the back of it, and no inhabitants. It is a useless expenditure of money.

Mr. FISHER. I think from the hon. gentleman's account of the situation it must be on the outside of the bar, because there are twelve feet of water at the end of the wharf.

Mr. AMES. It is in a place where there is scarcely any population and nothing but a precipitous mountain range behind it. I think we ought to know where the cove is situated before we vote the money, because that section of Cape Breton county is dotted with useless wharfs from one end to the other.

Mr. FISHER. The work is now under contract.

Mr. AMES. On all sides of St. Ann's harbour are wharfs which are not used and which are the laughing stock of the people in that section; they are not used except by an occasional fishing boat coming in and out. It is just another wharf started to keep people employed in that section, and is a useless expenditure of public money. I want to point out another fact that the government has not apparently considered this to be a very necessary expenditure, as it has been revoted year after year, and each successive year the expenditure seems to be a little higher. When the work was first proposed we were told it would only cost $4,100; that was in 1905. In 1906 we were told it would cost $4,300; this year we are told it will cost $5,200. I do not suppose the work will be done this year unless we have a general election next fall so next year we will have the minister telling us it will cost $5,500 or $6,000.

Mr. FISHER. There was an estimate that it would cost $4,500 before the contract was let. The order in council authorizing the contract was dated 12th of October, 1906, the amount of the contract being $4,620. We have had to add a little for incidental expenses, which makes up the amount mentioned here. My hon. friend will remember that

last year and the year before this House closed late in the summer after the votes were passed by the House and the contract could not be let until late in the fall. If this money could have been voted last spring the work would have been done before the close of the season.

Mr. JOHNSTON. I wish to say for the information of members of this House that the statements of the member for St. Anne's division. Montreal (Mr. Ames) with regard to St. Ann's bar and St. Ann's harbour and the construction of a number of useless wharfs in that vicinity is absolutely incorrect. That is the strongest word I desire to use in that connection; no stronger word could reasonably be employed. Of course I am bound to say that I have looked at the census returns and I find that the population at the particular place at which this wharf is to be built is slightly below the population of the city of Montreal, but notwithstanding all that there are quite a number of people around St. Ann's bay who are doing a reasonable amount of business and who are entitled to a reasonably fair amount of protection in the business which they carry on, and I have only to add that the statements that these works are large and useless around St. Ann's bay or around any other bay in the county of Victoria are not justified.

Mr. AMES. Would the hon. gentleman tell me where Eel cove is ?

Mr. JOHNSTON. When the committee rises I will take my hon. friend and have speech with him, draw a diagram and satisfy him that Eel cove actually does exist.

Mr. AMES. Will the hon. gentleman tell me where it is ?

Mr. JOHNSTON. Yes.

Mr. AMES. Will he kindly do so ?

Mr. JOHNSTON. I cannot give any better description of where Eel cove is in the absence of a map or blue print than that given by the minister, which information has been prepared by the department and which the minister has given to the committee as furnished to him by the engineer.

Mr. AMES. Will the hon. gentleman tell us whether the wharf as proposed to be built at Eel cove is inside or outside of the Bar ? Does he know his own county well enough to tell us where Eel cove is ?

Mr. JOHNSTON. I do not want to add to the disconfiture of the hon. gentleman by revealing his ignorance any more than it has been revealed. If I did not want to spare the feelings of my hon. friend I would say to him that it is not in my constituency at all.

Mr. AMES. This is one part of Cape Breton that I know pretty thoroughly. I have heard of that wharf in Bay St. Anne's and what I say I stand by.

Mr. DUNCAN ROSS. Was the hon. gentleman on the inside or the outside of the Bar ?

Mr. AMES. Both, but I had the worst time on the outside. I want to point out to the minister that he says the contract will be $4,620, and that the cost of the land and advertising amounted to $50. This would make a little under $4,700. Are we to understand that it is going to cost $500 for the superintendence of that little dock or about 12 or 13 per cent ?

Mr. FISHER. The general estimate of the department for superintendence and contingencies is 10 per cent of whatever the contract is. That is not always spent, however.

Mr. R. L. BORDEN. How much did the superintendence of the tower, which fell down, cost ?

Mr. FISHER. That was done in the department.

Mabou—repairs to harbour works, $2,000.

Mr. GANONG. Will the minister explain what work has been done there ?

Mr. FISHER. This is to make provision for continuing to raise the brush and stone on either side of the entrance at Mabou harbour where subsidence has taken place.

Mr. GANONG. How much water is there at the entrance of that harbour ? In 1903 it appeared to be very shallow at low water.

Mr. FISHER. There were three or four feet of water but we are making it deeper.

Mr. McLENNAN. There are 16 feet of water at low tide to-day. It was dredged last year.

Marble Mountain—wharf, $3,100.

Mr. FISHER. This is a revote.

Mr. CROCKET. Who owns the land upon which it is proposed to construct this wharf ?

Mr. FISHER. It was purchased by the government from Roderick McDonald.

Mr. CROCKET. At what cost ?

Mr. FISHER. I do not see the cost here.

Mr. CROCKET. When was the purchase made ?

Mr. FISHER. It must have been over a year ago because there was some work done in 1905-6.

Mr. CROCKET. Did the minister state that some work had already been done on this wharf ?

Mr. FISHER. There was some $800 spent in the year 1905-6 so that the purchase must have been made before that.

Mr. CROCKET. What is the reason for the increase in the vote from $2,000 to $3,100 ?

Mr. FISHER. The estimate was that $2,000 would do the work. That was not spent last year, and very much for the reason that I have already explained in some other instances and in view of the complete survey it will cost $1,100 more than was expected.

Mr. CROCKET. Is there not already a wharf at this point ?

Mr. FISHER. No public wharf there.

Mr. CROCKET. Does the minister know the population of Marble Mountain ?

Mr. McLENNAN. There are two wharfs at Marble mountain ; one owned by the Dominion Iron and Steel Company, a wharf they have kept busy day and night—in fact they have even a night shift on during the season of navigation—the other the property of the Bras d'Or Line Company which they also keep quite busy day and night during the season of navigation. The public cannot get near these wharfs. This is a settlement of about 18 miles in extent and this is the only public wharf built or proposed to be built in the near future for the whole settlement.

Mr. FISHER. There is a large lime quarry and the combined companies employ about 800 men.

Mr. CROCKET. I find by reference to 'Hansard' for 1905, that the Minister of Public Works stated that the population of Marble Mountain was 350.

Mr. FISHER. It has been increased by the introduction of a large number of labouring people.

Mr. McLENNAN. The Dominion Iron and Steel Company have 500 men employed there.

Middle Country harbour—wharf, $3,000.

Mr. FISHER. This is a revote and the work is under contract.

Mr. BARKER. This seems to be another of these long protracted cases which began in 1905 and has continued with votes and revotes. There does not seem any particular hurry about it. I see very little west of Isaac's harbour. How far west is it ?

Mr. SINCLAIR. By a straight line it is five miles west of Isaac's harbour. There is a strip of land between.

Mr. BARKER. I understand this wharf is to be built seven miles inland ?

Mr. SINCLAIR. It depends on where you start from. You can take the largest ship in the British navy up to this wharf. It is built on the waters of Country harbour, one of the finest harbours on the Atlantic sea board ; it is the fear of Halifax harbour. If the hon. gentleman will read the report of the Transportation Commission, he will see this harbour referred to as one of the great harbours on the coast of Nova Scotia.

Mr. BARKER. Where this wharf is to be built?

Mr. SINCLAIR. Yes.

Mr. BARKER. What business is to be done there?

Mr. SINCLAIR. It will be a shipping port for an inland district with a large population.

Mr. BARKER. Are you trying to create population by building wharfs?

Mr. SINCLAIR. There are some small wharfs in the vicinity where business is being done, but they do not afford sufficient facilities.

Mr. BARKER. You are building wharfs inland at the expense of the Dominion?

Mr. SINCLAIR This is not inland.

Mr. BARKER. The report says it is seven miles inland.

Mr. SINCLAIR. That is a mistake. It may be seven miles from the entrance to the bay, but it is in deep tidal water where there is ample draught for the largest ship.

Mr. BARKER. The report says : $3,000 was voted during 1905-6 for the construction of a wharf at Middle Country harbour, seven miles inland.

Mr. FISHER. Read on.

Mr. BARKER. Certainly ; it says : Or one mile below the head of navigation, for small vessels.

Mr. FISHER. Hear, hear.

Mr. BARKER. Is the Dominion going to construct wharfs all over Nova Scotia seven miles inland?

Mr. FISHER. My hon. friend is doubtless unintentionally in error ; but if his remarks were let go uncontradicted, they would create the idea that this wharf is built seven miles away from the sea. The fact is that this is a large inlet of the sea which extends more than seven miles into the country ; it is really a great harbour.

Mr. BARKER. Is there any other wharf there now?

Mr. FISHER. There are wharfs on the same inlet, but not at this particular point.

Moose harbour—breakwater, $1,200.

Mr. AMES. Where is this?

Mr. FISHER. In Shelburne and Queen's, near the entrance to Liverpool harbour, about three miles from the town.

Mr. AMES. Has anything been expended on this work?

Mr. FISHER. No; this is a revote for the whole amount.

Mr. AMES. It has already been revoted twice. Have we any assurance that the work will be done this year?

Mr. FISHER. If this vote goes through, there is no reason why it should not be done this year. The Supply Bill was passed so late last year that nothing could be done during the season.

Mr. AMES. But this vote was also passed the year before.

Mr. SPROULE. It is a very bad principle for parliament to vote money when it is not expended. The idea is to have money available in the event of an election, so that the government can become active in spending it. If the expenditure is necessary at all, the work should be done during the year for which the money is voted. We should not encumber our estimates from year to year with these revotes. Some of these have been revoted four times without being spent, and the principle is an extremely bad one.

Mr. FISHER. I quite agree with my hon. friend. One reason why we have changed the fiscal year is that the money may be available before the summer is nearly over. These works cannot be proceeded with in the winter, and when the House rises in July or August it is impossible for public works to be gotten under way before the winter sets in. If this year we get the Supply Bill sanctioned within the month of April, there is a fair chance of letting the contracts and having the work done during the season. I hope that will be the case this year. I am afraid my hon. friend is exaggerating when he says that some of these have been voted four times. In this present case I find that the current year just finished was the first appropriation for this purpose.

Mr. SPROULE. I do not believe I have exaggerated, and I think I can point to several items that will come within my description. If the government intend to turn over a new leaf it will indeed be refreshing.

New Campbellton—ballast wharf in Kelly's cove, $7,700.

Mr. BLAIN. What is this for?

Mr. FISHER. This vote is to complete. The contract was let in November, 1906; the total amount of the work is $17,000.

Mr. BLAIN. The amount was first voted in 1905, and the minister then stated that $12,000 would finish the work. Did the government decide to spend more afterwards?

Mr. FISHER. The lowest contract was for $17,000, and we had to outvote the additional amount.

Mr. BLAIN. But the minister stated in 1905 that the tenders were in, and that the total cost would be $12,000. He must have known then what the tenders were.

Mr. FISHER. The explanation is, I suppose, that the tenders were not opened. The lowest tender was $17,000.

Parker's cove—improvements, $8,000.

Mr. CROCKET. What are these improvements?

Mr. FISHER. The extension of the breakwater on the east side of the stream flowing into Parker's Cove, which is done under contract; constructing a breakwater on the west side of the stream, and affording additional shelter to the fishing boats.

Mr. CROCKET. Did the minister state the contract had been let?

Mr. FISHER. Yes, a contract has been let.

Mr. CROCKET. At what price?

Mr. FISHER. $7,100 for the eastern breakwater and it is expected we will have to spend $3,600 on the western breakwater, the contract for which has not yet been let.

Mr. CROCKET. How much has been expended?

Mr. FISHER. Nothing has been spent on the latter, I do not know how much the contractor has spent on this.

Mr. CROCKET. Has anything been paid to the contractor on account of his contract?

Mr. FISHER. Yes, it was expected that out of last year's vote we would expend $3,300. I cannot say positively how much was spent.

Mr. CROCKET. When does the contract call for the completion of the work?

Mr. FISHER. The 30th of April.

Parrsboro harbour, $11,200.

Mr. BENNETT. How much was spent on this last year?

Mr. FISHER. About $6,000 out of $20,000; we are asking a revote of $16,000.

Mr. BENNETT. Is this under contract?

Mr. FISHER. Yes.

Mr. BENNETT Per yard?

Mr FISHER. It is a bulk sum contract.

Mr. BENNETT. A bulk sum for dredging, do I understand ? How is that done, by an estimate that there would be so many yards in all probability?

Mr. FISHER. Yes, I understand that an estimate was made by the department of how much dredging would be needed there, I suppose by soundings, to get a certain depth and that contract was let.

Mr. BENNETT. How many yards was it estimated would be dredged for the $20,000?

Mr. FISHER. 27,000 cubic yards.

Mr. BENNETT. What was the formation ?

Mr. FISHER. Silt and mud.

Mr. BENNETT. Were tenders invited and if so how many were received?

Mr. FISHER. Six tenders were received in answer to advertisements. The tenderers were obliged to construct six lighters to do the work and when the contract is finished the lighters will belong to the government, in addition to our getting the depth of water.

Mr. BENNETT. Were the tenders asked for at so much per yard or was it for the lump work, including the supply of six lighters ?

Mr. SPROULE. What will you do with the lighters when the job is done.

Mr. FISHER. We will use them for something else.

Mr. BENNETT. What is the estimated value of the lighters ?

Mr. FISHER. I am told about $6,000.

Mr. BENNETT. What is the name of the contractor ?

Mr. FISHER. Hugh McDonald, of North Sydney.

Mr. BENNETT. What length of time was allowed for the tenders ?

Mr. FISHER. About a month, the usual time.

Mr. BENNETT. Is it expected that $14,,000 will be spent this year ?

Mr. FISHER. Oh, yes, the whole of it.

Mr. BENNETT. Only $6,000 was expended last year.

Mr. FISHER. Yes, we hope to finish it this year.

Mr. BENNETT. What would be the average depth of water ?

Mr. FISHER. I have not the contract here and I cannot say as to that. My information is it is six feet at low water. Of course there the tide rises very much indeed.

Mr. SPROULE. The lighters I suppose were to carry off the stuff excavated. It is a rather strange way to let a contract.

Mr. FISHER. I think the idea was that the contractor would not need the lighters for any other purpose and we would, and you could not get a contractor to build lighters for this work unless you took them off his hand.

Mr. SPROULE. Does the government keep a fleet of lighters on hand ?

Mr. FISHER. Oh yes, we need a large number.

Mr. BENNETT. Who is the inspector as to the work performed there ?

Mr. FISHER. I have not the name here.

Mr. BENNETT. What was it estimated this would cost per yard ?

Mr. FISHER. The estimate of the engineer was about 50 cents a yard.

Mr. BENNETT. What is the average cost of dredging in Nova Scotia where there is a similar formation ?

Mr. FISHER. I am informed that depends on the rise of the tide. This is on the Bay of Fundy where the rise of the tide is so great that it costs more than where there is not a tide.

Mr. SAM. HUGHES. Is this dredging for high or low water ?

Mr. FISHER. It is to make a depth at low water. Of course the dredging has to go on or be interrupted by the very high tides.

Mr. SAM. HUGHES. But if this harbour is to be reached at low water what is the need of dredging at all?

Mr. FISHER. That depends on the commerce ; there are some places where the commerce can wait for a high tide and some places where it can not.

Mr. BENNETT. What was the depth when the tide was out before the dredging was done ?

Mr. FISHER. Part of it was dry when the tide was out.

Mr. BENNETT. What is the depth of the deepest part of the dock ?

Mr. FISHER. There is no navigable depth at low tide.

Petite rivière—improvements, $3,000.

Mr. BARKER. I do not rise to object to the construction of works at this point, but I am informed that two parallel piers are being run out to form a channel and that it is almost inevitable that the wash from the sea will continually fill up that

channel with sand and that in fact in bad weather it is likely to be washed away entirely. I rise, not for the purpose of objecting to improvements, but to put on record that objection to the manner in which the work is being done. Some years ago I understand a stone breakwater was begun some distance below, but that did not suit a local politician, by the name of Sperry, and he has got the work put near his own place of business. If the work were constructed where the stone breakwater was begun, it would be effective, but the work now going on will be ineffective.

Mr. FISHER. I understand that just the opposite will be the case. I understand that by restricting the flow of the river going in there, there will be sufficient current to prevent that silting in and the formation of a bar. I have only the opinion of the engineers and am not prepared to dispute it.

Mr. BARKER. We shall see by and by who is right.

Mr. A. K. MACLEAN. There is nothing of this stone breakwater left and it could not be utilized for any purpose whatever. The hon. gentleman may possibly be correct in saying that the mode of construction in this case may turn out to be faulty. It is largely in the way of experiment, and possibly in a year or two there will need to be additional expenditure to make the work valuable.

Phinney's cove—breakwater, $6,800.

Mr. AMES. Where is that?

Mr. FISHER. It is in Annapolis county, on the south coast of the Bay of Fundy.

Mr. AMES. Near what place large enough to have its name on the map, is it?

Mr. FISHER. It is three miles west of a place called Kempt. There is a fishing fleet there which has no shelter.

Poirierville—landing pier, $6,800.

Mr. FISHER. That is in Richmond county.

Mr. J. D. REID. Is it by contract and who is the contractor?

Mr. FISHER. Yes, Mr. Thomas Morrison of Descouse. It was let to the lowest tenderer. Estimated cost about $8,500.

Mr. J. D. REID. Who has charge of it?

Mr. FISHER. The local inspector there. I do not know his name.

Porter's lake—boat channel to Three Fathom harbour, $4,000.

Mr. AMES. What is intended to be done there?

Mr. FISHER. It is intended to excavate a complementary permanent channel, 1,050 feet long, across the neck of land known as Gorman's head, so that it may be navigated by boats at low tide drawing three feet of water.

Mr. AMES. Here is a public work that is undoubtedly very much needed. Unless that work is done, not only can there be no access but there is considerable flooding of the whole neighbourhood at certain times of the year, which this is intended to prevent. Yet it has been just played with at election time the last two or three elections. Whenever there is an election on, we find great activity in connection with work at Porter's lake.

Mr. J. D. REID. In what constituency?

Mr. AMES. Halifax county. Take the last election of 1904, you find that in 1903-4 it was only thought necessary to expend $325 in relieving the exigencies of this old trouble. But in 1904-5, $4,275 were spent, and that was spent in October and November, and spent by days work immediately before the election. In September it was only considered necessary to put out about $389 in wages, but in October, just before the elections, the wage list ran up to $2,180. And no sooner was the election over, than it was found unnecessary to do anything more. Yet the following year, when Mr. Hyman took charge of the department, this is the way in which he described the work. He said a canal had been constructed but was not large enough to allow the water to go off. It was constructed for the distinct purpose of allowing the water that flooded the land to get out to the sea but it failed in that purpose. And although last year the inhabitants of the neighbourhood prayed to be relieved, there was not a dollar spent, and the probabilities are none will be spent this year. But if you have an election in November of 1908, there will be a tremendous pay roll in September and October. Really it seems to me that the government should deal with this very necessary matter in a business-like way. The people need this work and are entitled to it. There is a case of genuine hardship which the government should relieve, but it keeps this off for election purposes and will spend a lot of money just before the election and then do nothing for three or four years until another election comes on.

Mr. WILLIAM ROCHE (Halifax). I do not wish to be discourteous to the hon. gentleman and always try to listen to his remarks with patience, but he has a habit of propounding questions and making remarks regarding subjects of which he cannot necessarily have very much knowledge; and since he has made an itinerary of the lower provinces and obtained a little more information than he had previously, he looks upon himself as an authority on all matters particularly affecting those pro-

vinces. It is no doubt commendable in gentlemen from a district like Montreal, where there is an immense city population, to occasionally visit the maritime provinces; but before they pass comments on any particular work in any locality, they would do well to visit the locality and inform themselves of the local circumstances. This canal was partly built before I became a member. The lake is a large lake twenty miles in length, which at certain seasons, principally in the fall and spring, overflows, and this work is primarily for the purpose of relieving the post roads in the neighbourhood, which are flooded by the waters of the lake. The canal at present built is inadequate to carry off the water. When I made my last visit to Halifax I went down to it, and I found that there was a canal of about one foot and a half in depth and fifteen feet in width to carry off the water. That canal was the result of a dispute between the engineers, being so built for reasons of economy. The canal projected to be built at Graham's Head was supposed to cost a great deal more money than this one, and it was thought that a medium sized canal would carry off the water. The hon. member for St. Antoine complains that the people in that locality will not build canals and work without money, and this government had no money voted for it until I think about September of that year.

Mr. AMES. May I correct the hon. gentleman? There was $4,000 voted for it in 1906-7, and not a dollar was spent last year.

Mr. WILLIAM ROCHE. I beg the hon. gentleman's pardon. He said that the work had taken place a month or two before the election of 1904. The House knows that the money was voted in September, and it was intended to be laid out in the summer, but the session was so prolonged and the vote so protracted, that no money was available to complete the work on the canal up to the time it was actually employed to pay for the labour of the men who constructed the work at the most opportune time.

Port Hastings, Nova Scotia—wharf, $4,000.

Mr. BENNETT. Has this contract been let?

Mr. FISHER. No.

Mr. BENNETT. Will this complete the dock?

Mr. FISHER. No, it is a large work.

Mr. BENNETT. Has a site been purchased yet?

Mr. FISHER. No.

Mr. BENNETT. Have any parties been applied to, to sell sites?

Mr. FISHER. I cannot say as to that.

Mr. BENNETT. Was not the money voted last year for the same purpose?

Mr. FISHER. Yes, but nothing was done.

Mr. SPROULE. How much is the work expected to cost?

Mr. FISHER. That will depend on the plans of the work and on the site chosen. The site has not yet been selected.

Mr. SPROULE. Does the hon. minister say that he has no estimate of the work?

Mr. FISHER. We cannot have that very well until the site is determined upon.

Mr. SPROULE. I have always thought it was the duty of the government, when they submitted an item of this kind, to be prepared to tell the House what the work was estimated to cost. For all we know, this work may cost $400,000 or $500,000. Until we have an estimate of the cost of the work and some intelligent idea of its nature, I think the House should not vote the money.

Mr. BENNETT. A similar sum was voted for this work in 1905-6 and again in 1906-7. What is the population of this place, and what requirements will be met by the construction of a dock?

Mr. McLENNAN. There was a wharf at this very point on the Strait of Canso before confederation. The government of Nova Scotia constructed a wharf there perhaps over fifty years ago. At confederation it was handed over to the Dominion government. When the Inverness Railway was constructed, the shipping pier of the company came right over this wharf and utterly destroyed its usefulness, because it jutted out not only over the approach to the wharf, but into the water far beyond. The people of that locality and the surrounding country having no other access to the water, as they had for generations back, were pressing the government for a public wharf at this point. It would appear that the municipality of Inverness granted to Mackenzie and Mann a free right of way for their railway and their shipping pier. Under an existing Act of the province of Nova Scotia only a certain amount of land could be taken for a railway. But it would appear that the company smuggled a short special Act through the legislature granting to them an almost unlimited area for their railway terminals at their mines and at the Strait of Canso; and when the government here proposed to build this wharf at the point where the public wanted it, Mackenzie and Mann came upon the scene, and claimed that the right which they had got from the people of Inverness would cover this ground. The government here

refused to go ahead with the work until that matter was settled between the municipality of Inverness and the Mackenzie and Mann Company. The matter was in fact in the courts. It went from the local court in the County of Inverness to the Supreme Court at Halifax, and from Halifax to Ottawa, and it was only last fall that the question was settled, and the municipality had to pay for the land taken by Mackenzie and Mann for their railway and their terminal. That accounts for the delay in appropriating this money to the purpose for which parliament granted it.

Mr. BENNETT. What is the site of the place?

Mr. McLENNAN. It is a nice village. But the port is a very important one as a shipping point on the Strait of Canso and has been for the past 50 or 60 years.

Mr. BENNETT. What is the population?

Mr. McLENNAN. If you take the village it is only a small one, but the surrounding country which does its shipping at that point is a very large one.

Mr. BENNETT. Are there fifty people there?

Mr. McLENNAN. There are 200 people there.

Mr. SPROULE. That is a very reasonable cause for delay, but notwithstanding that the time has passed, it would seem only fair to expect that the department has sent their engineer there to collect information which the House would require to know.

Mr. McLENNAN. We could not get on the ground; we could not know who owned the ground.

Mr. FISHER. This port has been used for various purposes. As long ago as 1867 the provincial government built a wharf there and the Department of Railways and Canals in 1886 added to it. Since that time the people have been complaining on that portion of Cape Breton island and desiring better communication. But the department could not make its plan until the exact location was determined upon, and that location has not yet been absolutely determined upon. It was only last fall that eventually the case was decided which contributes towards that decision. This item has been in the estimates for two or three years. The department is not yet in a position to say what the plan of this wharf will be or the exact location.

Mr. J. D. REID. The very fact of our voting this money will give the government authority to enter into a contract for the work. It may cost us an enormous amount before we get through, and we should have some statement giving us an estimate of what in the opinion of the government will be required, a statement that it will cost $4,000, or $8,000, or $20,000. This is a very strange way of proceeding with a new work.

Mr. FISHER. The estimates vary according to location. I see no prospect myself that $30,000 will be used there. This is practically an item on which there has been a decision by parliament that a wharf shall be built at Port Hastings. If this item had been rejected two or three years ago it might have been said that there should be no wharf built at Port Hastings at all. It is only in regard to chosing the exact location that a difficulty has arisen. I do not ask for this item unless the House is quite prepared to say, what they have said already, that a wharf should be built there.

Mr. SPROULE. I do not object to the wharf, but I object to committing ourselves to an expenditure of which we know nothing of the amount.

Mr. J. D. REID. I do not think $4,000 is much to start with if the work is going to cost $20,000. I am not objecting to the expenditure of the money if the work is required. Thirty thousand dollars seems quite a lot for a wharf unless there is some special reason requiring a large expenditure.

Mr. FISHER. It is a deep water wharf.

Mr. J. D. REID. It may be more expensive but we should have some information about it. Next November we could vote a sufficient amount to carry it to an early finish. The trouble is that $4,000 practically will not start the work.

Mr. FISHER. The only reason for this being $4,000 is that this is what has been voted for the last two years.

Mr. BENNETT. Does the municipality contribute anything towards the cost by giving the site to the government?

Mr. FISHER. No.

Mr. J. D. REID. Do many boats land at this place?

Mr. FISHER. In 1900 the statistics of the port showed a trade of about $200,000.

Mr. J. D. REID. And there has been no business since?

Mr. FISHER. That is the last year I have statistics for. The business has been increasing.

Mr. J. D. REID. How has it been going on without any wharf?

Mr. FISHER. There is an old wharf which was built by the Intercolonial Railway and the people seem to have been doing their business as best they could. There is no doubt that when a new wharf is built private business there will increase still more.

Mr. McLENNAN. Just one word in regard to the observations of the hon. member for East Grey (Mr. Sproule). I allowed the other hon. gentlemen who were not here in 1896 to go on. I sympathized with them considerably because I knew that they had very little knowledge of what they were talking about, but the hon. member for East Grey got up and posed as a purist in regard to the improper practice of husbanding grants like this until the eve of an election. I might as well tell the hon. gentleman that the Minister of Public Works and myself were defending at every step the conduct of the government that he was supporting, and that the very bridge that we were defending the construction of was built by the government that he was supporting, and that the work was proceeded with at the very time I was running my election against my predecessor in 1896.

Mr. SPROULE. What has that to do with this ?

Mr. McLENNAN. That bridge was under construction and another wharf at Seaside costing $8,000 and yet the hon. gentleman and all the others got up and asserted that that it was an immoral practice to be holding these grants up until the eve of an election. The bridge that so much criticism was made about was constructed by the government which the hon. member for East Grey was supporting during the campaign of 1896. The Minister of Public Works and myself very successfully, I hope, defended the act of that government.

Mr. SPROULE. I never mentioned elections in connection with this vote.

Mr. McLENNAN. Yes, the hon. gentleman did.

Mr. SPROULE. Not a single solitary word. My contention was that it was improper to ask a vote from the House without any estimate or information to give to the House to show that it was needed or what it was going to cost. I said that the explanation given by the hon. member for Inverness was an excusable and justifiable reason for delay, but that now, when they come forward and ask for a vote to go on with that work, they should be able to give us information. I did not say a word about an election then and what the hon. gentleman has said now is altogether uncalled for and gratuitous on his part.

Port Hood harbour—closing northern entrance with brush and stonework, $15,000.

Mr. J. D. REID. What shape is this work in ?

Mr. FISHER. This is for a continuation of the work of closing up the space between the mainland and an island, the harbour having been originally protected by a natural beach.

Mr. J. D. REID. What is the total cost going to be ?

Mr. FISHER. Nearly $100,000 of which about $60,000 has already been spent. Last year we spent $5,000, we propose to spend $15,000 the coming year and $15,000 or $20,000 more will close it up.

Mr. SPROULE. How is this work being done ?

Mr. FISHER. By day's work.

Mr. SPROULE. Does the minister think that a work like this should be done by day's work.

Mr. FISHER. It is very hard to say just how a work of this kind can be done by contract.

Mr. SPROULE. Is it not a pier ?

Mr. FISHER. No, this is on a sand bank which used to be sufficient to protect the harbour, but this has been washed out and this work has been done at low tide, the brush and stone being brought on to create a sort of breakwater. This is done at different times as it can be done and for that reason it has to be done by day's work.

Mr. SPROULE. It seems to me that this is the kind of work that a contractor would have no objection to tender for. It is a large work and it is not a work that there should be very great difficulty in making a specification for or in estimating the cost of because the cost of stone, the cost of brush and the cost of putting these in place could easily be arrived at, and as there is a large amount of it I think that it would more properly be done by tender and contract instead of by day's work.

Mr. FISHER. I think this is a class of work for which a contractor would probably charge a very high price to protect him against loss by accidents caused by storms arising and washing away the work. For this reason it would be cheaper to do it by day's labour. No contractor would undertake such work without asking for a price which would protect him against accident.

Mr. SPROULE. Any contractor would meet with almost the same difficulty on almost any work which was set out anywhere in the water. It may be that here there is greater danger than elsewhere but it seems to me that even that would not justify the expenditure of this large amount of money by day's work. I think the minister said that it would probably cost $100,000. Will any one say that it is a good plan to expend $100,000 on a breakwater and do it by day's work ?

Mr. FISHER. My information is that the first part of this work was a good deal in the nature of an experiment, but as the work went on it was shown to be feasible. It has therefore been carried on and has proved effective.

Mr. SPROULE. Look at the expenditure. In 1903 there was an expenditure of $2,958, in 1904 an expenditure of $19,950, in 1905 an expenditure of $9,999, last year we voted $15,000 and now we have another vote of $15,000, and all by day's work. Does not the minister see that this is a way of expending money that would hardly meet with the approval of any intelligent man in this country? I do not see how it can be justified at all.

Mr. FISHER. That was the recommendation of the engineer.

Mr. SPROULE. How many foremen have you in connection with this work?

Mr. FISHER. One foreman and one inspector—James McDonald.

Mr. J. D. REID. There are two timekeepers, I see.

Mr. SPROULE. There are two timekeepers, a sub-foreman and a foreman.

Mr. FISHER. The department does not give these titles to the men. There is a superintendent of the work, whom we call an inspector, and he employs the men and is responsible for the work.

Mr. SPROULE. You have an inspector getting $3.50 a day, and a sub-foreman getting $2.50, and two time-keepers at $2.50, and other men getting $1.60 and $1.70 a day.

Mr. FISHER. That is not out of the way; I suppose the leading workmen get more than the others.

Mr. J. D. REID. If this work had been done by contract it would have been done within a reasonable time, and whatever benefits the people are to get from it would accrue to them. It probably will last eight or ten years under this system.

Mr. FISHER. Oh, no.

Mr. J. D. REID. Pending completion, is there any benefit derived from the work?

Mr. FISHER. Yes; but, of course, there will be greater benefit when it is completed.

Round Hill wharf—to complete, $1,000.

Mr. BLAIN. What will this cost?

Mr. FISHER. About $2,000 altogether.

Mr. BLAIN. On this small work you have a Mr. Armstrong who is described as a conductor; you have a foreman at $3 a day, and a sub-conductor at $2.50 a day. Why do you require so many inspectors on a little work that will cost $3,000?

Mr. FISHER. We have to employ an inspector whether the work costs $3,000 or $10,000. Some of the workingmen are paid a little more and some a little less. The Auditor General may call these men by what titles he likes, but the department does not recognize that. It is quite possible that these men may have been on the work at different periods of time, but I cannot explain without having the accounts before me. I can quite understand that some skilled men would be paid $2.50 a day, while some others are paid less. I have paid men $2.50 a day on my own barn, and they were well worth it, while I was paying others only $1.50. The department only recognizes one inspector, who does not do manual work. These accounts have to be certified by the inspector, then by the resident engineer, as being reasonable, then by the chief engineer, and then they pass the Auditor General. With all these checks, I should think that the prices charged are reasonable.

Mr. BLAIN. Is there any revenue from this wharf?

Mr. FISHER. We do not hand it over to the Marine Department until it is finished.

Mr. J. D. REID. Will there be any revenue from it?

Mr. FISHER. I hope so.

Mr. J. D. REID. When does the minister expect the Minister of Public Works back?

Mr. BENNETT. After the London election.

Scotch cove (White point) breakwater, $10,000.

Mr. AMES. Is this by contract or day labour?

Mr. FISHER. Contract; the contract has not yet been let.

Mr. SPROULE. Was there not a vote for this last year?

Mr. FISHER. I do not think so.

Mr. SPROULE. What is the estimated cost?

Mr. FISHER. $27,000.

Tatamagouche—wharf, $3,000.

Mr. AMES. What will be the depth of water at the Tatamagouche wharf when it is completed?

Mr. FISHER. Twelve feet.

Mr. AMES. At high or low tide?

Mr. FISHER. I think these are all low tides.

Mr. AMES. Is it expected it will be a port of call for steamers or only for small schooners?

Mr. FISHER. 12 feet of water would allow smaller steamers to come in.

West Head (Cape Sable island)—wharf, $5,000.

Mr. FISHER. This is a new wharf.

Mr. BENNETT. What will the total cost be ?

Mr. FISHER. $8,500.

Mr. BENNETT. Has the site been purchased ?

Mr. FISHER. It will have to be either purchased or given by the proprietor, but I have not information as to the selection of a site here, I shall bring it down. This is in Shelburne and Queen's. The contract has not been let so I suppose it is by day labour.

Yarmouth harbour—improvements, $10,000

Mr. BENNETT. What is the nature of the improvements ?

Mr. FISHER. This is to continue dredging in the harbour at Yarmouth.

Mr. J. D. REID. What dredge is doing that ?

Mr. FISHER. The 'Canada.'

Mr. SPROULE. Why did you not use any of the money voted last year ?

Mr. FISHER. There was dredging done there last year by the 'Canada' but it was paid out of what was called the general dredging vote.

Mr. BENNETT. Was the 'Fielding' working in there ?

Mr. FISHER. She was not in Yarmouth, she cannot work there ; she is too large for that narrow channel.

Mr. BENNETT. Where is this work ?

Mr. FISHER. It is in the channel from Yarmouth town to the sea ; the channel is tortuous and needs to be deepened, widened and straightened.

Mr. BENNETT. Is there any government dock there ?

Mr. FISHER. No, I expect there is not, they are company docks.

Mr. LAW. There is no public dock in Yarmouth, they are all owned by private individuals. The entrance to Yarmouth harbour is one of the most circuitous channels in Nova Scotia, and it is one of the most important ports. I am sorry the vote is so small, it should be $100,000 at least. There are more first-class passengers handled in Yarmouth than in any other maritime port in Canada, which is saying a good deal. There is a daily line of boats in summer between Yarmouth and Boston and also between Yarmouth and New York. One of those lines last year carried over 70,000 passengers. There has been a line of boats between Yarmouth and the United States for the past fifty years ; they have been improving in size each year and now we find the very fine boats owned by the Dominion Atlantic Railway Company are too small for the trade. They have gone out on some occasions with 1,100 passengers on board, and they are drawing every inch of water which the harbour will permit.

Mr. BENNETT. How much water is there at this point ?

Mr. LAW. About thirteen feet at low water. This is to cut off two points, the channel turns at right angles and this is to make the navigation more easy for vessels going in and out. The Dominion Atlantic Railway Company's line ends at Yarmouth and connects with their line of steamboats. During the last year Messrs. Mackenzie & Mann have completed their line of railway along the south shore and in December last the line was opened to Yarmouth. We are in hopes they will make Yarmouth the terminus, in which case they will want a line of boats to the United States. We have not accommodation now for any more business than we are doing, and if the department does not improve Yarmouth harbour and give us dredging and better shipping facilities, Yarmouth must go back to a third or fourth rate port. I wish to draw the attention of the government and of the department to this, and hope that they will see their way clear to take into consideration this port and its claims and give Yarmouth the harbour facilities to which it is entitled. With both of these railways centering there I consider that we are entitled to far more work than the government has given and hope that in the near future the amount for dredging there will be largely increased. I might say, in connection with the steamboat services that the Dominion Atlantic Railway that they now have four boats, but they find them too small for the business and are considering building larger boats. They sold one last year and will sell others provided there is sufficient accommodation for larger boats to go in and out, but on many occasions at low tide the boats from Boston have had to wait for the tide sometimes for an hour, and with four or five hundred passengers on board that is not what it should be. The passengers get uneasy, find fault with the steamship company, and are perhaps led to travel by some other route. Boats leave Yarmouth at night and arrive at Boston the next morning in time for breakfast and this makes the shortest route between Nova Scotia and the United States and is bound to be always an important port. It cannot be otherwise if the government properly improve the harbour facilities.

Mr. BENNETT. The hon. gentleman's application is one that has a good deal of merit. Here is a case that will certainly commend itself to the House. He has said that there is so much business that private capital has invested money to construct docks ; we are not told how many, but there

must be a number of them. He doee not ask for the construction of a dock as is done in many of these cases but he simply says: Private capital having constructed docks there and there being a big and growing business established we should have the harbour properly dredged. This paltry $10,000 is not going to be a flea-bite on the work the hon. gentleman has shown is necessary. Surely it would be better to do work of this kind properly by putting in a substantial amount rather than to fritter away $4,000 or $5,000 here and there for these little docks. I am glad the hon. gentleman has confined himself to what is a right public user of money for dredging purposes. I hope his influence will prevail and that he will get a sufficient grant for the purpose.

Mr. AMES. I would like to say a word to endorse what my hon. friend from East Simcoe (Mr. Bennett) has said. Sometimes we on this side are considered as making frivolous objections and as objecting to every item of expenditure proposed. But it is only when we consider the money to be practically wasted, the expenditure for purely political purposes, wharfs built for which there are no vessels and where there is practically no water or traffic, that we object. But here you have the case of a thriving seaport at one of the termini of two railways, where there is an international steamship line, and which is a port of call for a number of local steamship lines—any expenditure to make that harbour what it should be, we are not at all prepared to object to. But let me call attention to these two expenditures side by side—one at Scotch cove, White Point, $10,000, and the other at Yarmouth harbour, $10,000. Scotch cove is a tiny fishing village at the extreme northern end of Cape Breton, only three or four miles away from a good harbour, but where a hook of land comes around and makes it possible for a few fishing boats to hang on when the wind does not blow from the north. It is proposed to spend a lot of money here making a breakwater. And a much larger place like Yarmouth is getting exactly the same amount. The opposition has taken a patriotic stand when they advocate expenditure when there is really need for it and where it will be a benefit for more than a small locality. To such expenditure we have no objection when it is wisely and honestly made, and if the minister had asked a considerably larger amount for Yarmouth we would have had no objection.

Mr. FISHER. The work of dredging at Yarmouth has been going on a number of years and will probably continue. This $10,000 does not necessarily limit the work to be done in Yarmouth harbour because we have also a general dredging vote for the maritime provinces from which the government dredges are paid. It is expected that the dredge 'Canada' will spend most of the coming season in Yarmouth harbour, and she will not be able to do that on $10,000 but will have to be paid out of the general vote as well. With regard to Scotch cove, the work to be done there, when completed, will be done once for all. It is not a continuous work as at Yarmouth, and therefore it is not fair to make a comparison between the two.

Mr. DANIEL. Where is the dredge 'Fielding' at work?

Mr. FISHER. She has not begun the season's work yet. She has been at Pictou all winter.

Mr. SPROULE. Is this work to be done by contract?

Mr. FISHER. Our own dredge 'Canada' will do it.

Mr. SPROULE. Then there will only be a charge to pay the wages and running expenses.

Mr. FISHER. The amount now voted I estimate will run the 'Canada' a certain time.

Mr. J. D. REID. Do the government feed the men on their dredges as well as pay their wages?

Mr. FISHER. Yes.

Mr. J. D. REID. The 'Canada' was only charged $14.36 worth of provisions last season. That may account for the government dredges doing so little work. If these men were only on the 'Arctic' they would fare differently.

Prince Edward Island—Higgin's shore pier—part reconstruction of and repairs to pier, $1,500.

Mr. LEFURGEY. Will this finish the work?

Mr. FISHER. Yes.

Mr. LEFURGEY. What length of wharf are they putting up there?

Mr. FISHER. We are not adding to the length of the wharf but repairing it.

Mr. LEFURGEY. Was it not repaired last year?

Mr. FISHER. Yes, but the work was not completed.

Miminegash harbour, Prince Edward Island—extension of northern breakwater inwardly and repairs, $2,000.

Mr. LEFURGEY. Was there not a recommendation to the department to extend that breakwater out southerly?

Mr. FISHER. This is for extending the piers.

Mr. LEFURGEY. There was a contract?

Mr. FISHER. Yes, for $2,375 and that was completed. There was also $500 spent on the roadway over the sand beach to the

wharf. We now expect to spend this amount of $2,000, of which $1,800 is a re-vote.

Mr. LEFURGEY. Will this complete ?

Mr. FISHER. Yes.

Point Prim island, Prince Edward Island—wharf, $5,000.

Mr. FISHER. This is under contract and will be gone on with this summer.

Rustico harbour, Prince Edward Island—breakwater on Robinson's island, south side of entrance to harbour, $2,500.

Mr. A. A. McLEAN. Has the construction of these works improved the depth of water ?

Mr. FISHER. The works are not yet finished and we cannot tell exactly what the result will be.

Summerside harbour, Prince Edward Island—breakwater, $75,000.

Mr. LEFURGEY. How is this progressing ?

Mr. FISHER. Pretty well, I think. It is difficult to prepare labour and stone.

Mr. LEFURGEY. There can be no such difficulty in Prince Edward Island. Have the specifications been changed in any regard ?

Mr. FISHER. I am told not.

Mr. LEFURGEY. How much of the contract has been completed ?

Mr. FISHER. The amount of the contract is $113,942.

Mr. LEFURGEY. I understand that this breakwater is being built to deepen the harbour and create a current out to the lighthouse to carry away the sand. At the present time parts of the harbour are largely sanded up, and I would like to know if the department have arranged any schedule for dredging it in certain places.

Mr. FISHER. We cannot do any dredging until the breakwater is completed.

Mr. LEFURGEY. You can do dredging in Summerside harbour at any time. There is nothing in the building of the breakwater to prevent dredging. If a third boat is to be put on next winter it is very important that the dredging should be done this season. A request was sent to the minister from the Summerside Board of Trade to that effect.

Mr. FISHER. I will look into the matter.

Mr. LEFURGEY. I asked a question on December 3 regarding dredging in Summerside harbour and also in Alberton harbour. The minister replied that he had received requisitions for dredging there, but had no schedule rates at the time. The department ought to know whether they are going to carry on that work.

Mr. FISHER. We have not arranged a programme for that at the present time.

Mr. LEFURGEY. What dredges have you available for that work ?

Mr. FISHER. We have dredges at work in Prince Edward Island, and I shall be glad to see if one of them can be sent to Summerside harbour.

Mr. LEFURGEY. Will the minister consider the case of Alberton also ?

Mr. FISHER. I will look into the matter and see what can be done.

Mr. J. D. REID. Is the dredge 'Fielding' any use at all ? I understand that it is not.

Mr. FISHER. She is one of the best dredges built for certain purposes. She requires deep water. She could not go into Summerside harbour.

Mr. J. D. REID. I understand that she cannot take on board very much of the material she dredges, as she is not built high enough on the sides, and for that reason is an absolute failure. I have heard that from reliable men.

Mr. FISHER. Last year we had not a scow to go with the 'Fielding.' But this year there will be scows attending on her to carry off the material.

Mr. J. D. REID. She was built to do deep water dredging without scows, because when the water is a little rough scows cannot go alongside of her. It turns out from what the minister says that she has proved a failure for what she was built, as she is now to be used in the same way as any other dredge.

Mr. FISHER. No, the 'Fielding' was built for work in large harbours. She has been tried in localities for which she was not fitted. She was primarily constructed for St. John harbour, but she has not been able to go there yet, although we hope that she will be working there before next winter. This year there will be scows attending on her to take away the material.

Mr. J. D. REID. What about the dredge 'Montague' ? Has not she been idle and also turned out a failure ?

Mr. FISHER. She is working all right.

Mr. J. D. REID. Where did she work last summer ?

Mr. FISHER. In Victoria harbour, P.E.I.

Mr. A. A. McLEAN. She was only working a couple of months, and did very poor work She was under repairs nearly all the time she was there, and only worked two or three hours a day.

Mr. FISHER. I am informed that she is a very good dredge and does effective work. She is a new dredge, and it happens that there was an accident which delayed her for a considerable time ; but she is a very good dredge.

Mr. A. A. McLEAN. I know to the contrary. Whoever supplied the minister with that information has not supplied it correctly. If the department send an inspector down, they will find that the statement I make is absolutely correct.

Mr. FISHER. I certainly will inquire into it, because I am informed that it is not a correct statement of the facts.

Mr. J. J. HUGHES. I am quite sure the statement is incorrect, because I know that on some days she took out a thousand yards, which she could not do working only two or three hours.

Mr. LEFURGEY. Was there a scarcity of labour in regard to the construction of that breakwater?

Mr. FISHER. I said the contractors had found a difficulty to get labour and to get stone.

Mr. LEFURGEY. There is any quantity of stone on the mainland. Is there any limited time within which this contract is to be completed?

Mr. FISHER. The contract was to be completed on the 27th of July, 1907. This vote is for repairs. The contract was let by tender; three tenders were received. I have only the name of the successful tenderer. He was the lowest of the three. The contract was dated 11th July, 1905. This vote is not for the contract, but for repairs.

Campbellton—wharf extension, repairs, &c., $15,000.

Mr. FOWLER. How much has been expended on this Campbellton work?

Mr. FISHER. $15,000 last year. Out of a vote of $24,800, $11,000 was not expended.

Mr. FOWLER. There was some difficulty some time ago between certain people who used this wharf at Campbellton in connection with berths for vessels lying there. It seemed that the firm of Shives & Co., who formerly owned the wharf, or the bit of railway line from the main line down to the wharf, had certain privileges granted them by the government which were not accorded to other people who did business at this wharf, the other mill owners who loaded vessels with deals at this wharf. Has that matter been settled ?

Mr. FISHER. The department does not know anything about that. The wharf is not a public wharf and we have no information as to the details of the berths there. I think that would be managed by the Marine and Fisheries Department.

Mr. FOWLER. Does the Department of Public Works own the wharf?

Mr. FISHER. Yes, that new wharf. I believe we bought it from a man called Shives. The Railway Department uses part of it for its lines there and the Marine and Fisheries Department manages it.

Mr. FOWLER. Complaint was made the last few years. I know that papers were sent to me at the time showing that when steamers would come in this Mr. Shives, owing to some arrangement he had with the government, would get a preference. That statement was made at any rate and telegrams passed back and forth.

Mr. FISHER. As a matter of fact we expropriated the wharf and there was no condition at all. He may claim something of that kind, but he has no right to it.

Mr. FOWLER. I know a claim was made that other people had to wait. because I had a telegram from the Richards Company, which I think was a rival company.

Mr. FISHER. There are people in New Brunswick who make claims that they cannot substantiate.

Mr. FOWLER. I don't know of any. I think their claims are generally pretty well substantiated.

Mr. CROCKET. When is it expected that the work at Campbellton will be completed?

Mr. FISHER. It is expected this vote will complete it.

Mr. CROCKET. This $24,800 will complete the work that is now going on at Campbellton?

Mr. FISHER. No, we are asking for $4,000 more. Last year the estimate was $24,800, of which $11,000 was not expended, and we are asking for $15,000, which means $4,000 more.

Caraquet wharf—approach, ice-breakers, &c., $2,000.

Mr. FOWLER. I notice that a great deal of money has been expended in this county where Caraquet wharf is situated. It is a pretty expensive county ; it is represented by my hon. and genial friend from Gloucester (Mr. Turgeon) who sits on the government side. His county has more money expended in it than perhaps all the rest of New Brunswick put together. I must congratulate the hon. member for Gloucester on the great pull he seems to have either with Sir Wilfrid Laurier or with the government. He is something like the king, who when he was Prince of Wales, got the assistance of the present Canadian Prime Minister to get him into his present position. I notice that last year the county of Gloucester had

$29,000, and for the year 1908 it is to get $23,000, there is $52,000 in two years. I do not go back any further, but I dare say this is a pretty fair average. It does not seem quite fair to the rest of the province. Gloucester is a county which borders upon the sea, but we have other counties in New Brunswick which border upon the sea.

The hon. member for Restigouche does not seem to have had his fair share. Of course he had quite an expenditure on these wharfs at Campbellton and Dalhousie but the hon. member for Kent, N.B., (Mr. LeBlanc) has fallen far short. The hon. member for Kent has been pretty badly used by this present administration. He does not seem to have the pull that the hon. member for Gloucester has. The hon. member for Kent, we expected, was going to be translated to another Chamber. But that even did not happen; nor does he get the compensation by extra grants that he might be expected to because the hon. member for Gloucester scoops in every thing in sight. There is nothing left for the hon. member for Kent and not a great deal left for the hon. member for Restigouche.

Mr. FISHER. Not even for the hon. member for King's-Sunbury.

Mr. FOWLER. I do not know who that man is.

Mr. FISHER. King's-Albert.

Mr. FOWLER. The hon. Minister is not as well posted in geography as he might be. The county of Albert gets absolutely nothing; not even the winter port of Herring Cove that the hon. ex-Minister of Railways and Canals (Mr. Emmerson) was going to do so much for. It is entirely left out. The government only give to the hon. member for Restigouche a wharf at Campbellton and just a little bit to the county of Kent represented by my hon. friend who sits across the way. Many of these expenditures, I have no doubt, are quite right and proper but it does seem to me that it is appropriating a little too much in one direction and not making it general enough. It does seem to show that the hon. member for Gloucester must have a very strong pull, a very strong influence with the government to get all these things. I have no doubt that these appropriations secure for my hon. friend the majorities by which that county has always returned him to the House. I would like to hear what the hon. member for Gloucester has to say about it.

At six o'clock, committee took recess.

After Recess.

Committee resumed at eight o'clock.

Chockfish—improvement of outlet of river, $1,500.

Mr. FOWLER.

Mr. DANIEL. Where is Chockfish?

Mr. FISHER. In Kent.

Mr. DANIEL. The hon. member for Kent county is getting something?

Mr. FISHER. Oh, yes.

Clifton (Stonehaven) breakwater—improvements and repairs, $2,000.

Mr. GANONG. Is this Clifton in King's county?

Mr. FISHER. No; in Gloucester.

Mr. GANONG. What is the total cost?

Mr. FISHER. $42,000 altogether.

Dalhousie—harbour improvements, &c., $7,000.

Mr. CROCKET. What will be the total cost of these improvements at Dalhousie?

Mr. FISHER. We are asking $7,000 revote out of the $39,500 voted last year.

Mr. CROCKET. Will that complete the work?

Mr. FISHER. Yes.

Mispec—extension of eastern or outer breakwater, $6,000.

Mr. DANIEL. Is it the intention of the department to proceed with this work this season?

Mr. FISHER. Yes; I think the contract was awarded the other day.

Mr. DANIEL. What was the amount?

Mr. FISHER. I cannot remember the details, but it will be covered by this vote.

North Head breakwater—wharf, Grand Manan, $10,000.

Mr. GANONG. This is the most peculiar vote in the whole list; it must be getting grey headed by this; the type for it must have been kept standing since 1900.

Mr. FISHER. I awarded a contract for this work the other day.

Mr. GANONG. How much?

Mr. FISHER. About $27,000; I forget the exact sum.

Mr. GANONG. That is very interesting news.

Mr. CROCKET. But this vote is only for $10,000.

Mr. FISHER. I will probably ask a supplementary for the rest.

Mr. GANONG. Petitions have been presented to the department for wharfs at two other points in the county of Charlotte. One of these is at White Head, parish of Grand Manan, where there is a fishing village, with a population of 300 or 400 without any accommodation whatever in the way of a wharf. The people are

large fishers of fish, and they have offered to supply the location for the wharf. At Leonardville, on Deer island, the wharf is in such a bad state of repair that the steamer, which calls three or four times a week, cannot land. Both these places are sheltered, the wharfs would not be liable to be carried away by a heavy sea, and the work is not expensive. Will the minister make a memorandum?

Mr. FISHER. I have done so.

Oak Point—wharf, $8,000.

Mr. WILMOT. Where is Oak Point?

Mr. FISHER. In Northumberland county. This work is under contract.

Mr. LOGGIE. It is ten miles below Chatham, on the Miramichi river.

Mr. GANONG. Is that where Loggie's factory is located?

Mr. LOGGIE. No, sir.

Petit Rocher—breakwater, including connection with shore, $6,500.

Mr. FISHER. This is in Gloucester county; it is under contract.

Mr. GANONG. Is this to be the winter port of the future?

Mr. FISHER. I hope it will be a great harbour.

Mr. GANONG. I understood the member for Gloucester was negotiating with the Hamburg-American and other lines to make this port a call.

Mr. FISHER. If he can get them there it will be good for the trade of the country.

Quaco harbour—extension of east pier, $10,000.

Mr. DANIEL. What work has been done, what is it intended to do, and what will be the cost when complete?

Mr. FISHER. The existing breakwater is to be extended. There has been an expenditure there already of about $40,000, and the total expenditure will probably be $27,000.

Mr. DANIEL. More than has been already expended?

Mr. FISHER. Yes.

Mr. DANIEL. This vote will not finish the work?

Mr. FISHER. No.

St. John river, including tributaries, $6,000.

Mr. CROCKET. I would call attention to the necessity of something being done to improve the St. John river channel between Fredericton and Woodstock. There are seven or eight points between these two places at which there are gravel bars and other obstructions to navigation. If these were removed, and I am advised they could be by the use of a low water dredge, at comparatively small cost, we would have a channel which would admit of navigation between Fredericton and Woodstock by low draft boats for practically the whole season of navigation. At present the residents along the St. John river rely on a steamboat which on account of the very bad condition of the river between these two points has not been able to make more than twenty or thirty trips during the whole season of navigation. In 1901 or 1902 Mr. Tarte, then Minister of Public Works had a low-water dredge constructed near Fredericton for use in the river between Fredericton and Woodstock. It was put at work at a point five or six miles above Fredericton and dredged a channel through a bar at that place which channel is still in good condition. Mr. Tarte then said that it was his intention to continue the work along the river and to provide a continuous channel between Fredericton and Woodstock. However, the dredge after making a channel through the bar I spoke of, was taken off and nothing has since been done. This is a matter of the greatest concern to the people along the St. John. As many members are aware that district is one of the best settled in the province. The people have no railway accommodation whatever barring the Gibson branch of the Canadian Pacific Railway for eight or nine miles along the east bank of the river St. John, above Fredericton. They have to rely entirely upon the steamboat for communication with Fredericton and Woodstock, That is all they have other than by stage and their own teams. It seems that the government have decided to construct the National Transcontinental Railway by the back route in New Brunswick, and the hopes which the people of the St. John had in that regard have disappeared so that they must rely on the river for communication between Fredericton and Woodstock. I think the least the government can do is to give a reasonable appropriation to put the channel in good condition. I therfore appeal to the minister and press upon him the necessity of something being done, and I trust he will be able to see his way clear to make provision, if necessary, in the supplementary estimates, so that the residents of the St. John river valley may be afforded the accommodation which they so much need.

Mr. FISHER. I must confess that a good deal of what my hon. friend has said is new to me but I will be very glad to look into the matter, to consult the engineers and see what can be done.

Mr. CARVELL. I would feel like endorsing the remarks of my hon. friend from York (Mr. Crocket). A person can hardly understand the necessity of this work without going on the ground and seeing conditions. You can hardly imagine a territory sixty-five miles in length which has been

long settled—it was settled by united empire loyalists 125 years ago—having no means of communication whatever, except that about twenty-five days in the year they have steamboat communication. In fact the conditions for steamboating have now become so obsolete that I understand the steamer is taken off this year. Possibly even dredging could not make the river navigable all summer, but the department I believe could dredge out a channel and it would be a great boon to the people in that part of New Brunswick.

Mr. WILMOT. How many dredges are employed on the St. John river?

Mr. FISHER. There is one employed there all the time and sometimes another.

Mr. WILMOT. Under whose direction?

Mr. FISHER. The department here directs where they shall do their work.

Mr. WILMOT. There is great necessity at different points on the lower St. John for the river being dredged. There are some points notably at Oromocto where there are serious obstructions. The traffic between Fredericton and St. John is large in the summer and there is a great deal of difficulty when the water is at low ebb in getting freight over the shoals. For years nothing has been done in dredging and I would urge the necessity of having some dredging done.

Mr. FISHER. That work is done out of a general vote for dredging in the maritime provinces, and has been done by government dredges. My hon. friend is mistaken in saying that there is no work being done on the St. John river. Between Fredericton and St. John there is a dredge working regularly and sometimes two, but I will see what can be done about it.

River St. John—wharfs in tidal waters—contribution to local government, $5,000.

Mr. FISHER. This is a regular vote, that is done every year.

Mr. WILMOT. I do not understand the policy of the provincial government and the Dominion government in combining to build these wharfs. That is a policy that does not apply in any other part of the Dominion.

Mr. FISHER. I am told that this system was established a good many years ago when the hon. member for North Toronto (Mr. Foster) was Minister of Marine, and it has been carried on ever since under a sort of arrangement with the provincial government.

Mr. WILMOT. I cannot see the advantage of it, and should think it would cause more or less confusion in construction work.

Mr. FISHER. These are small wharfs cheaply built and the work is carried on by the provincial government. We contribute an equal amount up to $5,000 each year. Some years it runs fully up to the $5,000 and others not quite. That system has been carried on for a good many years; I would not care to say that it is the very best but I suppose it really has secured the economical construction of a lot of small wharfs.

Mr. WILMOT. That system is not carried out in any other province than New Brunswick.

Mr. FISHER. Not in a general way, sometimes individual cases are.

St. Andrews—dredging, $5,000.

Mr. GANONG. Is it figured that this will finish the dredging of the bar at St. Andrews?

Mr. FISHER. Yes, it was partly done last summer and is to be continued this year.

Mr. GANONG. That is a very desirable work and will save a lot of delay in handling traffic. There is another item to which I would like to call attention while you have a dredge in Charlotte, and it is of the utmost importance that this should be looked after. The most prosperous fishing village in that county, where we do a fishing business of $1,500,000 a year, is Seal cove, Grand Manan. There has never been any dredging at the mouth of the little cove where the fishermen draw up their boats, and during the last few years a sea wall of sand has been thrown up which interferes with their getting into the harbour. If it is possible at all for the minister to send that dredge to Grand Manan to remove a portion of this sea wall and give them a free passage into the only place of protection they have there for their boats, he would be doing a great service to the community. A few years ago the Public Works Department considered the possibility of building a pier to protect this portion of the harbour; but I think they decided the location was such, it would be very expensive indeed to put a pier there which would stand, owing to the exposed location. But if this dredging could be done, I am satisfied that great good would result.

Mr. FISHER. Would the dredging alone, without protection work, be of much benefit?

Mr. GANONG. They never had any dredging done there and that accumulation of sand has been taking place for the last fifty years. It is the opinion of the people in that locality that if this passage were open again you would probably not require dredging again there for another fifty years.

Mr. WILMOT. With reference to the dredging at St. John one of the officials of the Department of Public Works told me

they had not dredges sufficient to do the work necessary. What are your plans for the coming season in those waters?

Mr. FISHER. We have hardly been able yet to lay out a programme and would not undertake to say what can be done until authorized by parliament. As soon as the votes are passed, we will proceed to let out the work. It is quite true that in the maritime provinces our plant is hardly equal to the demand, and I feel disposed to ask money for the purpose of adding to it this year.

Mr. J. D. REID. Surely some plan must have been laid out before preparing these estimates?

Mr. FISHER. There is a large vote for dredging in the maritime provinces, but not for contract dredging. When these items pass the House I shall endeavour to try and get some of the work done by contract in addition to what our own dredges can do.

St. John harbour—improvements, repairs and dredging, $200,000.

Mr. DANIEL. Will the hon. minister explain how much of the work at present in hand this $200,000 will accomplish and to what extent the government intend proceeding with the works there? Do they intend to carry out the dredging in the harbour and permit the full length of the thousand feet of wharf to be built, and do the government intend sending a dredge of their own there or to do the work by contract with private persons? I understand from the press that it did not take the right hon. the First Minister very long to see the urgent necessity of the work at St. John being rushed with the utmost speed, and I presume the report is correct that the acting minister received a telegram from him urging him to expedite this work as fast as possible. I would like to hear the First Minister say how he proposes to do this work and whether he intends to improve the channel in the harbour of St. John as well as do the necessary dredging for the wharf?

Mr. FISHER. This vote is for the purpose of completing what is known as the Maze contract for dredging near Sand Point wharf. The St. John city delegation which came to see the government a little while ago asked for very considerable more dredging there on the understanding that the government was to prepare a bed for the building of the wharf by the city of St. John.

Mr. DANIEL. To prepare what bed?

Mr. FISHER. In the harbour of St. John the city is prepared to build some wharfs, but in consequence of the nature of the bottom it is impossible to build until a large amount of dredging is taken out so as to bring the space down to hard pan on which the wharfs can safely lie. It will be necessary to dredge to a depth of about thirty feet below the lowest water. Mr. Hyman seems to have undertaken with the city of St. John to do that, and last year a certain portion was done and a certain part of the wharf was built by the city of St. John, but not quite completed. The city wish that wharf to be extended and are asking the government to dredge out a space on which it may lie.

Mr. DANIEL. That is the addition to the first wharf?

Mr. FISHER. Yes. They have asked that a thousand feet should eventually be dredged out for a thousand feet extension, but they only ask that six hundred feet should be done this year. I hope to do it. This vote is not for that purpose. It will depend on what the House decides later on in the session.

Mr. DANIEL. This vote does not include the addition to the original wharf?

Mr. FISHER. No, it is for the purpose of finishing the Maze contract which does not include that dredging.

Mr. DANIEL. Does the minister intend bringing in supplementary estimates in order to do this?

Mr. FISHER. I hope in a day or two to lay the estimates on the table.

Mr. DANIEL. He does not feel like stating that now?

Mr. FISHER. No, I am not in a position just yet.

Mr. DANIEL. With regard to the channel in the harbour of St. John, has the department come to the conclusion to do anything this season?

Mr. FISHER. Yes, I hope to have the 'Fielding' there before the end of the year at work.

Shippegan harbour—improvements at Shippegan gully, $6,000.

Mr. GANONG. What is the total cost?

Mr. FISHER. This is to complete. The total cost will be $15,940.

Mr. GANONG. Is this to be the port of call between London and Yokohama? Perhaps the hon member for Gloucester (Mr. O. Turgeon) will tells us.

Mr. FISHER. There is a large choice of ports down there.

Mr. GANONG. We would like to hear from the hon. member for Gloucester (Mr. Turgeon).

Mr. FISHER. You must not be too curious.

Anse à L'Ilot, Quebec—landing pier, $2,500.

Mr. MONK. Before going into the details of the expenditure on harbours and rivers of the province of Quebec, I would like to ask my hon. friend if the government intend carrying out the suggestion of the Transportation Commission named in 1903, which has long since made its report to the government? As far as I can judge from the estimates to-night, the government has laid aside the recommendations of that commission except in some unimportant details, and has continued, since that report has been before it, the same course as it did previously, namely, of laying out certain public money on public buildings or wharfs here and there, according to the recommendation of members who represent the counties interested or in deference to some influence or suggestions powerful enough to obtain the expenditure of public money. But, as I understood the intention of the government when it named that commission, it was that we should have before us as soon as possible a comprehensive scheme which would enable us to solve the problem of transportation, which is daily becoming more urgent, and, having been fully informed as to the best solution of that problem, we should apply ourselves, if the recommendations of the commission had the approval of the government and parliament, to carrying out that scheme. Now, that report has been in the Department of Public Works for over two years, it has been printed, and, although it has not attracted much attention, it seems to have met the approval of everybody who has had anything to do with it. Yet, this year some $700,000 is to be spent on public buildings in the province of Ontario and nearly $500,000 in the province of Quebec. How are the sites for those public buildings selected? How is it that a public building is erected in one village instead of in another? It seems to be a matter of arbitrary decision by the government, acting under the influence of the strongest pressure. If from public buildings you turn to harbours and rivers, which more particularly concern the question of transportation, you find that last year we spent on that item in the province of Ontario about three quarters of a million, exactly on the same plan or want of plan that we have been acting upon for the past ten years. In the province of Quebec last year we spent about three-quarters of a million on wharfs and piers, built here or there, under no rule, but as the government decides under pressure from the members of parliament who represent the constituencies concerned or under some other strong influence. This year my hon. friend asks for the province of Quebec about the same amount and for the province of Ontario a larger figure than that of last year. These expenditures seem to be made without any rule, any guiding principle or any system. It is very difficult for one sitting to your left, Mr. Chairman, to take any particular case and to say that a wharf should not be built there because there is no necessity for it, because this immediately attracts to him a large amount of disapproval from the locality concerned. That is why I am criticising in a general way. Now, let us look for a moment at the two principal recommendations of the Transportation Commission in regard to these two provinces; and let me say that these recommendations are made by experts, by men specially chosen by the government because of their particular knowledge of the question, and these recommendations have met with general approval and with the entire concurrence of the government. They have recommended improvements on the great lakes. They have recommended equipping immediately, without a moment's delay, the port of Midland, for two purposes —for transmission by rail from Midland to Montreal and other lower ports, and as the entrance to the Trent canal which canal should be terminated without a moment's delay. They recommend equipping with elevators, and preparing in a general way, exactly as the ports of Superior and Duluth on Lake Superior in the United States are equipped, the port of Depot Harbour.

Mr. DEPUTY SPEAKER. I do not wish to interrupt the hon. gentleman, but he will understand that we are not discussing the principle of these votes. We are on the item of a pier at Anse à l'Ilot. These remarks should be made when the Speaker is in the chair.

Mr. MONK. I rose when you called the vote for harbours and rivers in the province of Quebec, but did not catch your eye.

Mr. FISHER. I do not wish to interrupt the hon. gentleman, but I hope this will not be taken as a precedent. When we come to the individual items, I hope we shall confine ourselves to those items.

Mr. MONK. What I say applies to all the items for the province of Quebec, and will abridge the time of the committee. With regard to the province of Ontario the recommendations of that commission are general as to the improvements of the ports of the great lakes and as to the aids to navigation. With regard to the province of Quebec, the commission has recommended that we should nationalize and render free the ports of Montreal and Quebec. They say this is urgent, that it should be done at once. They recommend in detail some important improvements on the St. Lawrence river; for instance, the widening of the channel from 300 feet, where it is in some places, and where wrecks and strandings continually occur, to 800 or 1,000 feet. They recommend rendering the channel safe from Montreal to the sea. They recommend the same thing at Quebec. On the 19th of

March last, Mr. Reford, who was for a time the chairman of the commission and took an important part in its reports, writing to the newspapers, recommended that we should without any delay start the work of building the Georgian Bay canal.

Now confining my remarks to some of these recommendations, I would like to ask the government in connection with this item, what are its intentions, after waiting two years or more, as to carrying out the recommendations of the commission with regard to these two ports in the province of Quebec? If it is urgent and necessary that without delay they should be made free ports and maintained as national ports, is the government going to carry out that recommendation, and when? They have expended I think at this moment, in round figures, some $600,000 on a survey of the Georgian Bay canal, to ascertain if it is feasible to make it a great waterway. In view of the pressing communication of the chairman of the commission to the newspapers made last month, has the government arrived at any conclusion in regard to undertaking that waterway? How far has the government proceeded? Does it intend to carry out without delay the plan recommended by the commissioners? I think, Mr. Chairman, that these remarks are pertinent to the item we have under consideration. If the government says, as by its Act it has said, we intend for the present to take no notice of these recommendations of the commission, and will not announce any policy as regards, nationalizing St. John, Halifax, Montreal and Quebec, we have no policy with regard to the Georgian Bay canal, and we do not intend to carry out in detail the other recommendations of the commissioners, but we intend adhering to the old system of building wharfs and piers here and there without any settled rule or system. For my part, I do not see any object in criticising each item so far as the province of Quebec is concerned. There is no doubt that a wharf at many of the places mentioned in these estimates under the heading of the province of Quebec, would be of some utility. A wharf is always useful, although in many cases wharfs have been built within the past ten years that have not given the government sufficient revenue to begin to pay the salary of a caretaker. It seems to me under these circumstances that the question is pertinent, and that it would be far more systematic and far more wise, in our country where we require to solve as quickly as possible the problem of cheap, easy and quick transportation, to take up that report of the commission, which has cost something, which has been elaborated with great care by able men, and to say, Here is a recommendation that we are going to carry out. That report, probably the most important we have had before us on the subject since confederation, has been laid aside by the government; while every year we are called upon to build small wharfs here and there, public buildings in places where they are scarcely asked for. We have not even from the government a declaration as to its policy with regard to that scheme. I think it would be better for us to take up that report, and if there are parts of it that are impracticable, lay them aside. But if, as I believe, it is a sensible, wise and proper report, carry it out as quickly as possible. It will take millions to do so, but carry it out as quickly as possible, instead of frittering away the public money, as we have been doing in the past, in building unnecessary works, and without any policy of a consistent character.

Mr. FISHER. Although my hon. friend is altogether out of order, I will reply very briefly to his remarks. In the first place, supposing we were to undertake the immediate completion of every thing the commission has recommended, I do not think that would in any way relieve us from the necessity of doing a lot of local work for the benefit of the people in these different localities. The hon. member speaks of the pressure of members of parliament, but the pressure of members of parliament represents the pressure of the people of the country, not of the members themselves, not in their particular interest, but because they represent the Canadian people. That is the only reason why the government pay heed to their representations. Even if we plunged deeply into the magnificent schemes that have been suggested by the Transportation Commission and did every thing they asked, it would not relieve us from the necessity of having a long list of these public works every session of parliament.

Now as to the recommendations of the Transportation Commission, my hon. friend seems to forget that for some years back we have been to a large extent carrying out their recommendations. I will only commence, in the west, at the great work we have been doing on the River Kaministiquia at Fort William, and at Port Arthur also, where we are spending hundreds of thousands of dollars. We are improving these two ports for the benefit of the nation, and to that extent we are nationalizing them. On the eastern side of the Georgian bay we are doing another large work. Coming down to the entrance of the Welland canal we find large works at Port Colborne, and coming east a little farther we find improvements in the canal system of the St. Lawrence. We have been spending large sums of money, I am almost afraid to say how much, in plans, specifications and surveys of the Georgian Bay canal. Then when we come down to what

we call the national port of Montreal, we find that we are aiding that port enormously by improving the channel of the St. Lawrence, by lighting and dredging it, by increasing its depth and width, and making it safer. In the city of Montreal we are aiding the harbour commissioners by advancing them money at a comparatively low rate of interest with which they are able to carry out great works under a commission. We have recently reconstituted that commission by appointing business men of a high character, and have made it more efficient than ever before. Going a little further east we find the ports of Sorel and Three Rivers, where we have been expending considerable sums of money, making them available for ocean transport. Then in the city of Quebec we have been expending large sums of money in building a breakwater, piers, and improving the harbour. Going further down the gulf, we have been dredging out this last season the obstructions which interfered with ocean navigation. Then again in St. John harbour, which is the subject of much comment by the Transportation Commission, we are doing the work which they have suggested, and in the supplementary estimates for this year we propose to bring down further large sums for the same purpose. All this work has been done in improving the transportation facilities of the country, not simply for the benefit of a few great lines. The maritime provinces of Nova Scotia, New Brunswick and Prince Edward Island must not be cut out from these magnificent schemes, and must not be left out of consideration in the expenditure of public money. I make these brief remarks because my hon. friend has brought up the general question, although I think he was out of order in doing so.

Mr. MONK. I would like to have a ruling from you, Mr. Chairman, as to whether I am out of order or not. I am speaking of the vote of $747,450 for harbours and rivers in the province of Quebec, and I take advantage of that vote to ask whether we are going to carry out the recommendations of the Transportation Commission. My hon. friend the acting Minister of Public Works says that I am entirely out of order. If I am I do not wish to take up the time of the committee, but it seems to me that I am absolutely in order in discussing this vote in order to find out if we are going to carry out these recommendations.

Mr. DEPUTY SPEAKER. I would not like to see the discussion followed out on these lines, because, as I understand it, the committee has to discuss what has been referred to it by the House. This item has been referred to the committee, and it is desirable to take up this item and dispose of it without introducing other questions.

Mr. BERGERON. My hon. friend from Jacques Cartier is speaking of the whole item.

Mr. DEPUTY SPEAKER. I did not put the question as to the whole item, but I put it as to this one item.

Mr. FISHER. When I spoke of the hon. member being out of order——

Mr. MONK. I do not think I was out of order.

Mr. FISHER. I do not wish to say that in any offensive way at all.

Mr. MONK. I do not want to take up the time of the committee uselessly.

Mr. FISHER. No; but in dealing with these items in the whole of the provinces it has been our practice to take up each individual item and dispose of it by itself. Although the whole item for Quebec is read, just as the whole item for Nova Scotia was read, and just as the whole item for New Brunswick was read, we take up each individual item, and we do not discuss Quebec, Nova Scotia, or New Brunswick as a whole. We are now proceeding upon the same principle. It is only upon that line that I said that the hon. member for Jacques Cartier was out of order.

Mr. MONK. I noticed that some members of the committee who represent the province of Nova Scotia here seemed to approve of the minister when he said that they had to do something for Nova Scotia. Do these hon. members know what the recommendations of the Transportation Commission are with respect to the maritime provinces? They are for the immediate nationalizing and putting on a proper footing, to enable us to compete with the American ports, of the ports of St. John and Halifax. There are other recommendations for the maritime provinces that, to my mind, are more urgent than what I find in the estimates for these two provinces, so that I do not think, in advocating as I do here, the immediate carrying out of the recommendations of the Transportation Commission, I am endeavouring to do any harm to the maritime provinces. But I refer particularly to the provinces of Ontario and Quebec, as it is with them that I am better acquainted. My hon. friend says that they are carrying out the recommendations of the Transportation Commission. I do not want to take up the time of the committee in discussing that. If they carried out these two recommendations as regards Montreal and Quebec, I hold that the country around Quebec and Montreal for miles up and down the river would be more benefited by the carrying out of these recommendations of the Transportation Commission as to these important points than it will be by all of this frittered expenditure in detail. The answer to

that is that the government have not adopted that recommendation of the Transportation Commission. It has not nationalized either of these ports or any other ports. Montreal has not received any money from the government in the direction of the nationalization of that port. Neither has Quebec. I will admit that the machinery recently provided by the government for the administration of the harbour of Montreal is undoubtedly an improvement upon the old one. But it is an old system. It is not a new system. It is not an ideal system, as my hon. friend from Beauharnois (Mr. Bergeron) says, and it is not the new system that is recommended. I take then some of these improvements in harbours and rivers, not only in Quebec, but in the other provinces. No doubt there are urgent calls everywhere, but why cannot we declare, in the first place, that we adopt that recommendation; that we adopt that report, as we do all the other reports, even the most trivial, that are made to this government, and set aside every year a certain amount for the carrying out of the report, instead of laying that report entirely aside and pursuing the system we have pursued for years? In 1903 the pretext for naming this commission was precisely that we wanted to adopt a proper system of transportation in Canada, and that we meant to carry it out. My hon. friend has taken very great care to avoid saying that the government proposed to adopt the policy recommended by the Transportation Commission. You never can get the government to say of that report: We adopt it or we reject it. If they do something which happens to be included in the recommendations of the Transportation Commission they say: You see that we are carrying out that report; but the system of transportation and the equipment of our ports which they recommend have not been carried out. My hon. friend has pointed out that some works were executed on the Kaministiquia river. Yes; there have been some improvements there, some dredging; but that is not what the Transportation Commission recommended. They say that as that is the head of Canadian navigation, you must immediately nationalize the ports of Port Arthur and Fort William, just as you must nationalize the ports of Montreal, Quebec, St. John and Halifax; that the land there must be immediately taken possession of by the government while it is cheap and easily available, and that certain works must be executed immediately. Nothing of that kind has been done any more than has been done in Montreal. It seems to me that when we vote millions every year, as we do here, it is competent for members of this House, instead of criticising every item individually, to direct the attention of the government to this report, which has been prepared by competent men, and to ask what you are going to do about it. Are you going to carry it out, or are you going to continue the old system?

Mr. BERGERON. I believe that what my hon. friend from Jacques Cartier (Mr. Monk) has said is perfectly in order and to the point, and that the best way to reply to the hon. acting Minister of Public Works (Mr. Fisher) would be to read to him 'Hansard' between the years 1879 and 1896.

Mr. FISHER. Oh, do not do that.

Mr. BERGERON. During the time the Conservative party were in power all these items appeared in the estimates, and year after year we read the very same names. You would imagine that it was a perpetual payment that is expected every year by the places which are mentioned. The hon. gentlemen opposite, when they sat here—and they may have been right—declared that this money was being spent for nothing, that it was a corrupt expenditure, and that this was the way which had been adopted of buying up counties. The hon. acting minister answers our criticism by saying that these recommendations are not made by members of parliament. No; but members of parliament are pressed by their electors. We were promised, in 1896, that if there was a change of government there would be a change of methods. But the methods have not been changed. Hon. gentlemen are in a better position than we were before 1896 by reason of the report of this commission. They can answer to these people who are clamouring for these little bits of work: We have appointed a commission and we are only going to carry out the report of the commission. But my hon. friend goes further than that. He is ready to accept the proposition of the commission, he is ready to make further large expenditures which it proposes, and which I think may be right. I believe that no amount of money should be spared to put the ports of Halifax and St. John in proper shape. I believe that any amount of money spent in Montreal would be well spent, and, as my hon. friend from Jacques Cartier says, instead of squandering over three-quarters of a million in little bits of wharfs and pieces of work right and left, if that money were spent upon the ports of Halifax and Montreal, or any other national harbour in Canada, it would be more advantageous to the country. As my hon. friend from Jacques Cartier says, and as the hon. acting minister knows, there must be an end to this. We know what it means; it means that if the minister does not give the people of such and such a county a little bit of work he may lose a few votes. But the people must be educated upon

this great question. The time must come when they will be educated. Why does not the hon. gentleman commence that work of education ? The whole system pursued by the government in the distribution of these little works is with the idea of corrupting the people, who in the end have to pay the cost out of their own pockets. I endorse all that has been said by my hon. friend from Jacques Cartier. If, instead of criticising the speech of my hon. friend (Mr. Monk), the minister would rise and say that in the future he would put an end to these useless expenditures, he would be doing himself credit, and he might have a chance of retaining the portfolio of Public Works, which is one of the most desirable of all the portfolios.

Mr. J. D. REID. As an Ontario member I endorse what has been said by my hon. friends (Mr. Monk and Mr. Bergeron) in favour of equipping the port of Montreal in the most efficient and most modern manner. The same would apply to the ports of Halifax, St. John and Quebec. The expenditure made by the government in some of these ports does not seem to have been economic or prudent. It is now said that the elevator at Montreal which cost the country hundreds of thousands of dollars, is practically useless, and that very little grain has been elevated in or through it. Take all these estimates of expenditure amounting to practically one hundred million dollars this year, and there are many of them that could be much better applied to improving our transportation facilities. We are voting a million dollars for instance, for Ross rifles, which are absolutely useless.

Mr. DEPUTY SPEAKER. The hon. gentleman is out of order.

Mr. J. D. REID. I am referring generally to these useless expenditures.

Mr. DEPUTY SPEAKER. The item before the committtee is for a landing pier at Anse à L'Ilot and the hon. gentleman is proceeding to discuss the expenditure on the Ross rifle.

Mr. BERGERON. When your friends were not in power, don't you remember that for hours they went on discussing all sorts of things in committee ?

Mr. DEPUTY SPEAKER. That is no reason why the rule should be broken now. Discussion must be confined to the question before the committee.

Mr. BERGERON. The question is the public expenditure.

Mr. DEPUTY SPEAKER. That general discussion can come up when Mr. Speaker is in the chair, on the motion to go into committee, but once we are in committee you cannot discuss the Ross rifle on a vote for a landing pier at Anse à L'Ilot.

Mr. BERGERON.

Mr. J. D. REID. I am not going to discuss the Ross rifle ; I am simply referring to it as an example of useless expenditure. Is it now understood that we cannot discuss anything but the particular item which is before us ?

Mr. FISHER. We have sometimes been allowed a good deal of latitude, but for the sake of despatch of business it is necessary that we should confine ourselves to the item under consideration. My hon. friend (Mr. Reid) is an old enough member of the House to know, that while these items are grouped together it is understood that each item shall be discussed as it is called.

Mr. J. D. REID. We have always been allowed to discuss the general question, and now the minister is going to suppress discussion and shut us off.

Mr. FISHER. It is desirable the discussion should be confined to the item, in the interest of the speedy despatch of business.

Mr. J. D. REID. The minister may think it is to his advantage to do this, but it may not turn out so in the end.

Mr. BERGERON. There is no desire to delay supply, as was shown in the passage of the New Brunswick estimates. So far as the Quebec items are concerned I can say that there is every desire to facilitate their passage. This is a discussion on a general topic, and it will not last long.

Mr. J. D. REID. The minister will not find that this tends to the despatch of business.

Mr. BLAIN. How much has been expended on this work. When the item was before the House in 1905 the minister said $1,000 would complete it.

Mr. FISHER. The appropriation for 1906-7 was $3,000, and the expenditure $2,500, leaving a revote of $500. There was a total expenditure before the 30th of June, 1906, of $1,819.70. This vote will complete the work.

Anse du Cap (Cape cove breakwater), $7,750.

Mr. AMES. Who owns the land where this is being built?

Mr. LEMIEUX. This is in the county of Gaspé. The people deeded the land to the Department of Public Works, at my request.

Mr. AMES. Is the work being done by contract?

Mr. FISHER. Yes. The contractor is John Burns, of Ottawa; the amount, $13,300; it is to be finished in August, 1907. Five tenders were received and this was the lowest.

Mr. AMES. The cost of advertising for tenders for this work was $219. Is not that pretty large for a small work?

Mr. FISHER. There are no contractors down there and advertisements would be inserted in the Ottawa, Montreal, Quebec and Sherbrooke papers, I suppose.

Mr. BERGERON. I would suggest that you drop that advertising, it does not amount to anything. The government does not give the contract to the lowest tenderer.

Mr. FISHER. We do in every case.

Mr. BERGERON. I differ from that; it is only given to some of their own friends. The hon. gentleman cannot give a case in the last ten years of a public tender given to one who was not a friend of the government.

Mr. FISHER. I beg your pardon, in this very one, John Burns, of Ottawa, is a Conservative. This very contract has been given to a Conservative. My hon. friend is entirely unjustified in saying that they are not given to the lowest tenderer. There is not a single instance in these estimates where public or any tenders were asked that the work was not given to the lowest tenderer.

Mr. BERGERON. I think it is money spent for nothing.

Mr. FISHER. If I was to adopt that plan the hon. gentlemen opposite would criticise me from morning to night and I would never hear the end of it.

Baie St. Paul—improvements to wharf at Cap aux Corbeaux, $1,800.

Mr. J. D. REID. Where is that?

Mr. FISHER. That is in Charlevoix county, represented by one of your friends.

Barachois de Malbaie—training piers, &c., $8,700.

Mr. AMES. I wonder if this is a sample of the accuracy of the estimates of the department. Mr. Hyman told us that the total cost of this would be $16.000. Twelve thousand six hundred dollars have already been spent and here is $8,700 more. That would be $21,300 or an advance of about 25 per cent or 30 per cent on the estimate. Is that as near as the estimate usually goes?

Mr. FISHER. Of course sometimes there is a possibility of a mistake.

Mr. AMES. Is that by day's work?

Mr. FISHER. Yes.

Mr. AMES. Is not $20,000 a large amount to be done by day's work year after year?

Mr. FISHER. It is hard to get contracts down there.

Mr. J. D. REID. It was not hard to get them down in Gaspé.

Mr. LEMIEUX. It is a large county; there are 300 miles of coast. The department has secured the services of a very able and straight forward engineer, Mr. J. T. Bertrand, and he himself supervises this work. There are large lumbering operations there and it is quite an important place.

Mr. J. D. REID. It would look better for the Postmaster General if it was done by contract. I am perfectly satisfied that a work of that size could be done by contract, but it looks to me as if the Postmaster General was distributing it to a lot of friends in that locality.

Mr. FISHER. It would cost $300 for advertising to which my hon. friend (Mr. Bergeron) objects.

Mr. AVERY. Is that near the place where the government built a dock and had not a deed to it after it was completed?

Mr. FISHER. No.

Mr. J. D. REID. Are there any other places there where the work is not done by contract?

Mr. FISHER. This is the only one.

Bic harbour—wharf at Pointe à Côté, $10,000.

Mr. MONK. Is this recommended by the Transportation Commission?

Mr. FISHER. This is in Rimouski county; it is intended to be let by contract.

Mr. J. D. REID. Has anything been done there before?

Mr. FISHER. There has been work done to connect the island with the mainland. The work is being done by day's work, that is the filling in, and the wharf outside the island will be done by contract.

Mr. J. D. REID. How much has been spent already?

Mr. FISHER. Nearly $5,000.

Mr. AMES. There was $5,000 in 1904 and $4,500 in 1905; a very considerable sum was spent last summer. There must have been $20,000 all told.

Mr. FISHER. The total expenditure to June 30, 1906, was $9,500. Then there was $4,378 last year, about $14,000 and the total is expected to be $26,000.

Mr. J. D. REID. And that was all done by day's work?

Mr. FISHER. Up to the present time; we are now ready to ask for a contract.

Mr. AMES. How much is it estimated the part of the work to be done by contract will cost?

Mr. FISHER. About $14,000.

Mr. J. D. REID. There is only $10,000 in the estimates now.

Mr. FISHER. Yes.

Mr J. D. REID. Is that $10,000 for all new work?

Mr. FISHER. It is for all that will be done this year.

Mr. J. D. REID. Is there not some going on now that will take part of the $10,000?

Mr. FISHER. No, what work was done last year was paid for.

Mr. J. D. REID. And none of this will go towards work that has been gone on with.

Mr. FISHER. No, I do not think so.

Mr. J. D. REID This $10,000 is entirely for new work?

Mr. FISHER. For the wharf described, and the work will be commenced when the contract is let this spring.

Mr. MONK. Bic is a place of some importance. I am very glad to see a wharf there; I would like to see several, but the question to my mind is that it has been pointed out to the government by competent men appointed by them that the channel between Montreal and Quebec is in several places, in two places particularly, very narrow, about 300 feet wide, and when large steamers meet there there is great danger of stranding. Twice in the last three years they have stranded there and consequently these men recommended that the channel be widened to a sufficient width to relieve all danger to navigation at that point. If we have $25,000 to spend is it not more important to provide safe navigation at these perilous points in the river which render underwriting very expensive and do great injury to the St. Lawrence route, than that we should build wharfs in places where we are not recommended to build them as an urgent matter?

Mr. FISHER. I quite agree with my hon. friend that work such as is described to improve the channel from Montreal to the sea should be done and the Department of Marine and Fisheries which has that in charge is arranging to do it and is taking votes to do it.

Chateauguay—wharf, $1,000.

Mr. R. N. WALSH. Has there been any expenditure on that wharf?

Mr. FISHER. No, that is new.

Mr. R. N. WALSH. This is the third time it has been voted and nothing has been done.

Mr. FISHER. We expect to do it this summer.

Mr. R. N. WALSH. Has the site for it been selected?

Mr. J. D. REID.

Mr FISHER. Yes, I understand so.

Mr. MONK. Where is it?

Mr. BROWN. Near the wharf of Mr. Durocher.

Mr. BERGERON. How far will $1,000 go on that?

Mr. BROWN. I asked for $500 more.

Mr. J. D. REID. Why not make it $500 more and do the work right?

Mr. FISHER. We will bring that down in the supplementaries if necessary.

Mr. BERGERON. I think it is necessary. $1,000 might not go far enough.

Chicoutimi pier—improvements and repairs, $5,000.

Mr. J. D. REID. How is that being done?

Mr. FISHER. By day's work under an engineer.

Mr. BERGERON. How much will it cost altogether?

Mr. FISHER. $5,000.

Cross Point wharf—extension, $10,000.

Mr. J. D. REID. Who has the contract?

Mr. FISHER. Mr. Charleson, of Ottawa. Six tenders were received and the contract was given to the lowest.

Mr. J. D. REID. Was anything spent previously?

Mr. FISHER. In 1896-7 $5,000 were appropriated and $3,000 not spent. That is included in this as a revote.

Mr. J. D. REID. How much water will there be at this wharf when completed?

Mr. FISHER. At low water only three or four feet.

Mr. J. D. REID. There was $3,020.15 spent in 1905-6 on this same wharf in addition to the expenditure last year.

Mr. FISHER. There was then a contract for one extension and this is a further extension.

Mr. J. D. REID. How much was spent altogether previous to this?

Mr. FISHER. I think the total expenditure was $13,820.

Mr. J. D. REID. Here is another contract for about $11,000. That makes about $25,000 for a wharf at this point. What is the population of the village and is there much business done there?

Mr. FISHER. This is the point from which the ferry crosses to Bonaventure county and it serves the people all along the shore.

Mr. J. D. REID. Is there any revenue from this wharf?

Mr. FISHER. I do not know that there is, but that comes under the Department of Marine and Fisheries.

Mr. J. D. REID. Your department builds the wharfs and repairs them and then hands them over to the Department of Marine and Fisheries?

Mr. FISHER. Yes, we do not deal with the revenue.

Doucet's landing—pile wharf, $5,000.

Mr. BERGERON. Why is there a revote here ?

Mr. FISHER. The vote was given too late last season to have any work done.

Mr. AMES. Is this wharf used by the Grand Trunk Railway ?

Mr. FISHER. No.

Mr. AMES. What use is there for the wharf ?

Mr. CHARLES DEVLIN. The wharf is immediately opposite Three Rivers and is for the convenience of the people of Ste. Angèle de Laval and that portion of the county. It is at a terminal point of the Grand Trunk Railway, but was not built for that company because they have their own wharf but for the convenience of the people generally. Tenders were called for and six or seven were submitted, and the lowest was accepted. The wharf is now under course of construction.

Mr. BLAIN. Is it expected there will be any revenue ?

Mr. FISHER. There may be when it is handed over to the Marine and Fisheries Department.

Mr. BLAIN. Is not that always considered in these large expenditures ?

Mr. FISHER. What is mainly considered is the convenience of the public.

Mr. BLAIN. Do I understand that there will be no revenue ?

Mr. FISHER. I do not say that, but we consider the convenience of the public not the revenue when deciding on these wharfs.

Mr. BERGERON. My hon. friend from Peel (Mr. Blain) is reading the 'Hansard' of years ago when putting that question.

Mr. AMES. Is there any real demand or has there been any for that wharf ? Is not the wharf of the Grand Trunk Railway quite sufficient ? And has that not been used for the ferry ? What possible use can there be for a second wharf alongside the other ?

Mr. CHARLES DEVLIN. As a matter of fact this is for the convenience, not only for the population of Ste. Angèle de Laval but of that whole portion of the county. It is an agricultural section and the farmers send their products across to Three Rivers. The object is to provide facilities for the farming community as well as the people who cross to Three Rivers.

Mr. AMES. Is it not duplicating facilities that already exist ?

Mr. LEMIEUX. No. The wharf already in existence some fourteen years or more is monopolized by the tracks of the Grand Trunk Railway and no vehicle is allowed to pass over it. In the short time I was a member for that county, I saw Mr. Wainwright and other leading men of the Grand Trunk Railway and asked them to make repairs so as to allow vehicles to cross but they refused. If the government made the necessary repairs, they would be spending money on a private property. My hon friend knows what traffic there is between the north and south shores at that point.

Mr. BERGERON. How much money will be expended ?

Mr. FISHER. $5,000. The contract is for $4,911.

Escoumains pier—extension, $20,000.

Mr. FISHER. This is under contract to James B. Charleson, of Ottawa, and the amount of the contract is $24,045. Tenders were invited and the contract was given to the lowest. This will complete the work.

Mr. J. D. REID. How much has been spent there already ?

Mr. FISHER. This is an extension to the wharf.

Mr. J. D. REID. If the hon gentleman is letting the contract for $12,000, why does he ask $20,000 ?

Mr. FISHER. We seem to have got a tender very much lower than we expected. I might cut the item down $5,000.

Mr. J. D. REID. Why not cut the item down to the amount of the tender ?

Mr. FISHER. We have to make allowance for superintendence.

Mr. J. D. REID. In 1905 this wharf was practically being built by the Saguenay Lumber Company as there is no other concern there. The government spent $13,078 up to 1905. When Mr. Brodeur put $8,000 in the estimates for this wharf, he said that it was to provide for building a public pier which was under contract and that the cost altogether would be $11,478, and the usual amount for superintendence and contingencies, $1,552. I cannot understand why $20,000 more is asked for now.

Mr. GIRARD. It is quite true that the Saguenay Lumber Company is operating at that point on a large scale, but this wharf is to be used by three other parishes besides Escoumains, because this is the

only point at which a deep water wharf can be built. Then it becomes a public wharf instead of a private one.

Mr. FISHER. As we have let the contract, I think we can reduce this amount by $5,000.

Item reduced accordingly.

Father Point—wharf repairs and breakwater, $24,000.

Mr. FISHER. The wharf was damaged last season, and this is for repairs.

Mr. AMES. When this work at Father Point is finished, will it be possible for the steamships to draw up alongside the wharf and discharge their mails ?

Mr. FISHER. No.

Mr. AMES. Is it the intention of the government to use Father Point instead of Rimouski for that purpose ?

Mr. FISHER. A deputation came up to see the government in regard to that the other day, but we have not yet decided, because we have not sufficient information.

Mr. AMES. There are often times most vexatious delays at Rimouski. I was present on one occasion, it took six hours to transfer the mails from the steamship to the train. The steamer had made a very rapid passage, the fact of which was heralded everywhere, and this delay of six hours in transferring the mails was exasperating. If Father Point could be used for that purpose, it would be a great improvement. Has the department that question under consideration ?

Mr. FISHER. Yes, the whole matter has been under consideration not only of the department but of the government, but there are serious difficulties in the way. The transfer of the mails from Rimouski to Father Point would mean a very large expenditure of money, probably from $300,000 to $350,000. At the same time, the necessary dredging every year at Rimouski may cost so much that it might be better to expend even half a million dollars at Father Point if it is found that that would accomplish the object in view. But even that would involve two or three years' work ; so that before deciding upon a change the government would have to consider the whole question carefully.

Mr. AMES. Is that expenditure mainly for a spur line from the Intercolonial ?

Mr. FISHER. That would be included. The first expenditure would be to prolong the wharf and build the breakwater ; then we would have to build the spur line. At present the water at Rimouski is rather shallow, and the tender employed for the mail service is frequently stuck. We dredged the channel out last season, and the dredging was effective for the time being, but I regret to say that this spring the report is that a good deal of the channel which was dredged out last season has filled in again. If that is to go on year after year, it would be better for us to spend half a million at Father Point. But we need all the information necessary before deciding a question of such magnitude.

Mr. BERGERON. It seems to me that I heard two or three sessions ago that the government were considering whether they would bring the mails to Father Point or to Rimouski.

Mr. FISHER. It has been talked of for a long time.

Mr. BERGERON. I think it would be better to decide the matter at once instead of going on spending money every year at both places.

Mr. FISHER. This expenditure at Father Point is necessary even if the mails are not taken there, because this wharf affords shelter for the pilot boats for the lower St. Lawrence.

Mr. LEMIEUX. I may say that the opinions are not unanimous in favour of Father Point. I have heard several large steamship owners say that Father Point was the preferable place, whilst others have contended that Rimouski was the better place. I may say that last summer I went to Rimouski and met there a delegation of interested parties, I met also a deputation from the Montreal Board of Trade. The question has never been so live a one as it is at present. In the next estimates my hon. friend will see quite a respectable amount for a new tender for the mails at Rimouski, and the experiments made this summer will probably decide whether Rimouski or Father Point will be the place where the mails and the passengers will be landed.

Mr. AMES. Meantime we are going on year after year fostering both of these places at an expenditure of $25,000 or $30,000 on each when only one is required. In the last three years we have spent about $100,000 at Rimouski and about the same amount at Father Point. If Father Point is to be selected as the point for landing the mails, it is not necessary to continue to spend $25,000 or $30,000 a year at Rimouski. I have on several occasions been carefully over the ground at each of these places. I do not think you can ever make Rimouski a suitable port, because it is in a long shallow bay, and every spring the sand will drift in around the wharf, and almost out to the end of the wharf you have shallow water and always will have. Now if it is decided that one or the other is to be the

ocean point, expend your money there in sufficient sums to give us what we really need, and cease to expend money at the other place. But if we are going on at the rate of $25,000 a year at each of these places, that is not a sufficient sum for either, and it is too much for the one that is not to be used.

Mr. LEMIEUX. I think some dredging will have to be done this summer, and it will take one or two years at least to complete the work at Father Point.

Mr. BERGERON. I understand that the longer the wharf the greater the quantity of sand that gathers around it. If that is so, we are likely to have trouble there. Why could not the mails be taken from the steamships on tenders instead of bringing the steamships to the wharf ? Would it not be better to land the passengers and freight on tenders, as is done with the Royal Mail Steamship Companies?

Mr. LEMIEUX. The steamer does not stop at the wharf but unloads upon a tender drawn up alongside of her. But even last summer the tender was unable to approach the ship on two occasions because there was not sufficient depth of water.

Grande Rivière de Beaupré—wharf, $3,500.

Mr. MORIN. I would like to ask the minister where that wharf will be built.

Mr. FISHER. The lot on which it is to be built was bought from Mr. Joseph Coté, at the mouth of the Rivière Beaupré.

Mr. MORIN. It must be near the old wharf, I suppose. You cannot build a wharf at the mouth of the river.

Mr. FISHER. We bought the old Morel wharf, and are going to rebuild it. The cost will probably be about $10,000. For the old wharf we paid $1,200, and $300 for the land adjacent to it. Sea-going ships now have to load in the roadstead from lighters. The lighters now have no place to load, and they will come to the wharf.

Mr. MORIN. At low tide the water is 800 feet from the wharf. It rises 15 to 20 feet.

Grand Méchins—breakwater, $30,000.

Mr. FISHER. A contract has been let for $26,900. It is expected that the total cost will be $30,000.

Mr. BERGERON. When was the first money voted ?

Mr. FISHER. $20,000 was voted last year, and this is a revote. The contract was let to John J. Collins of Ottawa, last October. Practically no money has been spent there up to the 31st of March last.

Mr. BERGERON. I find by the Auditor General's Report that some money has been spent there. You bought a piece of land from Mr. Bell.

Mr. FISHER. That was in 1904, before tenders were called for. It was spent in the purchase of timber for the construction of a breakwater.

Mr. BERGERON. How much property was bought ?

Mr. FISHER. There was $3,000 paid.

Mr. BERGERON. There was more than that ; there was $3,714.16 by the Auditor General's Report. That was spent during the election of 1904.

Mr. FISHER. I cannot say as to that.

Mr. BERGERON. Yes, I have it here in the Auditor General's Report. It was in October, 1904.

Mr. FISHER. Does the Auditor General say it was spent in an election ?

Mr. BERGERON. No, but the Auditor General says that the money was spent in October, 1904, and I know it was during election time.

Mr. FISHER. You should make a distinction between a quotation and your own assertion.

Mr. BERGERON. I see there was an amount of money paid to a notary. What had a notary to do with that ?

Mr. FISHER. I suppose it was in connection with the buying of the site.

Mr. BERGERON. There was a piece of land bought from Mr. Verrault.

Mr. FISHER. The approach to the pier for the sum of $50 was bought from Pierre Verrault.

Mr. BERGERON. What is the size of the land ?

Mr. FISHER. I do not find a description of the land. It probably was not very large if it only cost $50.

Mr. BERGERON. Who is Mr. Verrault ?

Mr. FISHER. I do not know.

Mr. BERGERON. What was paid for advertising ?

Mr. FISHER. I cannot tell.

Mr. BERGERON. I can ; $208.50.

Mr. FISHER. Then do not ask me.

Mr. BERGERON. There is a large amount of money spent in advertising. Of course. I understand the object of it. It is just given to a lot of little papers all over the country. It starts with Montreal, Quebec, Toronto, Halifax and Kingston and then it goes to all the weekly papers all over the Dominion.

Mr. FISHER. No.

Mr. BERGERON. I have seen an advertisement in a little paper published forty miles outside of Montreal for works to be

done in British Columbia. This is a small amount but when you add these sums together they come to a very large figure. This money is thrown away with the system the government have adopted of giving the contract to their own friends after sending letters to a few of them. There is another thing. Why is it that the contractors who get these contracts for work located as far away as below Quebec almost all live in Ottawa? There seems to be a little combine amongst contractors living here and they get the contracts right and left. People living outside complain that they cannot get any work at all.

Mr. BUREAU. Do they tender ?

Mr. BERGERON. They tender.

Mr. FISHER. Contracts are given to the lowest tenderers whether they happen to live in Ottawa or anywhere else. My hon. friend would be the first to complain if we did not give the contract to the lowest tenderer. If we did not publicly advertise, it would be said, as my hon. friend said a few moments ago, that we sent letters to our friends and asked them to tender and did not give other people an opportunity. There is no satisfying my hon. friend. If we advertise for tenders all over the country he is dissatisfied. If we write letters to people he is dissatisfied. It is evident he wants to criticise.

Mr. BERGERON. No, I do not want to criticise. It is all a sham ; I know very well how it is done. The hon. gentleman will go out and tell the people that they advertised for tenders. I am not criticising him for that but I say it is sham advertising. It is a way of giving patronage to the newspapers and it is not fulfilling the spirit of the law which says that tenders must be called for all over the Dominion. There is no obligation to give the contract to the lowest tenderer. There is a clause in the advertisement calling for tenders saying that the government does not bind itself to give the contract to the lowest tenderer. Practically these works are given to a few contractors around Ottawa. I do not want to make any insinuations but how is it that these contractors who are around here are always the lowest and have better information than if they did not reside at Ottawa ?

Mr. FISHER. It is not true that they are always the lowest. Sometimes they are and sometimes they are not.

Mr. BERGERON. But those who get the contracts are.

Mr. FISHER. Yes, but they are not always Ottawa people.

Mr. BERGERON. A good many of them are. Mr. Bourque has contracts right and left. How is it that they are always the lowest tenderers, lower than those who are living near where the works are done ? Contractors in their own districts cannot compete with the contractors living around Ottawa. I repeat that the money that is spent for advertising is money thrown away and that it is merely given as patronage for the newspapers.

Mr. FISHER. My hon. friend may say that but if we were not to give the contract to the lowest tenderer the first to raise a row would be hon. gentlemen opposite. They would accuse us of favouritism and everything under the sun. There is a clause saying we need not give it to the lowest tenderer but my hon. friend knows that the only excuse for that is that the lowest tenderer is not a proper person or he has been shown to be an unsatisfactory contractor. Such a case may arise. I know that a certain person did not obtain a contract because he had previously got contracts that had been unsatisfactorily performed and he was refused another contract although he was the lowest tenderer. If we were to send around to our friends privately the hon. gentleman would object. When we advertise publicly all over the country and we give the contract to the lowest tenderer provided he is a contractor who is able to carry out the work then we remove it from criticism and my hon. friend ought to be glad to have us do it.

Mr. BERGERON. I am not glad. I will give an example to my hon. friend. There was some work in the harbour of St. John. Tenders were invited. There were four tenderers. Three of them disappeared. The lowest, the second lowest and the third lowest disappeared and the fourth, or the man who put in the highest price, got the contract.

Mr. FISHER. I would like to know what work my hon. friend refers to ?

Mr. BERGERON. Some work in the harbour of St. John.

Mr. FISHER. What work ?

Mr. BERGERON. Deepening, I think it was.

Mr. FISHER. I do not know of that.

Mr. BERGERON. I do not know the details but it involved a lot of money.

Mr. C. DEVLIN. Was it during the time of the previous government ?

Mr. BERGERON. No, it was within ten years. I will give the name of the contractor. The contract was given to the highest tenderer.

Mr. FISHER. To whom ?

Mr. BERGERON. To Michael Connolly.

Mr. FISHER. This department never gave any to Mr. Connolly.

Mr. BERGERON. It was the Department of Railways and Canals, but the same principle was carried out. The contract was given to Mr. Connolly, and a year after it was decided to extend the work in the harbour of St. John to the extent of $700,000. It was given to Mr. Connolly without tender. Mr. Blair explained at the time that it was the practice to continue the contract to the man who first obtained it. The man who first obtained the contract had probably made an arrangement with the tenderers lower than he was to have them disappear. I don't know how he did it. We on this side are justified in endeavouring to prevent that kind of thing going on in the future.

Mr. BUREAU. What is your suggestion?

Mr. BERGERON. To do what the spirit of the law says as well as what the letter of the law says. In 1896, one of the ministers of the new government winked at the others and said: The letter of the law says you must not give any work without calling for tenders for work that costs more than $5,000, but you can let it by piecemeal in contracts under $5,000; and that minister built a $14,000 fence around Major Hill Park by giving out contracts for less than $5,000 at a time. That is the way the law is evaded by the government to-day, and that is why it is useless to advertise in newspapers.

Mr. BUREAU. These particular items we are discussing are all for contracts given to the lowest tenders. If my hon. friend (Mr. Bergeron) meant anything, he meant to insinuate that there must be collusion between the Minister of Public Works, or the deputy minister, or the chief engineer, and the Ottawa contractors to give them the advantage over other contractors. I do not see how that could be. These gentlemen opposite complain that advertising costs too much, and in the same breath they charge the government with not advertising enough. I do not know what they are driving at. Does my hon. friend (Mr. Bergeron) want the government to cease advertising on the ground of economy, or does he want the government to continue advertising and have an inquisitorial board into the methods pursued by the Ottawa contractors? The government is giving the contracts to the lowest tenderers, and to get the lowest tenderers you must have publicity. There are complaints that we advertise in the Liberal newspapers, but that is easily explained, because we want the advertisements to be read by the greatest number of people, and hence the Liberal newspapers get the notices. The hon. gentleman again complains that we publish the advertisements in country newspapers. Well, if we confine the advertisements to newspapers published in Montreal, Quebec and Ottawa, he would raise his hands and exclaim: You stand by the rich people in the big cities; there must be graft. It is hard to satisfy my hon. friend. If the contractors combine and some withdraw their tenders, what are you going to do about it? The only thing to do would be that if a man is awarded a contract and makes a deposit, the department could forfeit his deposit. I do not see what distinction my hon. friend draws between the letter and the spirit of the law. The letter of the law says the government must advertise in the public press, and the government do that. The Liberal newspapers, no more than the Conservative newspapers, are not going to give their advertising space for nothing; it is only fair and just that they should charge for it. But the whole thing appears to come down to this, that the hon. member for Beauharnois (Mr. Bergeron) must find fault with the Minister of Public Works, no matter what he does.

Mr. BERGERON. I do not want my hon. friend (Mr. Bureau) to draw on his imagination to that extent, and when he calls the acting Minister of Public Works the Minister of Justice, he is simply trying to be facetious. I know the officers of the Department of Public Works, and I would not for a moment suggest that they would enter into any understanding with the contractors of Ottawa. But, if the Solicitor General looks at who the contractors are, he will find that most of them are from Ottawa.

Mr. BUREAU. They are the lowest tenderers.

Mr. BERGERON. Even admitting that to shorten the discussion, the fact is that men living in the neighbourhood of these public works tender as low as they can, and they cannot get the contract.

Mr. C. DEVLIN. This very contract at Doucet's Landing is held by a man living on the spot.

Mr. BERGERON. There may be one or two cases of that kind, but nine out of every ten of these contractors reside in Ottawa. I do not understand it, and I am trying to get information, not from the Solicitor General, but from the Minister of Public Works.

Mr. FISHER. Does the hon. gentleman (Mr. Bergeron) want us not to advertise, and not to give the public at large an opportunity to tender?

Mr. BERGERON. Carry out the law; and if you do advertise, advertise all over the Dominion.

Mr. FISHER. But the whole complaint of my hon. friend is that we are advertising too widely and spending too much money on it. If we do not advertise in

the local papers, then only contractors in the larger cities would have an opportunity to tender. There is a possible explanation of the fact that Ottawa men get a good many contracts, in that Ottawa men know perfectly well that they must tender just as low as they can if they want to get a contract. Some men who live in the locality of these public works think that they can tender pretty high and still get the work, but the Ottawa men know how keen the competition is, and they tender low. Then, again, they make a specialty of contracting; they are professional contractors; they have the staff and the plant, and they buy their cement in thousands of barrels, and they buy their timber in the cheapest market, and hence their success in tendering. Sometimes a local man, as in the case of Doucet's Landing, may succeed.

Mr. BERGERON. Then why not advertise only in the Ottawa papers?

Mr. FISHER. Because we want to be fair to the other people, and give them a chance to tender. But we do not want them to get this work at the public expense. We want the work to be done as cheaply as possible, and so we give every one a chance to do it as cheaply as possible, and in the end the best man gets the contract.

Mr. BERGERON. What will be the total cost of this work at Grands Mechins?

Mr. FISHER. Not including the time we have wasted on it here to-night, it will cost $30,000.

Mr. BERGERON. When will it be completed?

Mr. FISHER. October, 1907.

Mr. BERGERON. In what county is it?

Mr. FISHER. Rimouski.

Mr. MONK. There is a very easy solution of the advertising question. It has grown to be a terrible abuse, and I am sure we must spend between $50,000 and $80,000 a year advertising.

Mr. J. D. REID. They spent $22,000 advertising the Grand Trunk Pacific.

Mr. MONK. We spend sometimes as much as $500 to advertise for a contract of $4,000 and very often it is not given. We find that estimate comes up here year after year, it has become a gross abuse. Will the minister pretend that if we advertised for tenders in the Canada Official Gazette, we would get no tenders.

Mr. FISHER. I do.

Mr. MONK. Everybody knows that contractors are limited in number, the minister has just indicated that himself. He says most of them reside in Ottawa and being near the source they provide themselves with what is necessary. I say if we advertise for tenders in the 'Canada Gazette' and carry it out systematically we will save from $65,000 to $75,000 a year and get any number of tenderers. To go a step further suppose we had a mailing list as they have in England and in France. Do you suppose they waste public money there in that way? I defy my hon. friend to say they do.

Mr. FISHER. I do not.

Mr. MONK. He knows they do not. It has grown into an abuse here. If we advertise our public works for tender in the 'Canada Gazette' and posted notices throughout the post offices where the works are to be, what would it cost us? Not one dollar and we would be the richer by $70,000 to $75,000 every year, have better competition and be able to devote that money to other works. It began in a small way but it has grown into an abuse and I verily believe that if my hon. friend, who is a practical man, would introduce that reform he would find that tenders would come in as freely as ever, and I would be curious to know if we could get a return in how many cases we have given a contract in the last two years to the lowest tenderer, fair and square.

Mr. FISHER. Fair and square as far as I can say, we have given it to the lowest tenderer in every case but one since I came into the department.

Mr. MONK. That is about two weeks.

Mr. BERGERON. What is the length of that breakwater at Grands Mechins?

Mr. FISHER. The stone bridge is 20 feet long and 20 feet wide and the cribwork 580 feet.

Mr. BERGERON. It is to be 16 feet at low water?

Mr. FISHER. It says here 18 feet 3 inches.

Mr. BERGERON. If I understand, tenders were called for in 1904, and there was no response, then in October, 1904, when there was no contract given, the department bought wood to the tune of $3,457.

Mr. FISHER. They bought that in preparation for the work by day labour.

Mr. BERGERON. Would my hon. friend approve of that?

Mr. FISHER They had an item in the estimates for this pier. It did not seem likely that it would go by contract, and when they could not get tenders they proceeded to get timber and prepare for the completion of the work. Then tenders were asked for again and they got a contract.

Mr. BERGERON. It smells very much like election.

Mr. FISHER. My hon. friend is too suspicious.

Mr. BERGERON. They bought wood from a number of people in amounts varying from $60 to $627. If the people of the country knew all the details of this, what would they say ?

Mr. FISHER. I hope they will know them.

Mr. BERGERON. On the eve of an election, in the county of Rimouski where an immense amount of money was being spent this was done. Is that the only way in which the government could secure an expression of the confidence of the people by buying wood from every Tom, Dick and Harry during election time ?

Mr. FISHER. I am sorry my hon. friend misplaced his confidence. I think that is a proof that the government is doing what is in the interest of the people; we go direct and buy from the producer leaving out the middle men.

Mr. BERGERON. That is not what the Department of Railways do.

Mr. FISHER. The department went straight to these habitants and bought from them direct instead of employing middlemen and thus the government saved the profits of the middlemen.

Mr. BERGERON. Three years before the work is done and the wood is lying there probably being eaten by worms to-day.

Mr. FISHER. We were buying it when we had the money to do the work and were ready to go on without waiting.

Mr. BERGERON. What is to be the use of that breakwater ?

Mr. FISHER. For ships to go to.

Mr. BERGERON. That was not the reason that was given before. Mr. Brodeur said last year that it was for the fishermen and the general trade, and that vessels such as the 'Campana' could go to it. Is that to be useful for a vessel like the Campana ?

Mr. FISHER. I do not know whether the 'Campana' can get in there or not. I do not think that the 'Campana' draws 18 feet 3 inches.

Mr. BERGERON. Mr. Brodeur said the depth would be between 12 and 17 feet.

Mr. FISHER. The statement here is 18 feet 3 inches above low water.

Grosse Isle, Quarantine station—wharf extension, $24,000.

Mr. AMES. How many tenders were received, who tendered, what is the price of each tender, and who got the contract ?

Mr. FISHER. Heney & Smith, of Ottawa. There are nine tenders but I have not a list of them here.

Mr. BERGERON. Another Ottawa firm ?

Mr FISHER. Yes, the tenders range from $22,467 up to $31,900.

Mr. AMES. The reason I asked was in order to demonstrate the same point as was made by the hon. member for Jacques Cartier (Mr. Monk) that it is an Ottawa contractor who gets the contract.

Mr. AMES. How soon will the work be finished?

Mr. FISHER. Next fall.

Mr. AMES. No one knows better than the minister how important it is to have the work finished as soon as possible. We have voted this money twice and failed to complete it.

Mr. FISHER. I understand that perfectly.

Lake St. John wharfs—repairs, &c., $3,500.

Mr. J. D. REID. What is this for?

Mr. FISHER. This is a general vote put in every year for repairs.

Mr. J. D. REID. I see in these repairs accounts such as these: Office Specialty Manufacturing Company, office and cabinet, $124.75; office chair, $13, and other similar items which cannot have anything to do with repairs to wharfs.

Mr. FISHER. Those are to fit the office of the engineer in charge of the work.

Mr. J. D. REID. But the year before we find the same thing How is it these items come in every year?

Mr. FISHER. There was an increase in the staff and we had to fit the office accordingly.

Mr. J. D. REID. Here is an item for photographs, $26.50.

Mr. FISHER These are photographs of the wharfs to see the condition of the work.

Mr. J. D. REID. And electrical fixtures, $31.

Mr. FISHER. Those are in the office of the superintendent of work.

Mr. J. D. REID. Are these done every year?

Mr. FISHER. No, only when necessary.

Mr. J. D. REID. How many of these offices are there?

Mr. FISHER. This is not an office on the wharf, but the office of the engineer in charge of all these wharfs. It is in the town of Chicoutimi.

Mr. J. D. REID. He has his office all carpeted.

Mr. FISHER. Very likely

Lake St. Francis (Beauce)—wharfs, $7,000.

Mr. FISHER. There are two wharfs and one is under contract.

Mr. BERGERON. When was the money voted for the first time?

Mr. FISHER. Last year.

Mr. BERGERON. How much money has been spent already?

Mr. FISHER. None. The contracts were let recently and we hope the work will be completed this coming summer.

Mr. BERGERON. The Auditor General reports $285 spent already.

Mr. FISHER. It may be that we bought the sites before.

Mr. BERGERON. From whom was the site bought?

Mr. FISHER. A lot of land bought from Desile Rousseau.

Mr. BERGERON. What work had Saussier to do for which he was paid $26.95.

Mr. FISHER. He translated the specifications which were issued in English and had to be translated into French.

Mr. BERGERON. That should be done in the department. We should call the attention of the member for Montmagny (Mr. Lavergne) to that. What is the object of building these wharfs.

Mr. FISHER. There is a large lumber trade in that district and these wharfs are for the use of tugs tha tow the scows and logs.

Lavaltrie—wharf, $5,000.

Mr. FISHER. This is a revote almost entirely.

Mr. BERGERON. What is the whole amount?

Mr. FISHER. $1,843.50 have been spent already and this will complete.

Mr. AMES. Is that the wharf which was bought from the Richelieu and Ontario Navigation Company?

Mr. FISHER. Yes.

Mr. AMES. And that company has the same rights to it as before?

Mr. FISHER. Not exclusive rights. They have the privilege of using it the same as anybody else.

Mr. AMES. And the government have the privilege of keeping it in repair?

Mr. FISHER. For the use of the public.

Mr. AMES. Did the public not use it before?

Mr. FISHER. Not except on sufferance.

Mr. BERGERON. Does any body else use it but the Richelieu Company?

Mr. FISHER. Large quantities of hay, cattle and farm produce are raised in the neighbourhood, and the dues levied by the Richelieu and Ontario Navigation Company were prohibitive to the local people. It became necessary to provide improved and increased wharf accommodation and that could not be done while the company owned the wharf. So the government took it over and are improving it for the public use.

Mr. AMES. Is it the policy of the government to buy all the wharfs of the Richelieu Company?

Mr. FISHER. No, except where we find it necessary in the public interests.

Mr. BERGERON. I asked last year what was the depth of the water and the minister (Mr. Brodeur) answered that this was for the Richelieu and Ontario Navigation Company and the depth was from ten to twelve feet. Evidently those are the only boats that go there. Now the government have bought the wharf and are repairing it and the Richelieu Company are using it.

Mr. FISHER. And other market boats as well.

Mr. BERGERON. According to the minister (Mr. Brodeur) only the Richelieu boats go there.

Mr. BUREAU. I may tell my hon. friend that other boats do not go there because they cannot. There is a new company called La Plante Company that goes there, and the government has purchased the wharf because it can give better accommodation to the farmers.

Mr. MONK. Does my hon. friend say that that company started because this wharf was purchased by the government ?

Mr. BUREAU. No, but because it could go there and get the traffic.

Mr. BERGERON. Is this for the cost of the wharf ?

Mr. FISHER. No. The wharf was bought for $1,800. The rest is for fitting it up.

Mr. BERGERON. Is that to be done by contract or by day's work ?

Mr. FISHER. By day's work.

Mr. BERGERON. When will it be finished ?

Mr. FISHER. This summer.

Mr. BERGERON. Is there to be any dredging done there ?

Mr. FISHER. There is no estimate for dredging.

Mr. TAYLOR. Why do the government not purchase wharfs at Prescott, Brockville, Gananoque, Kingston and other places where the Richelieu boats call ? Farmers ship large quantities of hay and other produce at these wharfs, and have to pay toll on them.

Mr. LEIGHTON McCARTHY. Are they not public docks ?

Mr. TAYLOR. No, private docks, every one of them.

Mr. LEIGHTON McCARTHY. Whom do they belong to ?

Mr. TAYLOR. The one at Gananoque belongs to the Rathbun Company. Why do the government furnish free docks in one part of the country and not in another ? From Montreal to Toronto there is not a government owned dock. Private enterprise has built them all.

Mr. FISHER. If there were a hardship, the people would present the case to the government.

Mr. J. D. REID. I may say that at Prescott the dock at which the boats call and from which the farmers ship their produce is a private dock on which there is a wharfage charge. If you are giving the public a dock in this locality, why not give us one at Prescott ?

Mr. FISHER. If you make out a case.

Mr. J. D. REID I make out a case now. There are four or five docks at Prescott, and a boat cannot be landed at any one of them without paying wharfage. Even the ferry dock is a private dock. We have just as much right to a public dock there as this locality, and if it is only necessary to make the application I shall be very glad to see that it is done promptly by the mayor and council of Prescott.

Mr. FISHER. I did not say that it was only necessary to make an application.

Mr. J. D. REID. If the minister is going to adopt that policy, which has been done since he assumed the position of acting minister——

Mr. FISHER. This was done last year.

Mr. J. D. REID. The hon. gentleman is following it up. At all events, I will see that application is made, and I hope the minister will give it the same consideration that he has given to these other places.

Mr. FISHER. I will consider it.

L'Isle d'Alma—removal of rocks, $1,000.

Mr. BLAIN. Will this complete the work ?

Mr. FISHER. This is a kind of work that is done from time to time to improve the navigation. The ice frequently brings the rocks back into the channel.

Mr. MONK. I do not see anything in these estimates for removing the rocks in the St. Lawrence channel at Cap St. Charles in compliance with the recommendation of the commission.

Mr. FISHER. That is in the estimates of the Department of Marine and Fisheries. There is not an item for that particular thing, but it is done out of the ship channel vote.

Mr. MONK. I am glad to hear it, because I put a question to the Minister of Marine and Fisheries about the removal of those rocks, and his answer was that there were no rocks there at all, although last year the Bavarian had her bottom stove in by a rock in that channel.

Lotbinière and Portneuf counties government wharfs—improvement of approaches, $1,200.

Mr. MONK. What are these approaches, and how was the amount voted last year expended ?

Mr. FISHER. There are a lot of boulders in the bed of the St. Lawrence, on each side of the ship channel, and we have sometimes to remove them.

Mr. MONK. Then I understand that this money is not for approaches to the wharfs from the land ?

Mr. FISHER. No, for clearing out the channel.

Magdalen Islands—breakwaters and piers, $1,600.

Mr. J. D. REID. This is in Gaspé ?

Mr. LEMIEUX. It is, and there is a very thrifty population of 6,000, composed of fishermen. Five wharfs have been built there and they give great satisfaction. The steamer running between Pictou, N.S., and the Magdalen Islands twice a week, calls at every one of these wharfs. The expenditure has been a wise expenditure from all points of view.

Mr. FISHER. This amount ought to be $16,000, instead of $1,600 and I shall have to bring an item in the supplementary estimates to bring it up to that amount. This is for the completion of piers already begun.

Mr. J. D. REID. Last year there was $20,000 in the estimates for 1905, and the hon. member for Beauharnois (Mr. Bergeron) said :

You spent $20,000 last year, and $20,000 is asked for this year. Does that cover all the work to be done ?
Mr. BRODEUR. Yes.

He stated that was all that was to be done. Now you are asking for $16,000 more.

Mr. FISHER. And I do not think this will finish it. It will take another year

probably. It is not done by contract, that would be almost impossible.

Mr. J. D. REID. Who has charge of these works ?

Mr. LEMIEUX. Mr. Bertrand.

Murray bay—wharf, renewals and repairs, $5,000.

Mr. J. D. REID. How much has been spent here ?

Mr. FISHER. $52,000 has been spent here since confederation. $507.99 was spent last year.

Mr. J. D. REID. I see that last year there was a sum of money spent for linoleum and mats. Was that for repairs of the wharf ?

Mr. FISHER. I think that must have been for the waiting room, where a large number of passengers are accommodated.

Notre Dame du Portage wharf—to complete, $2,400.

Mr. FISHER. It is expected this will cost $21,363, including this amount.

Percé wharf (North cove) $9,000.

Mr. AMES. Where are Lyons & White, who have this contract ?

Mr. FISHER. At Ottawa.

Mr. AMES. How many tenderers were there, and who were they ?

Mr. FISHER. I cannot give the names of the other tenderers.

Petites Bergeronnes—removal of boulders, $1,500

Mr. FISHER. $904.71 have been spent.

Mr. BERGERON. Who owns the sawmill there ?

Mr. GIRARD. It belongs to Mr. King, of Quebec.

Mr. BERGERON. According to the Auditor General's Report, there is a sum for the removal of boulders in September and October, 1904 ; but it appears that work was not completed.

Mr. FISHER. No, the amount expended in 1905 was $898.50. We spent more when there was no election than when there was.

Mr. BERGERON. The work was commenced during an election but it was finished afterwards. How much do you want to take away these boulders ?

Mr. FISHER. We are asking for $1,500 this year. I do not know if it will complete the work.

Mr. GIRARD. There are about three miles covered with boulders, the work can be done only at low tide and it will take a long time.

Mr. FISHER.

Pointe aux Trembles (county Portneuf) $15,000.

Mr. J. D. REID. Will this finish it ?

Mr. FISHER. No, I understand that the contractor has failed and that we have to make a new contract.

Mr. J. D. REID. I see that last year when this item was up—Pointe aux Trembles, $10,000—my hon. friend the member for East Grey (Mr. Sproule) asked :

Will that finish the wharf ?

Mr. HYMAN. The contract will finish it.

Mr. BLAIN. Are any of these votes for new works, or for continuation of works already begun ?

Mr. HYMAN. They are mostly revotes for continuation of works begun. It will require $2,000 to complete the work at Pointe aux Trembles.

At that time $10,000 would complete the work ; now there is $15,000 more and still the minister says that it will not complete it. Will he give us an explanation of that ?

Mr. FISHER. The original contract was for $33,775. The total estimated cost of the wharf is $38,000. Up to the beginning of this fiscal year there has been actually expended nearly $23,000 and we are asking for $15,000 which will make up $37,949, or practically $38,000. That is the $15,000 that we are asking for here.

Mr. J. D. REID. Well, this will not complete the wharf ?

Mr. FISHER. Of this, $5,000 is a revote. When I say it will not I do so because the contractors have failed and have given up the work.

Mr. MONK. Who are the contractors ?

Mr. FISHER. Dussault & Pageau, of Quebec.

Mr. MONK. Have they failed ?

Mr. FISHER. They have given up the contract.

Mr. BERGERON. There is the danger of giving it to the lowest tenderer.

Mr. FISHER. This is not an Ottawa firm.

Mr. J. D. REID. I think the government should be protected either by the deposit of the contractors or by keeping back a certain percentage of the progress estimates.

Mr. FISHER. So we are.

Mr. MONK. Is this firm of Dussault the same firm which is executing government works in the harbour of Quebec ?

Mr. FISHER. No.

Mr. MONK. Do I understand my hon. friend to say they have failed ?

Mr. FISHER. I do not say they have failed. I mean they have failed in this contract.

Mr. BERGERON. Why ?

Mr. FISHER. I cannot tell.

Mr. BERGERON. Will the government lose anything by it ?

Mr. MONK. What reason have they given for giving up the work ? They ought to be forced to finish their contract ?

Mr. FISHER. I do not know.

Mr. J. D. REID. How much was the deposit ?

Mr. FISHER. It is still in the hands of the department, I suppose.

Mr. J. D. REID. There is generally a deposit and in addition there is a certain percentage of the progress estimate kept back.

Mr. FISHER. That is done.

Mr. J. D. REID. They have the government deposit and the percentage of the progress estimate ?

Mr. FISHER. Yes.

Mr. J. D. REID. Then there is no reason why they should lose ?

Mr. FISHER. No, the government will not lose.

Mr. J. D. REID. And there is no reason why the work should cost any more than it would under the original contract ?

Mr. FISHER. No, but it delays the work.

Mr. J. D. REID. The minister says that it is going to cost more.

Mr. FISHER. No, I did not say so.

Mr. J. D. REID. The minister says that this $15,000 will bring it up to what the original estimate of the whole work was to cost ?

Mr. FISHER. Yes.

Mr. J. D. REID. And yet he says that will not complete it.

Mr. FISHER. I did not intend to say that ; this is intended to cover the whole work.

Mr. J. D. REID. And will it complete the whole work ?

Mr. FISHER. I believe so.

Mr. J. D. REID. We have a right to know why this firm which is perfectly solvent and which has not failed has abandoned this work.

Mr. FISHER. I am informed that they were not proceeding with their work in such a way as to satisfy the department, that the department had notified them that they must proceed with and complete it within a certain time or else the government would take the work out of their hands, and they said they would not do that, that they could not do it and the government took the work out of their hands.

Mr. MONK. As I understand the position, these contractors have government work at Quebec.

Mr. FISHER. They are not the same contractors at all ; that is another firm.

Mr. MONK. And they have refused to carry on this contract and the government have taken it out of their hands.

Mr. FISHER. These are different contractors from those who are doing work at Quebec.

Mr. MONK. They have no other contract from the government ?

Mr. FISHER. No.

Mr. MONK. Is that the position as I have stated it ?

Mr. FISHER. No, the position as you have stated it is not correct because these are not the people who have a large contract from the government at Quebec.

Mr. MONK. I asked if the position in regard to these contractors is that they have been called upon by the government to complete their works but they have refused and that the government have taken them out of their hands ?

Mr. FISHER. Yes.

Mr. MONK. When did the government take over these works and who has them in hand now ?

Mr. FISHER. They have just lately signified their intention not to go on with them.

Mr. MONK. Then the government has not taken over the work ?

Mr. FISHER. Officially it has not, but that is the consequence of their notifying us that they will not go on. We have not yet taken active steps to go there and take it over.

Mr. MONK. And they have given the government no other reason for the abandonment of this work except that they do not want to go on ?

Mr. FISHER. They could not complete the work in time and the department notified them that they must complete it or give it up.

Mr. BERGERON. They could not keep the contract ?

Mr. FISHER. They could not fulfil the contract.

Mr. BERGERON. What is the first name of Dussault ?

Mr. FISHER. J.

Mr. BERGERON. What is the initial of the Dussault who is working at Point Levis and Quebec?

Mr. FISHER. Etienne.

Mr. J. D. REID. How much has been paid this firm up to date?

Mr. FISHER. $18,240.45.

Mr. J. D. REID. And you say that there is only $15,000 needed to complete the work in so far as their contract is concerned?

Mr. FISHER. There is about $20,000.

Mr. J. D. REID. But their contract was for $33,775.

Mr. FISHER. Yes.

Mr. J. D. REID. So that there is $15,000 necessary to complete it? Have the government had an engineer down there to examine the work and see what has been done?

Mr. FISHER. Yes.

Mr. J. D. REID. About how much work has been done?

Mr. FISHER. The amount that has been paid to them was only paid on progress estimates and on the certificates of the engineer that a certain amount of work had been done.

Mr. J. D. REID. How are the certificates given; on the actual wages paid out and the actual invoices?

Mr. FISHER. They are taken on the proportionate quantity of the work performed, estimated by the engineer.

Mr. J. D. REID. As I understand it ten per cent is deducted from the value of the timber delivered, and 10 per cent deducted from the labour and so on.

Mr. FISHER. 90 per cent of what the government engineer shows, has been expended is paid.

Mr. J. D. REID. The contractor in making his tender for this wharf puts in a certain price for lumber, and a certain price for labour.

Mr. FISHER. This contract was let for a bulk sum of $33,775.

Mr. J. D. REID. If 10 per cent was kept back there would be about $20,000 paid on the contract, and there has been $18,000 paid?

Mr. FISHER. While the $18,000 was being paid 10 per cent more was due. There has been work done to the extent of over $20,000.

Mr. J. D. REID. Only $11,000 of the work remains to be done?

Mr. FISHER. Of the actual work.

Mr. J. D. REID. Does the engineer report that the deposit and the percentage kept back is sufficient to complete the work?

Mr FISHER. That is the expectation.

Mr. MONK. In view of the circumstances, I suppose no more money will be paid to these contractors?

Mr. FISHER. Not until the question is settled. I do not know whether any thing more will be due or not.

Mr. MONK. Is not the amount they owe for damages for refusing without reason to prosecute the work, larger by far than any thing they could claim?

Mr. FISHER. I have no doubt that would be considered in the settlement.

Mr. BERGERON. How can that wharf cost so much; the Richelieu boats do not go there?

Mr. FISHER. It is 600 feet long.

Mr. J. D. REID. The inspector is R. Plamondon; where did he come from?

Mr. FISHER. I cannot say offhand; probably he is from the locality, but I do not know.

Mr. MONK. What amount has been paid for right of way, and to whom?

Mr. FISHER. The property, three quarters of an acre, was owned by Athanase Delisle and he was paid $300.

Mr. MONK. Is it the policy of the government to purchase the right of way to reach these wharfs?

Mr. FISHER. We frequently have to.

Mr. MONK. Is there a deed of this piece of property?

Mr. FISHER. Yes.

Mr. MONK. Filed in the department?

Mr. FISHER. I have no doubt it is, but I have not seen it.

Rimouski—wharf improvements, $25,000.

Mr. AMES. Is it the intention to spend this $25,000 in day's work?

Mr. FISHER. The work for which there is a vote in the supplemenary estimates was done last year by day's labour, and this work consists of improvements and will also be done by day's labour.

Mr. AMES. Is not $25,000 a large sum to expend by day's labour, on which there is practically no check?

Mr. FISHER. I am informed by the officers of the department that in such work as this they do not know what they will find until they commence to carry on the work, and they tell me they cannot let it

by contract. I am not sufficient of an expert to contradict them.

Mr. AMES. If they need any lumber, or other supplies, is it bought by tender?

Mr. FISHER. They ask quotations from people in the neighbourhood who have lumber to sell.

Rivers Ashouapmouchouan and Peribonka—training dykes, &c., $5,000.

Mr. FISHER. It is expected that by narrowing the channel the current will be sufficient to clear it out, and thus make the river navigable.

Mr. BERGERON. Navigable for what?

Mr. FISHER. Small steamers run on the Peribonka.

Mr. BERGERON. Will this complete the work?

Mr. FISHER. We will see what the result of this is, and if the work will permit of navigation further up we may do some more.

Mr. BERGERON. How much has been spent already?

Mr. FISHER. $5,000 last year.

Mr. SAM. HUGHES. What does the minister mean by 'dykes,' in this connection?

Mr. FISHER. Running a ridge of stone out from the river to force the water into the channel.

Rivière aux Renards—breakwater pier, $8,000.

Mr. AMES. Will this finish the work?

Mr. FISHER. I may say that the work is completed, and I am going to ask that this vote be struck out.

Mr. AMES. The work was commenced in 1903.

Mr. BERGERON. Does the one-fifth that has been voted remain?

Mr. FISHER. I am afraid it will. It has passed through the House, but we will not spend it.

Motion agreed to, and item struck out.

Rivière à la Pipe—wharf extension and repairs, $4,000.

Mr. J. D. REID. Is this to complete the work?

Mr. FISHER. Yes.

Rivière Batiscan—dredging channel at mouth,

Mr. AMES. Will this complete the work?

Mr. FISHER. Oh, no; that is dredging the mouth of the river.

Mr. AMES. Who has the contract?

Mr. FISHER. We have not yet called for a contract for this work. As soon as the vote is passed I am going to call for tenders.

Mr. AMES. For this Batiscan river, is the contract renewed each year?

Mr. FISHER. Yes.

Mr. MONK. Is that river navigable?

Mr. FISHER. Oh, yes.

Mr. BERGERON. What is the general price for dredging in a place like that?

Mr. FISHER. We paid 13½ cents last year in this case.

Mr. BERGERON. Is that the average price?

Mr. FISHER. No; that is lower than we have had to pay. The average price is about 15 cents for soft material where there is no rock.

Mr. J. D. REID. Who has the contract?

Mr. FISHER. Nobody has it; last year Prendergast, of Montreal, had it.

Rivière du Loup, Fraserville—harbour improvements, $15,000.

Mr. BERGERON. Is that the long wharf?

Mr. FISHER—Yes.

Mr. BERGERON. The harbour is behind that?

Mr. FISHER. I suppose the wharf is a part of the harbour; it is a protection to the harbour.

Mr. BERGERON. I would call the harbour the bay behind the big wharf.

Mr. FISHER. That is true, but the wharf is part of it.

Mr. BERGERON. How much money was voted for that at first?

Mr. FISHER. A very large amount of money has been spent on it. I see here that $97,000 has been spent on it.

Mr. BERGERON. How much does my hon. friend intend to spend this summer?

Mr. FISHER. There is $15,000 here. We cannot tell exactly; we have asked for this vote.

Mr. BERGERON. How much will be spent there, say, in four or five years?

Mr. FISHER. Last year there seems to have been $5,000 spent, and the year before $3,729.

Mr. BERGERON. The year before $13,000.

Mr. FISHER. I think my hon. friend has the figures there.

Mr. BERGERON. How much will it all cost?

Mr. FISHER. I suppose $15,000 more. The $90,000 is an amount which has been spent since confederation.

Mr. BERGERON. How is that work done?

Mr. FISHER. These repairs will be done by day labour.

Mr. J. D. REID. A large thing like that should be done by contract.

Mr. BERGERON. There is a great deal of wood you bought here; is that by contract?

Mr. FISHER. We took the lowest offers.

Rivière du Loup (en haut)—dredging and other improvements at mouth, $15,000.

Mr. FISHER. That dredging will be done by contract.

Mr. BERGERON. Who are the contractors?

Mr. FISHER. Mr. Poupore had the contract last year.

Mr. BERGERON. That is not what I find in the Auditor General's Report.

Mr. FISHER. That was the year before probably.

Mr. BERGERON. How much money was spent there in 1903-4?

Mr. FISHER. I may say that I have not the details here. In 1905-6 there was $16,000, and in 1906-7, $10,000.

Mr. BERGERON. What is the estimated cost of the whole thing?

Mr. FISHER. I suppose we can go on dredging there for ever almost.

Mr. BERGERON. For what purpose is the dredging?

Mr. FISHER. To enable the navigation to be carried on without interruption.

Mr. BERGERON. Are there boats passing there?

Mr. FISHER. Oh, yes.

Mr. BERGERON. What boats go there?

Mr. FISHER. Market boats, and there is a large lumber trade there.

Mr. BUREAU. The Tourville Lumber Company do their shipping at that place, and the farmers ship their produce here; apart from that, they are in the hands of the Canadian Pacific Railway to ship their produce.

Mr. BERGERON. Can you not give an idea of when the expenditure will be at an end?

Mr. FISHER. This will give a certain depth of water. If more is required, we will have to have more money.

Mr. BERGERON.

Rivière Maskinonge—dredging, $15,000.

Mr. J. D. REID. Would the minister say how much has been spent on that?

Mr. FISHER. $13,466.13 had been spent up to 30th June, 1906. Then there was $10,000 last year, that would be $23,000, and we are asking for $15,000 this year.

Mr. J. D. REID. Who has the contract for that?

Mr. FISHER. Last year Mr. Poupore had the contract also at eleven cents a yard. We have not let the contract this year.

Mr. J. D. REID. Who had it in 1905?

Mr. FISHER. Mr. Poupore also.

Mr. J. D. REID. I see in the 'Hansard' of 1905 that Mr. Brodeur said the contract was awarded to Davis & Sons, of Ottawa, on the river Maskinonge at fifteen cents.

Mr. FISHER. The next year the department got it at eleven cents. I hope we will get it this year at less but do not believe we will. Eleven cents is very low.

Mr. J. D. REID. A man named Antoine St. Pierre was paid $9,240 for dredging from May 21st to November 12th, in 1904-05 at the river Maskinonge, do you know who he is?

Mr. FISHER. No.

Mr. J. D. REID. I never heard of any party by that name in the dredging business.

Mr. BUREAU. He has been dredging for years, and you will find his name in the Auditor General's Reports the last twenty years.

Rivière Ouelle pier—repairs, &c., $4,500.

Mr. FISHER. That is the pier from which the ferry starts from the Intercolonial railway to Malbaie.

Mr. BLAIN. Is that work done by day labour?

Mr. FISHER. Yes.

Mr. BLAIN. How much is being expended altogether on this?

Mr. FISHER. Years ago there was spent $225,000 and lately $49,000.

Mr. BLAIN. Is there any revenue from this wharf?

Mr. FISHER. It is run by the Intercolonial railway which has a spur line down to it.

Rivière Saguenay—dredging and other improvements, $60,000.

Mr. FISHER. This is done by our own dredge. Last year there was a large vote of $45,000 but the dredge had to be taken away.

Mr. BERGERON. How much will it cost altogether ?

Mr. FISHER. If the whole channel is dredged right up to Chicoutimi town, as the people want, it will cost $400,000.

Mr. BERGERON. Is this river not navigated mainly by Richelieu boats ?

Mr. FISHER. Yes.

Mr. BERGERON. What is the matter with the river ?

Mr. FISHER. This is to deepen and widen the channel. A dredge worked there last summer a part of the time.

Mr. BERGERON. Last year Mr. Brodeur said they wanted to get two dredges there and that is why there was such a large amount voted.

Mr. FISHER. We could not succeed in getting the two dredges.

Mr. BERGERON. If the work is necessary, can you not get a dredge somewhere ?

Mr. FISHER. We shall try.

Mr. BERGERON. What about the government scheme of getting their own dredges built ?

Mr. FISHER. We have not been able to carry that out altogether but we have been building some.

Mr. J. D. REID. Do you hire the dredges by the hour or at so much a yard ?

Mr. FISHER. At so much a yard.

Mr. J. D. REID. Are there no cases in which you hire by the hour ?

Mr. FISHER. Not now.

Mr. J. D. REID. Is Mr. Cohen, of Montreal, employed by the department for dredging and do you not hire his dredges by the hour ?

Mr. FISHER. No.

Mr. J. D. REID. Have they not been doing the work by the hour ?

Mr. FISHER. Not last season at all. Previously I believe they were.

Mr. J. D. REID. Now all the work is by the yard ?

Mr. FISHER. Yes, and open to tender.

Mr. BERGERON. How much money spent already ?

Mr. FISHER. $129,000.

Mr. MONK. What part of the Saguenay is not deep enough ?

Mr. FISHER. About Ha Ha bay and below Chicoutimi town.

Mr. BERGERON. The minister said last year that the intention was to bring Atlantic steamers as far as Chicoutimi, and he said it would cost $300,000 to make the channel twenty feet deep.

Mr. FISHER. That was a mistake. It must have been a fifteen foot channel.

Rivière St. Maurice — channel between Grandes Piles and Lt Tuque, $16,500.

Mr. MONK. When is the work of dredging the St. Maurice going to finish ? Since 1903 we have spent over $100,000 in dredging it. Except for floating lumber, that river is not used much, and the impression prevails that a great deal of the work is for the purpose of floating down lumber.

Mr. BUREAU. Not that particular item.

Mr. MONK. Perhaps it is the next. Should not these large lumber kings contribute to that work since it is to facilitate the bringing down of their logs ? I understand that a great deal of this work is being done for the purpose of favouring the lumbermen. If the state contributes to enhance their prosperity, I think they should contribute also. We are expending a great deal of money to improve the port of Three Rivers. This is right and proper, because it is for the public in general, but when we spend hundreds of thousands of dollars in improving the navigation in the St. Maurice river, and that improvement is for the lumbermen, I think the government is going too far. I think the lumbermen should contribute their fair proportion of the cost.

Mr. BUREAU. The improvement of the channel is not exclusively for the benefit of the lumbermen. There is 75 miles between Grandes Piles and La Tuque which is a thoroughfare for people going up and down the river and communicating with the St. Lawrence at Three Rivers.

Mr. MONK. How many steamers ply between these two points ?

Mr. BUREAU. There must be six or seven.

Mr. MONK. Are they regular passenger boats ?

Mr. BUREAU. Passenger boats and freight boats, belonging to companies and private individuals. As to the item for a dam at Grandes Piles, this has been discussed in this House before. This is in a great part for the benefit of the lumbermen. That part of the river between Grandes Piles and La Tuque is very difficult to navigate owing to freshets that come every year. But this money that is to be expended by the government for the construction of the dam is to be repaid by the lumbermen, so much per annum, the amount being equal to the interest and the sinking fund. This has been agreed to between the St. Maurice Improvement and Driving Association and the Public Works Department, as far as the lumber-

man derive any benefit from it. A rapid will be flooded by the building of this dam, and another advantage to be derived from it will be a reservoir at Grandes Piles, enabling the lumbermen to operate their mills two months longer every year ?

Mr. MONK. Is the agreement which my hon. friend has referred to in writing?

Mr. BUREAU. It is going to be put in writing. There has not beeen anything spent on this work except preliminary expenditures in taking soundings, which was necessary in order to call for tenders. No tenders have been called, awaiting the conclusion of the agreement between the lumbermen and the Department of Public Works, which has been reached during the last week.

Mr. MONK. I suppose we can get the assurance of the minister that before any of this money is expended the agreement mentioned by my hon. friend will be reduced to writing and closed ?

Mr. FISHER. Undoubtedly. The agreement has been reached in its general terms, but its details have not been worked out.

Mr. MONK. But there will be no expenditure until it is finally settled ?

Mr. FISHER. No.

Mr. MORIN. I notice that there is a deficit every year in the revenue from slides and booms in the St. Maurice river, and I am afraid that if the government spend $40,000 for a dam, there will be the same result. I do not see why the government spend money to build dams and slides and booms for the lumbermen. I think the lumbermen should do that at their own expense. The government does not help the farmers to buy horses or cows or pigs. Then why should they help the lumbermen by building dams and slides and booms for them ? Why not treat everybody on an equality. If a man goes to clear up a farm, he has to buy his axe and his supplies and live for years like a begger ; while the lumbermen, when they start business, get the government to build slides and booms for them. The lumbermen of this country are all millionaires, while the farmers are poor from the time they start until their death, and they are left to take care of themselves, while the lumbermen have fine homes and money in the bank and still get help from the government.

Mr. FISHER. I wish to remind my hon. friend that if we do this work we charge dues on it. When the work is entirely for the lumbermen, it is perfectly right that they should contribute towards it in that way ; but the work is also for the general improvement of navigation, and in that respect the lumbermen are no more interested than other members of the community.

Mr. BUREAU.

Mr. MORIN. I agree with the minister that we should collect revenue every year from the lumbermen, but they will refuse to pay.

Mr. FISHER. No, they always pay.

Mr. J. D. REID. The point raised by my hon. friend is an important one. He says the minister spends $50,000 or $60,000 to help the lumber industry, whereas if he would spend the same amount for the farming industry, he would do a great deal more good.

Mr. FISHER. I do spend a good deal for the farming industry.

Ste. Anne des Monts—harbour of refuge at mouth of Grande Rivière Ste. Anne, $5,500.

Mr. AMES. Was it not at first the intention of the government to give this out by contract? If so, why was that not done?

Mr. FISHER. This is one of those places on the north shore of Gaspé and on the south shore of the St. Lawrence where it is hard to get a contract. I think this will be done by day's work.

Mr. AMES. An attempt was made to get tenders, was there not ? Were there any bids ?

Mr. FISHER. I do not remember.

Mr. AMES. It is a case where $50 was paid by the King's Printer for advertising.

Mr. LEMIEUX. The reason why tenders were invited and the invitation afterwards withdrawn was this : I myself made the request at the Department of Public Works, and the tender that came in was for a very large amount, I think something like $40,000 or $50,000. This was not at all according to the intention of the department, nor according to the intention of the residents of St. Anne. The object was merely to dredge out the mouth of the river, so that schooners entering the river would find a shelter at the mouth. I am sure the amount required there would not be over $10,000. Large lumbering operations are carried on there. Last fall the work which had already been done there was found very useful in tempestuous weather, and three or four schooners found shelter at the mouth of the river.

Mr. AMES. There has been $6,000 spent here, and it is proposed to spend $2,000 more. Do I understand that $10,000 will complete it ?

Mr. LEMIEUX. That is the intention.

Mr. FISHER. $5,500 are required for completing the contemplated improvements.

Mr. AMES. There is another point I wish to raise. I notice that practically the names of the same firms appear nearly

the Minister of Agriculture on the one hand——

Mr. FIELDING. Oh, yes, on military matters.

Mr. SAM. HUGHES—and from your humble servant on the other. If so, the Minister of Finance is more able than I gave him credit for; I will wait until the Minister of Agriculture has the Minister of Finance posted on his end of the subject.

Mr. FIELDING. You can proceed.

Mr. SAM. HUGHES. Col. Vidal has now been appointed Inspector General at a salary of $6,000 a year, or $5,000 a year and allowances. The Minister of Finance stated yesterday that Col. Vidal had only 24 years service in the militia.

Mr. FIELDING. I do not remember stating that.

Mr. SAM. HUGHES. Col. Vidal's record is given as follows: He was appointed ensign in the 4th Foot (Regulars) in 1863; lieutenant of the 4th Foot, August, 1864; London Field Battery (I think that is a Canadian institution) on the 6th of June, 1871; he was captain in the 27th Regiment, 1870; 12th Regiment, 1877; Infantry School, 1883. Suppose his apopintment to the Infantry School, 1883, were his first Canadian appointment—I do not know whether the London Field Battery appointment in 1871, is a Canadian or imperial appointment—but suppose his first Canadian appointment were in December, 1883, that would put him pretty well into the running for 25 years service. But if he remains in his position until he has put in 25 years service, and then retires by arrangement with the department, he will be entitled to 35 years service and can retire on the same basis as if he had actually served 35 years. Then he retires, not voluntarily, he would be entitled to a pension of $4,200 a year; one-fiftieth of $6,000 multiplied by 35 years service. I may point out that this is $1,400 a year more that he would be entitled to receive as a pension had he not been appointed to Col. Aylmer's position, and that $1,400 a year would pay nearly one-half a regiment for annual drill in camp.

I have never thought out this aspect of the case, because I felt there were many of these chief positions which were absolutely necessary in the interests of the service, and therefore to be maintained—assuming always of course, that the salaries were not altogether too high. But the men of the militia and of the country generally are beginning to wonder if the force is not running a little too much to fuss and feathers. I think that the present instance affords an occasion when it might be pointed out that the minister should be very careful about adding unnecessarily to the burden upon the militia of these top positions. I do not know whether it is the intention to retire Colonel Vidal before he has served the full term of twenty-five years which would entitle him to the maximum retiring allowance, or whether this is to give him the honorary position with a view to his earlier retirement. I should be glad to see Colonel Vidal given any high position and to receive any fair compensation for his services. At the same time, I hardly think that the force would commend his appointment over the heads of men like Colonel Otter and then have him retired on this large pension. In case the latter course is followed, it will look as if he had been put into the higher office for the purpose of being retired at the end of twenty-five years' service, and I am satisfied that the force generally would not endorse that action.

Hon. W. S. FIELDING (Minister of Finance). The point as to the amount of pension Col. Vidal would be entitled to did not engage my attention. I should think, speaking offhand, that the interpretation put upon the law by the hon. member (Mr. Sam. Hughes) is a mistaken one. I confess, however, that I am less familiar with the work of the Militia Department, perhaps, than with that of almost any other department. These things, of course, are regulated in the Militia Department very largely by general rules and principles governing military affairs. Whatever pension Col. Vidal is entitled to under the Act must be given to him. Whether the Act itself is a wise one or not is a matter of fair debate. The interpretation of the Act, of course, I shall have to leave to the Militia Department. I think my hon. friend (Mr. Sam Hughes) will be content with the statement that, whatever guarantees are given Col. Vidal or any other officer under the Militia Pension Act, must be carried out.

Mr. SAM. HUGHES. But why appoint him over the heads of others?

Mr. FIELDING. As to that, of course, I am not in a position to give information. Nor could I get a full understanding of the matter even by referring to the department. The Minister of Militia and Defence (Sir Frederick Borden) has his own reasons for doing whatever has been done; and, as he is not present, nor accessible at the moment, to give us the information, I think the hon. gentleman will have to leave the matter to be, if necessary, the subject of future inquiry.

Mr. T. S. SPROULE (East Grey). There is a very important principle involved in this matter. It seems to me that these changes are too much like appointments being made

for the special purpose of giving an officer, for the rest of his life, a higher pension than he would otherwise receive. In carrying this out—and here is another most objectionable feature,—the appointment seems to be made with a 'string to it,' the officer giving his own signature to an understanding that he is to retire at a certain time. This is the allegation, and it has not been denied either by the hon. gentleman speaking for the Militia Department in this House or by the one who speaks for the Militia Department in the upper Chamber. I can well understand that a man who had passed the age when he would be entitled to retire might still be the best available man for a certain position and might be retained for some time beyond the age when he would be entitled to retire. But why should he be put in the higher position merely for a few months or for a year? The allegation is that he is placed in a position with a salary of $6,000 a year, in order that, after a short time, he might be retired from that position with a larger pension than he would otherwise receive. The result will be if these aims are carried out that we will have three officers promoted for no reason that we can see except to enable them to receive large pensions. This is clearly an abuse of the Act; for the object of the Act, as I understand it, was to bring in efficient men in order of seniority to occupy the higher positions and to afford them suitable pensions when their term of service ended. But the appointments in this case seem to involve much the same general plan as those that were made by the late government in Ontario. A man would be appointed registrar under an agreement that he would enjoy the emoluments of office only for a certain time, and then would retire to permit the appointment of somebody else. That was a bad principle. But this is even worse, because it involves not only the bad system of appointment but also the retirement of the officer upon a life pension, which was not the case in the practice of the former Ontario government. I think that, since we are dealing with the matter, we ought to have from some person representing the Militia Department an explanation of the position in which these three officers stand under this alleged agreement. Is it the intention to carry out that agreement? This is a point upon which we ought to be informed.

Mr. FIELDING. I can only say that I have no knowledge of such an agreement. And the only person who could give the information is the minister himself, who is not now accessible. I can say that, so far as I have any knowledge of the matter, there is no such agreement.

Mr. SPROULE. Does the hon. Minister (Mr. Fielding) say that whoever represents the department is not prepared to give the information that the Minister of Militia (Sir Frederick Borden) would give if he were here? The hon. acting Minister (Mr. Fileding) has the subordinates of the minister (Sir Frederick Borden) at his command and should be able to get the information.

Mr. FIELDING. I could not get from the officers of the department information as to an agreement made by the Minister of Militia. As I say, so far as I know, there is no such agreement; but, of course, I cannot answer for the minister in a matter of which he has personal and intimate knowledge. Therefore, the information for which the hon. gentleman asks can only be had from the minister.

Mr. SPROULE. What about the written agreement?

Mr. FIELDING. I have already said, that as far as I know, there is no written agreement. What happened is that the order in council retiring Lord Aylmer, was initialled by him—as an intimation, I presume, that he was content with the arrangement made. I do not think there is any thing wrong in the minister arranging with an old and honoured official as to the date of his retirement. It would be a mark of respect to the official to fix the date of his retirement at a time convenient to him.

Mr. SPROULE. But why should he be appointed at all?

Mr. FIELDING. Lord Aylmer had been in service for years and was past the age when he might retire. And, if the minister discussed with him the question of the time of his retirement and fixed it at a time suitable for him, that would be an act of respect to an old officer and there would be nothing wrong about it.

Mr. SPROULE. But a larger pension is given than he would otherwise be entitled to receive.

EXCISE DUTY ON TOBACCO.

Mr. F. D. MONK (Jacques Cartier). I desire to ask the government if it is intended to give effect to the intimation made by the Minister of Finance (Mr. Fielding), at the time he made his budget speech, of a change in the excise law, during the present session, in so far as the duties on tobacco are concerned. In his budget speech, the present leader of the House (Mr. Fielding) spoke as follows:

I am not proposing to deal to-day with the excise law at all, but I am confining myself to the customs tariff. One matter to which attention has been drawn in connection with the excise duty is the duty on tobacco, and that has not to do so much with the increase or de-

crease of the duty as with the method of collection. We have been asked to consider that question but have not been able to give it our attention so far. We intend, however, dealing with it later in the session. It is merely a question of a readjustment of the method of collection.

The manufacturers of Montreal are anxious to know whether the intimation made by the Finance Minister at the time will not be carried into effect during the present session. I have received a letter from one of them in which he says :

I send you an extract from the speech made by Mr. Fielding upon this question. You will no doubt know that delegations of manufacturers went to Ottawa at the beginning of the session to meet the Prime Minister and Hon. Messrs. Fielding and Templeman and some other ministers in regard to the changes to be made in the tobacco tariff. Our tobacco growers of the counties of Montcalm and Rouville also went to Ottawa to endorse the request made by the manufacturers. Everything in the petition of the manufacturers was approved excepting one article, that which touches the prohibition of free commerce in leaf tobacco. The manufacturers have asked for the prohibition of the free sale of leaf tobacco and the tobacco growers approved the entire demand of the manufacturers, less that particular item. We were promised in a positive manner that the tariff would be amended according to our request. Especially during the last couple of years we have been promised that changes would be made such, for instance, as a uniform tobacco stamp on all tobaccos manufactured in Canada. These changes did not oblige the government to increase the duty or give more protection to manufacturers, but the object in view was to render the products manufactured in Canada uniform in appearance, in order that the consumer should judge of the merit of the tobacco not by the excise stamps of three different colours intended for the tobacco, but upon the merit of the tobacco itself.

My correspondent goes on to ask that this matter should be pressed upon the attention of the government and he speaks on behalf of several important manufacturers in the city of Montreal. He says :

This question of the tobacco industry, considered from a Canadian standpoint, is of very great importance and should receive the immediate attention of Mr. Fielding.

Mr. MARTIN. Who signed that ?

Mr. MONK. Mr. O. W. Legauet, managing director of the St. Lawrence Tobacco Company. I would ask my hon. friend if it would not be possible, as it does not carry with it any increase in the duties but simply a rearrangement of those duties, and as the matter seems to be pressing, to give effect to that intimation which he made during the present session.

Mr. FIELDING. My hon. friend will observe that in the passage which he was good enough to quote from my budget speech I do not say that any change would be made ; I said that at the moment we were dealing with the question of the customs tariff, that representations had been made to us in regard to tobacco duties, which was a question of excise duties and might be considered at a later stage in the session. At that time I had it in mind that it might be taken up at a later stage. However, it is not by any means as simple as my hon. friend supposes. It would be a matter of controversy and when we came to the preparation of the programme for the closing of the session, in view of the fact that there would be some controversy over it, the Prime Minister was of opinion that it was one of the subjects that might well be left over until the next session. I think an intimation of that was given a day or two ago. I may say now that the government have not come to a conclusion adverse to the request, but as it is a matter not free from difficulty or controversy we thought it was one of the things that might be dropped for the present session.

Mr. DUNCAN ROSS. In reference to the same subject would the Minister of Finance be good enough to inform the House whether the government is going to take any action in reference to the rebate now being paid on cuttings?

Mr. FIELDING. I think I shall have to ask that the whole question of the excise duties on tobacco should be left to the free action of the minister. I would not like to give any definite assurance, only I can assure my hon. friend that that, as well as other phases of the question, has received a very large measure of consideration, and I would not like him to take my reply as indicating any hostility to his views, but simply that the matter may be left in the hands of the department for free action next session.

Mr. H. S. CLEMENTS (West Kent). I feel I cannot allow this occasion to go by without referring to the tobacco industry. I fully understood from the minister that some arrangement in regard to the duties on tobacco would be made at this session. I asked the Minister of Inland Revenue the other day and to my regret he stated that no action would be taken this session. In the section from which I come and in the province of Quebec, this is a very important question, one of the most important pertaining to the farmers, and I am sorry that the government did not take it into consideration in the early part of the session instead of leaving it until, as I believe, the Prime Minister has left for the old country and there is apparently not time to deal with it. I was in the tobacco district the other day and the farmers by the score were asking when the change would take place and if any change was contemplated at this session. A great many farmers there did not approve of putting in the acreage of tobacco this year that they have planted in the past because they claim

that the increased cost of their labour and the price they get for their tobacco will not permit them to make a profit on its culture. I asked the question in this House and I was told that 15,000,000 pounds of American leaf tobacco is imported, grown by American farmers.

Mr. L. G. McCARTHY. Mr. Speaker, is the hon. gentleman in order? I think the rules were changed so that we cannot make speeches on the Orders of the Day.

Mr. FIELDING. This is not the Orders of the Day, it is Supply.

Mr. L. G. McCARTHY. I apologize. I thought it was the Orders of the Day.

Mr. W. F. MACLEAN: Hello! Rip Van Winkle has wakened up.

Mr. CLEMENTS. I am sorry my remarks—

Mr. L. G. McCARTHY. I beg the hon. gentleman's pardon. I humbly apologize, I thought it was on the Orders of the Day, not on Supply.

Mr. CLEMENTS. Out of the 15,000,000 pounds of tobacco we imported from the American farmers, I asked what proportion was made into cigars and what into chewing and plug tobacco. I was told that 9,000,000 pounds of that American leaf tobacco was manufactured into plug tobacco in this country. In the tobacco district from which I come—I cannot speak of the quality of tobacco grown by our friends in Quebec—I know that we grow as good a leaf in Ontario as they grow in the United States, and I contend that when we can raise in this country tobacco equal to what is produced in the United States the market for that 9,000,000 pounds should be reserved for our farmers. It is all right enough to look after the manufacturers; I believe it is right and proper to see also that the farmers who struggle so hard for a living should be given every advantage of the Canadian market and for that reason, if there is 35 cents a pound duty against our leaf tobacco entering the United States, which is a prohibitive duty, some similar arrangement should be made to prevent that 9,000,000 pounds of American tobacco coming into this country in competition with the products of our own farmers. I do hope that the government will see fit even at the end of this session, to give at least some consideration to our tobacco growers in order that they may be induced to go on and develop that industry which I claim, in my section of the country can be made one of the most lucrative branches of the farming industry. On the farming lands in that district we are able to produce every pound of tobacco of that class required in Canada. It is not enough to say that the farmers have not been engaged in the industry to a sufficient extent; they have not been given sufficient protection to go ahead and put up the proper buildings for the curing of the tobacco. Had we these facilities I believe it would excel the American tobacco, and I see no reason why the American farmer should get at least $1,000,000 a year from that industry which should properly go to the Canadian farmer. I sincerely trust that the farmers of this country will get some encouragement this session. When the former Minister of Inland Revenue (Mr. Brodeur) was in the district a year ago, he saw for himself the advantages that were bound to accrue to the country from the cultivation of tobacco and appeared convinced that something more should be done for our tobacco growers. I only regret that he left the Inland Revenue Department, because, had he remained there, I am confident that the tobacco growing industry would have been protected as are our other industries. At present it is not getting the encouragement it should and will practically go out of existence unless something be done for it.

Hon. SYDNEY FISHER (Minister of Agriculture). I would like to point out that at present there is very considerable duty on imported tobacco, and the farmers who are raising Canadian tobacco have, within the past few years, very much improved the quality of their products. This improvement is largely due to the fact that they enjoy protection and are consequently able to command to a considerable extent the Canadian market. But we have inaugurated a very much more important movement than any increase or readjustment of the duties, and that is the imparting of information how to cure tobacco. That has been done through the instrumentality of my department by the appointment of a tobacco curing expert, who has been able to help our farmers very materially, with the result that they have improved the quality of their tobacco to such an extent that our manufacturers are using it much more largely than before. There is thus to-day a demand for Canadian tobacco which five or ten years ago did not exist. Our farmers, being sure of a market, have not the slightest hesitation about increasing their acreage and improving their culture. It is quite true that a readjustment of taxation on tobacco as between customs and excise might be arranged, which might still further help that industry without adding to the burdens of the consumer, but at this late stage of the session that question could not possibly be taken up. It is however under consideration.

COAL STRIKES IN THE WEST.

Hon. RODOLPHE LEMIEUX (Minister of Labour). I regret that the hon. member for Alberta (Mr. Herron) is not in his seat because I have some news about the projected strike at Taber, which no doubt will

gratify him. Yesterday a question was put to me, asking whether I had any news regarding the application of the new Act, and I am in receipt of the following letter dated Taber, April 5, 1907.

Your telegram to hand. As soon as apprised of the character of the new law bearing on such matters as we are contending with, I notified the men that the mine was open. They are now working. I hereby make application to the Department of Labour, through you, that a board of conciliation be appointed to inquire into the causes of our disagreement as quickly as possible.

C. DIXON,
Canada West Coal and Coke Company.

I have further good news for the House and country. As you are aware, we were threatened with a general strike in the coal mines out west. Strikes were threatened on the Crow's Nest Pass Coal Company, the West Canadian Collieries, Limited, the Canadian and American Coal and Coke Company, and the International Coal and Coke Company, employing a total of 2,770 persons. On being apprised of the new law, the men have returned to work without striking and have all applied, through their president, for a board of investigation. I am glad therefore to announce that there will be no general strike before a complete investigation is had.

Mr. R. L. BORDEN. One, or several boards ?

Mr. LEMIEUX. I am informed by my deputy that the miners and the mine owners have agreed to submit the disputes to one board for all the different mines.

IMMIGRATION POLICY OF THE GOVERNMENT.

Mr. A. LAVERGNE (Montmagny). I desire to call attention to a matter concerning which I gave notice some weeks ago, namely, the re-establishment of bonuses on immigration. Last year, when the contract with the North Atlantic Trading Company was cancelled, the principal reason given why this contract had been entered into was that the government did not any longer desire to deal with individual booking agents or steamship companies. When, therefore, I read in the Montreal 'Star' that a policy of that kind was going to be taken up again and that the government were going to make a new contract with certain shipping companies or booking agents, I was more than surprised. I gave notice then that I proposed to discuss to-day the policy of the government on immigration, especially as regards bonuses.

I will try to prove to the House that the policy of paying bonuses for immigrants is, in the first place, a dangerous policy; secondly, that there is an unjust distribution of the funds in bringing immigration into this country, and, finally, that the policy on which the government has entered is a reckless and unwise one. I say that the system of paying bonuses on immigrants to this country is a false and dangerous system. It is a false system in so far as it has for its object the filling up of this country. It will be evident at once to any man of thought that the idea of paying bonuses on immigrants will have the certain consequence of bringing in men of poor quality. The steamship companies which we make our immigration agents have no other desire than to get the premium or passage fare; they care not where the immigrant comes from, what his character is, what his health is; their only care is to bring a large number of persons to this country so that they can receive a greater number of premiums. I would say more than that. In my opinion there are only two classes of desirable immigrants that we need in this country; those are immigrants that come from the British isles and those that come from France or Belgium. They are easily assimilated; they are already under the same laws and civilization that we enjoy in this country. The British immigrant or the French immigrant when he comes to Canada finds practically the same laws and the same civilization with which he was acquainted in his own country. On the other hand, the immigrant who is brought here by booking agents from all parts of continental Europe comes to Canada with an entirely different idea of civilization to that which prevails in this country. More than that, not only is the policy of paying bonuses to immigrants a dangerous policy, but it has already had a tendency to endanger the quality of immigrants we can have from the British isles. I will not give my own opinion, but I will give the opinion of a man who resides in the western part of Canada, who is an English immigrant himself. In the Toronto 'Globe' of Tuesday, January 22, 1907, I find this, speaking about immigrants that come from the British isles under the bonus system :

Vancouver, British Columbia, January 14.—I fear the Salvation Army immigration scheme more than the Sikh invasion. I am sure mischief and expense to the province will come if this Salvation Army scheme is accepted.

Thus remarks Captain Andrew Hamilton, a British officer, who had such experience with emigration from the east end of London to Canada before he settled in British Columbia. In view of 'General' Booth's forthcoming visit to the Pacific coast his statements are sure to attract a good deal of attention.

Settlement in villages or farm colonies is all right ; then the community bear their own burdens, and the lazy or drunken are located and treated by their own patrons, but fancy emptying Whitechapel or Hoxton into Vancouver because the east end wanted to see the world or have a change.

In strong terms Captain Hamilton exposes the plan of the British Columbia government to let loose on this province thousands of the sub-

merged tenth whom 'General' Booth is busy rescuing from the gutters of London.

He goes on further :

The startling fact has been disclosed that it costs, or is to cost, $15 a head to transfer a Salvationist from Great Britain, and that $40 per head is asked from those who would subscribe for the fare of a waif or stray or a reformed drunkard to the west.

Mr. RALPH SMITH. What are you reading from?

Mr. ARMAND LAVERGNE. From Captain Andrew Hamilton, speaking in Vancouver on the Salvation Army immigration scheme. Therefore, Mr. Speaker, we see that even the best kind of immigration which we could bring to this country is endangered by the system of bonuses. There is no doubt that if it goes on it will become dangerous to the country, and within a very short time it will make of us, to use the expression of another British writer, I think Mr. Wells—it will make of Canada a mongrel nation. At the present rate of immigration we cannot assimilate the immigrants as fast as they come in. The United States has been receiving immigrants at a tremendous rate, and yet the incoming tide is not half as strong, comparatively, as it is in this country. The people of the United States are becoming anxious about immigration, and we find that President Roosevelt is calling for an international convention to discuss immigration and to check it into the United States. 'Le Canada,' of February 26, 1907, had an article with this title, 'Problem of Immigration, 1,000,000 immigrants per year; the American Congress alarmed by foreign invasion decides to call for international conference on immigration.' It says :

While Canada sees with satisfaction the number of immigrants that every year fill up its immense territory, the United States begin to feel alarmed at the foreign immigration.

But conditions of immigration in the United States and in this country are so widely different that it is only fair to say that the danger of foreign immigration into the United States is not one hundredth part as great as it is in this country. Let me give you a few figures to prove my contention. The Americans, with a population of almost 87,000,000, cannot assimilate 1,000,000 of foreign immigrants per year, that is 150 immigrants for every 10,000 of the population. Canada, with a population of 6,000,000 received 215,000 immigrants in 1905-6, and in 1906-7 will probably receive 300,000; that means that Canada receives 360 foreign immigrants per 10,000 of the population, and probably during the next year we will have to assimilate 500 per 10,000. We have received during the last six years 736,000 immigrants. According to the 'Hansard' of 1903, page 701, the unit of representation is 25,736 ; therefore, we have received enough immigrants during the last six years to fill twenty-nine new counties with a foreign element, and at the present rate, within four years, we will have enough of the foreign element to build up sixty counties, only five less than are now apportioned to the province of Quebec.

Again comparing the United States with Canada, I have some figures here which I will not read because they would be rather tedious, but they show that the immigration into the United States between 1790 and 1900 was never greater than eleven per cent of the native population. According to the figures of the Department of the Interior of Canada, from 1900 to 1911, Canada will have received in immigration thirty seven per cent of the native population. Only when the United States had fifty million of a population they received 300,000 immigrants a year. President Roosevelt is already sufficiently alarmed to call a congress to check the immigration movement In Canada, where we have only a population of six millions, we received more immigrants than the United States did when they had a population of fifty million and we received more than the United States did when they had a population of six millions. Then, they received about one and one-half per cent and to-day in Canada with six millions of a population we receive thirty-seven per cent. I will give some more figures which I think very interesting and then I will not any further bother the House with figures for a little while but I will go on with the facts which are more relevant to the position of Canada. To proceed with the comparison with the United States the figures show that since 1850 the percentage of foreign born people in the United States was never more than 15 per cent while in Canada the foreign born population is about 12 per cent. The total population of Canada at the last census was 5,371,000 and the foreign born population was 684,322. Taking the same proportion, according to the estimate of the Department of the Interior, the total population in Canada in four years will be 8,000,000 and the foreign-born population at the rate at which it has been increasing will be 2,600,000. If we receive 500,000 immigrants a year, in six years that makes 3,000,000 immigrants of which 2,600,000 will be foreign-born and if the average continues we will within ten years have 5,000,000 foreign-born people or almost half the total population of Canada will be foreign-born. Canada at this rate cannot assimilate the immigrants who are coming in from the old country. I may say that we almost deserve what is happening to us because of the manner in which the immigration propaganda has been carried on by this government or any government before which propaganda is the most unwise one that could be devised. Lately we have had

the famous North Atlantic Trading Company which received the bonus previously paid to individual booking agents. You remember well, Mr. Speaker, that when this contract was cancelled last year it was cancelled, either, as my hon. friend from Labelle (Mr. Bourassa) put it the other day, because the contract was an immoral one, or because it was opposed to the laws of nations. We have been told that some of the shareholders if their names were given, if the people of Canada knew to whom they were paying this bonus, would be obliged to commit suicide. I have been under the impression since this reason has been given that if the names of the shareholders of the North Atlantic Trading Company were given not many of them would commit suicide, that not one of them would commit suicide, but that probably a good many of them would go to prison. There is another feature of the North Atlantic Trading Company contract and that is the exclusion of the French element which involves an unjust distribution in the expenditure for immigration purposes. This expenditure is unjust to the older provinces of the Dominion.

The Immigration Department is for the Northwest and very little is for the older provinces of the Dominion except that they have to bear the burden of immigration. I have under my hand a publication which is issued by the Department of the Interior called the Twentieth Century of Canada. It is rather an expensive publication. It has 39 and 40 pages of printing and maps but the Twentieth Century of Canada is nothing less than the Northwest. I see half a column for Ontario and half a column for Quebec. The immigration policy which is carried on is carried on only for the Northwest. Certainly no one in Canada desires that the fertile plains of the Northwest should not be developed, but we have at the same time to remember that the older provinces of the country support more than three-quarters of the burden of the cost of the immigration policy of this government and they should at least receive something in return. We will have the west filled up with a very large foreign population which has no national idea of Canadian unity and which will overbalance within a very short time the older provinces of the Dominion. This is so true that one of the great writers of Canada, Mr. Goldwin Smith, in the last issue of 'Review of Reviews,' says that the filling of the Northwest with Doukhobors, Mennonites, Galicians, Jews, Poles, Prussians and all those coming in from Europe, will have no other effect than the breaking up of confederation. I would not go that far but it seems to me that we should exercise greater wisdom in the selecting of the new population which we are inducing to settle on the plains of the Northwest.

There is another feature of the immigration policy of this government which I desire to call to the attention of this House and the country in general. It is the most unjust way in which French immigration and the province of Quebec have been treated. The province of Quebec, in so far as the immigration policy of this government is concerned, pay more than their share. We are about 30 per cent of the population and therefore we pay 30 per cent of the expenditure. In return what do we receive in so far as French immigration is concerned? We receive 0·5 of the whole immigration of this country. Immigration into Canada, a French economist, Mr. Pierre Le Roy Beaulieu has stated, is fast overflowing the natural increase of the Canadian population, but at the same time the immigration policy of the government does nothing towards bringing to Canada French immigrants. I speak for the French Canadians who are about 30 per cent of the population and who therefore bear 30 per cent of the cost of the immigration policy. In 1905-6, of $843,000 spent for immigration purposes the province of Quebec paid $260,000. Of French immigration about $10,000 was spent. Of the 215,000 immigrants who came to Canada not more than 4,000 were French speaking.

Mr. W. ROCHE. What profession or employment did the French-speaking immigrants follow?

Mr. A. LAVERGNE. I think most of them were farm labourers.

Mr. SAM HUGHES. Were any of them expelled clergymen?

Mr. A. LAVERGNE. No, but I hope a great many of them will come to Canada.

Mr. SAM HUGHES. Clergymen who were driven out of France by order of the French government.

Mr. A. LAVERGNE. I hope we will get more of them because they are the very best class of immigrants we can have in this country.

Mr. SAM HUGHES. A curse to the country.

Mr. A. LAVERGNE. They can compare with those who have been described by an imperial officer as worse than Sikhs.

An hon. MEMBER. How will they vote?

Mr. ARMAND LAVERGNE. I hope they will vote according to their conscience as every honest Frenchman does. Now, my hon. friend may not be pleased with the French immigration we bring to this country, but I can say, Mr. Speaker, that it compares advantageously with the immigration which has been brought from continental Europe by the North Atlantic Trading Company. The French immigrant would compare more than favourably with

the Polish Jews, the Prussians, the Galicians and the Doukhobors, who are looking for the Lord in the plains of the Northwest, or who are in jail at Regina, because they will not work. These are the immigrants which have been favoured by this government. On the other hand, we have as our agents in France Mr. Wiallard, a very able man, but he cannot do the work alone; and Mr. Foursin-Escande, who walks about on two crutches, and would be a fit subject for the Canadian Senate. I protest against the conspiracy against French immigration which is carried on in the Interior Department. To prove that, I will give the opinion of a man who was once in the Department of the Interior as deputy minister, and who is termed in the newspaper from which I quote the 'Hon. Mr. Smart':

> The 'Northern Express,' Liverpool, February 10, 1902—British blood is needed.
>
> The Hon. J. A. Smart, Deputy Minister of the Interior of Canada, and Mr. W. T. R. Preston, immigration agent general for the Dominion, arrived in Liverpool to-day from London and Glasgow to arrange a gigantic system of British emigration to Canada.
>
> More British blood is also needed to be infused if the views of the Dominion of Canada is not to be Frenchified by the rapid growth of the French population.

That citation, I think, is a true opinion of the policy which has been carried on in the Interior Department, at all events until very recent years. The motto of the Immigration Department seems to have been: The Doukhobors rather than the French. We have other facts which show the policy of the Interior Department towards immigration. We have in Belgium a most favourable field for immigration, and Belgian immigrants would favourably compare with any immigrants which come from the British Isles. I may also say that the Belgian government favours emigration to Canada. We had some time ago an exposition in Belgium, and the Canadian government was represented there by Mr. Hutchison, who could not speak a word of French, although the French language, together with the Flemish, is the language of the people of Belgium. Some pamphlets were sent by the Quebec government to the Canadian exhibit, and, on the order of Mr. Hutchinson, the Canadian representative, they were stowed away in the cellar of the Canadian pavilion, and strict injunctions given that not one of them should be distributed. I ask you, Mr. Speaker, if such an unjust act can be defended in this House or before the country? I may be again met with the old argument that the French people do not emigrate; at all events, that is the argument which we hear from the government in the province of Quebec. We are told that the Frenchman is happy in his own country, that he loves old France, that he does not want to expatriate himself.

But this statement is exaggerated. The French statistics for the year 1905-6 show that in that year 92,000 Frenchmen emigrated; that from Belgium 43,000 emigrated; that there are 52,000 French people in the Argentine Republic, and that in France there are 400,000 unemployed. I am not as narrow minded as some members who have interrupted me, and I will say that we do not want in Canada the scum of the French population and the scum of the unemployed. But these 400,000 idle people in France prove that there is an economic disturbance in that country, that the people are seeking for work, and that they would be willing to come to Canada if a wise propaganda were carried on amongst them. The statistics also show that in France, to 1891, 6,235,000 people migrated to Paris, or from one department to another, which shows a great displacement of population and unrest, and a field for immigration propaganda by Canada. Even so late as 1902, the present Minister of the Interior stated that the British people would not emigrate to this country. But an active and wise propaganda was carried on in the British Isles, with the result that while in 1900 only 4,129 emigrants came to Canada, in 1901 there were 9,401; in 1902 there were 13,000; in 1903, 41,000; in 1904, 50,300, and the number is steadily increasing. This shows that the Minister of the Interior was wrong, and that by the adoption of proper methods the British people have come to Canada, and we are now relying on them to counterbalance the foreign population dumped on us by the booking agents and the North Atlantic Trading Company. I could also give figures to show that the French emigrant has cost less to this country than the British emigrant, and I only mention this to show that if the Department of the Interior were not so savagely opposed to it, it would be easy to bring French emigrants to this country. There is another reason in favour of French immigration, which I cite for the benefit of my friends from the west, and that is that French emigration is a national necessity. The French Canadian people are great assimilators, one strong proof of which is that in the county of Charlevoix they have assimilated a whole Scotch regiment, and every one knows that none are more tenacious of their nationality than are the Scotch people. Now, I contend that the French Canadian people are the natural guardians of the idea of Canadian nationality. We French Canadians have no other country but Canada, while the English Canadian has not yet quite come to know whether his country is the old land or whether it is Canada. My hon. friend from Victoria (Mr. Sam. Hughes) says he is an Englishman before being a Canadian.

Mr. SAM. HUGHES. No, he didn't.

Mr. ARMAND LAVERGNE. He said he was an imperialist before being a Canadian.

Mr. SAM. HUGHES. Yes.

Mr. ARMAND LAVERGNE. Well, perhaps I made a mistake, because the British people were wise enough in the last elections to show they would have nothing to do with imperialism. Again, the French Canadians have an entirely different civilization which separates them from the people of the American republic. Their aspirations, their race, their language, separates them from the United States. On the other hand, the English Canadian has nothing but an imaginary line which separates him from the United States, and I think I am right in saying that every day, English civilization is becoming more closely allied to what I might call Americanism. It seems to me that the government would be doing a wise thing if they brought to this country French emigrants who would be assimilated by the French Canadian people, and who would strengthen them to assist the British people in resisting the growing influences of Americanism in Canada. But it seems that the government has not been considering that side of the question and has no other ambition than the stuffing of the Northwest with a foreign population. We realize the truth of this when we look at the Auditor General's Report and compare the expenditure made to secure this foreign element with the expenditure made to bring British or French people to Canada. In the Auditor General's Report for 1905, page L—13, it will be found that of the expenditure on immigration in 1904-5, $77,000 was spent in the United States, $52,673 in Great Britain, $13,000 in France and Belgium. In addition bonuses were paid in the United States to the amount of $5,860. But the North Atlantic Trading Company, which had its field in continental Europe—France and Belgium being excluded and accounted for by this $13,000 I have referred to—received no less than $111,000. Thus it will be seen that by far the largest expenditure was upon this continental immigration which is so largely made up of elements almost impossible of assimilation in Canada. And am I not right in saying that the contract which the government now will have with the booking agents and steamship companies is most unwise and uncalled for? The Minister of the Interior (Mr. Oliver) has said that fair criticism was always welcome. It seems to me the fairest of fair criticism when I quote the figures of the department's own expenditure to show that more is devoted to promoting this foreign immigration than to bringing in people of our own kin. This order in council which we are now discussing, passed by the government on February 19 last, was adopted by the government without authority from parliament. We do not know for how long this arrangement has been made for no details appear in the order in council except that fees are to be paid to selected steamship booking agents in continental Europe, including France and Belgium. Judging from the past, I assume that the immigration from France and Belgium will be looked after by one agent who is able but overworked and another who is an invalid.

This system for which the country is paying has already been condemned by the government. The Minister of the Interior last year, when defending the North Atlantic Trading Company contract, said that the government did not want to deal any more with individual booking agents, and therefore entered into the contract with the North Atlantic Trading Company, and not very long afterwards, the contract with that company was cancelled. Why? Because the North Atlantic Trading Company was not living up to its obligations so that there was a decrease of immigration under its operation. Sir, if the North Atlantic Trading Company could not be supervised by this government, how are all the individual booking agents in continental Europe to be under the supervision of the government? How is the government to be reasonably assured that the character of the immigrants, the health, the nationality, the ideal of the immigrants, will be in accord with the needs of this country and with our hopes for its future? It seems to me that the order in council itself, in contrast with the previous declaration of the Minister of the Interior, is the strongest condemnation of the government's policy.

Moreover, it must be remembered that the arrangement under this order in council covers the same territory as did that of the North Atlantic Trading Company. Therefore we shall be faced by the same international difficulties; our agents will be obliged to work in deep secrecy, because, should their work become known, they will be obliged either to commit suicide or go to prison—for that is the dilemma which faced the representatives of the North Atlantic Trading Company, according to the government. The only object that these booking agents will have will be to get the bonus and fare for transportation of the immigrant. It seems to me that, if we want to have good immigration into the west, if we want to have immigrants who will be in accord with our national ideas, the best settlers of all are Canadians born. Canada to-day produces more emigrants to other countries, according to its population, than any other country in the world. Why not divert this emigration as to make it a migration within our own country and fill up the west with our own people? There is to-day an actual discrimination against the Canadian who wishes to settle in our Northwest, because it is to-day actually cheaper for a man to come from a for-

eign country and settle in the Northwest, than it is for a Canadian born—in the province of Quebec at least—to go and settle in that country. Not being favoured, so far as settling in the Northwest is concerned, the Canadian is led to emigrate to the United States or elsewhere to fill up the factories and workshops of other countries. Is there any good reason, on grounds of common sense, for the immigration policy that is now carried on by the government? I have heard no such reason given. But I have seen the reason given many times in the press that its object is simply to promote the interest of speculators. It is stated that there are certain friends of the government—some newspapers go so far as to say certain officials of the government—who own land in the Northwest and who are promoting their own interests regardless of the future of Canada and the carrying out of our national ideas. They want to sell their land, and, to that end, they promote the bringing in of this mongrel population, a population that comes in by flocks. Conceivably, this might have been upheld by the former Minister of the Interior (Mr. Sifton). But, knowing the present minister and his immigration policy, it seems to me that speculation should not appeal to him as a reason for paying a bonus to booking agents to bring to Canada the scum of continental Europe. If this goes on, in twenty years, there will be no such thing as the Canadian ideal.

Canada will be still a great country, but filled up with a foreign population and with a population of the character that is creating such alarm to-day in the United States. The best proof of what I say is the fact that for the first time last year we had in Montreal, under the present policy of the government, a socialist parade with the red flag of anarchy at its head, and possibly this year, if the police do not interfere, we shall have a repetition of that procession. In a few years the Jewish population of Montreal has increased from 8,000 to 40,000. It seems to me therefore that if the twentieth century is to be, in the words of the right hon. the First Minister, Canada's century, we must first establish a sound and solid Canadian basis. Otherwise we shall see in the Northwest, with its strong influx of population from the United States, a repetition of the story of Texas. When the state of Texas belonged to Mexico, there was a strong American population going into that country, and the result was that not long afterwards Texas declared itself in favour of annexation to the United States. In our case of course it may be that the Americans will be better satisfied with the laws and institutions of this country than those of their own, but they are coming in so thick and the foreign population is coming in so fast, that it is physically impossible for us to assimilate them, and we will be taking only a wise and prudent course if we take some steps to prevent a repetition in our Northwest of the story of Texas. It will be only by establishing a solid national Canadian basis that the twentieth century will be ours. Otherwise we shall be strangers in our own country and the foreigners will be the masters. Therefore I beg to move the following motion :

That the payment of bonuses on immigration has a tendency to bring in a less rather than a more desirable class of people, that it is a most unwise policy and expenditure and therefore should not be continued.

Hon. FRANK OLIVER (Minister of the Interior). I am sure the House has heard with relief the motion just made by the hon. member for Montmagny (Mr. Lavergne) because I think every one will agree that he has been successful in crowding into an hour and a half a more liberal proportion of mis-statements with regard to important public questions than it has ever been our misfortune to listen to. Having condescended however to close his remarks by moving a motion, it is possible for us to consider and discuss it. I may say, however, that it does not seem to have a great deal to do with the greater part of the hon. gentleman's speech. If I could gather anything from his remarks, it was that he was opposed to immigration. He was afraid that Canada would cease to be Canadian if immigration continued and therefore it was not sound Canadian policy to encourage immigration. That is the point that I singled out from the very large number of contradictory positions taken by my hon. friend.

Mr. ARMAND LAVERGNE. Does my hon. friend say that I am opposed to immigration ?

Mr. OLIVER. That is what I understood.

Mr. ARMAND LAVERGNE. Not at all. What I am opposed to is this system of bonusing, which has the effect of bringing into this country an undesirable class of foreign population.

Mr. OLIVER. I am glad to be corrected, but it does not appear to me to make any material difference in the result, whether that result be brought about by the payment of bonuses or any other means. If there be any danger of such an influx of people within the next few years as will swamp the Canadians of to-day, that is a condition which the hon. gentleman devoutly desires to prevent. The question of bonuses therefore is merely a side issue and the question of securing immigration is the real issue, if issue there be. In any discussion of this nature, I think it only needs to be stated that Canada has an area equal to that of continental Europe, that it has at present a population not quite equal to that of Belgium, that under such conditions there must be necessity for a reasonable and rapid increase of population if we who are alive to-day, wish to see

our country achieve the greatness which we believe is its destiny. That at any rate has been the belief of the public men of Canada ever since its settlement, and my hon. friend has the honour of holding an absolutely unique position in this regard. The question then is how shall we best achieve the result to which my hon. friend is so strongly opposed, that is to say, the development of these great natural resources which are at our command for the benefit of Canada and Canadians. The idea that Canada should stand still, that its resources should not be developed, is one which I think no one except my hon. friend will advocate for an instant in this country or in his public capacity. But how is that increase of population best to be brought about? There have been many and various attempts and policies to accomplish this. As circumstances in this country have changed, so has our immigration policy. And as the conditions of the countries from which we draw immigration change, so must we change our policy. Therefore, because we have a certain policy to-day and had a different one yesterday, it does not follow that either is better or worse than the other. What would rather follow is that each best suited the peculiar circumstances and conditions of the day, and that as circumstances and conditions change so must our policy.

My hon. friend has spoken of bonuses to immigrants or to steamship companies on account of immigrants. If he has moved his resolution under the belief that bonuses are paid to immigrants or steamship companies, he is under a wrong impression. Bonuses are not paid to immigrants or to steamship companies on account of immigrants. They are paid for the purpose of advertising the advantages of Canada in those countries from which it is considered desirable to secure immigrants. The idea is that Canada is a country of such natural advantages that if these advantages are properly and fully brought before the people of those countries from which immigration will likely come, those people will come to Canada and take advantage of those opportunities. It is not now, although it was, I believe at one time, a part of the policy of the government of Canada to bonus immigrants who come to Canada or to bonus steamship companies for the bringing of immigrants to this country, nor has it been the policy at any time since this government attained power. The system of paying immigrants to come to Canada and of giving bonuses to steamship companies to bring them was not considered by this government to be a sound policy and was not continued.

Mr. URIAH WILSON. Did not the Doukhobors get the bonus of $5 a head?

Mr. OLIVER. I do not think so.

Mr. URIAH WILSON. Yes, the money was paid to them direct.

Mr. OLIVER. The Doukhobors were not brought in as a part of the general immigration policy. I am not going to argue whether my hon. friend is correct or not; I am under the impression he is not, but admitting for the moment that he is, it only brings out the fact which I have stated that the policy of immigration must vary from time to time according to conditions which have to be met.

We believe that what is necessary is to bring the desirability of the conditions in Canada to the attention of the people best fitted to avail themselves of these conditions by coming to Canada. We believe that by doing that we have gone as far as it is the duty and the business of the government to go, and as far as the government can safely go. That is what has been done in past years, and that is what has produced the results that have been achieved. The bonus that is paid is paid to booking agents, the people whose business in life is to sell tickets of transportation without regard to the point to which the transportation carries. In Europe, including the British isles, the calling of a booking agent stands by itself; a man who is entitled to sell tickets of transportation receives a license from the government of the country in which he lives and is under certain restrictions and surveillance of the government of that country which assumes a certain responsibility for the business he carries on and looks after him in its operation. In some countries the booking agent is under less strict surveillance than in others. In Great Britain there is very little restriction; he pays his license and that is pretty well all there is to it, but in some European countries he is responsible for the representations he makes to the immigrant and he is liable to serious penalties for infractions of the regulations which surround him.

The principle upon which the bonuses are paid to agents is that the business of these agents is the sale of tickets; they get from the various railway and steamship companies from whom they hold agencies a commission on each ticket. There are thousands of these booking agents in the British isles and in the large continental countries. They are necessarily in touch with the travelling public and with the emigrating public. A man who is going to move from the country in which he lives to another country naturally goes to one of these licensed booking agents to buy his ticket, and it goes without saying that in some degree the booking agent has an interest in selling a man a ticket. The ticket that will carry with it the largest commission to the booking agent is the one the booking agent would most desire to sell and by giving a bonus to the booking agent on tickets sold to Canada it becomes a matter of interest to the booking agent to sell that man a

ticket to Canada in preference to a ticket to any other country. It then becomes his business to advertise Canada in whatever way may suit him best, possibly by public advertising, possibly by conversation across the counter, but in one way or another, whatever it may be, the bonus which we give to the booking agent multiplies the agencies of advertising for Canada by the number of booking agencies in the country in which they are operating, provided we choose to do business with the booking agent. That is the principle of the fee to the booking agent; that is the principle of the bonus. It is not a bonus to the immigrant; it is not a bonus to the steamship company, it is a means of advertising Canada and we believe that from the results we have achieved it is a very good means of advertising Canada. We do not offer any assistance to emigrants or to the steamship companies except in the ordinary way of subsidies, in regard to which I shall speak later on, and we do not believe it is sound policy to do so; we believe that if the immigrant cannot be induced to come by a fair representation of the conditions which prevail in this country then he had better stay where he is.

In regard to the North Atlantic Trading Company my hon. friend has said truly that at one time we were paying bonuses to individual booking agents in Europe, and at the time of the organization of the North Atlantic Trading Company it was thought advisable, instead of paying to these individual booking agents who were at all times under this police surveillance in the carrying on of their business, to make the arrangement with what was believed to be, and as a matter of fact was, a syndicate of booking agents who would be able, to better advantage, to carry on the advertising that was necessary to the profitable earning of the bonus to them. That was the reason for the agreement with the North Atlantic Trading Company; that was all there was in it; that was what was in it. The associated booking agents under the name of the North Atlantic Trading Company were able to carry on joint advertising, instead of individual advertising, and were able to place the advertising as it could not be placed on the responsibility of the individual agents. That is the reason why it was necessary that the proceedings of the North Atlantic Trading Company should not be exposed to publicity in the House, because of the regulations in the countries in which the work was carried on. The contract with the North Atlantic Trading Company was entered into because it was believed to be desirable to deal with a syndicate rather than with individual agents. At that time there was great necessity for more people to come to Canada. We had not up to that time had a very satisfactory inflow of population, it was desirable that there should be such an inflow, and means were taken to secure it in that way. The years have gone by since then, we have attracted a large number of immigrants from other countries than continental Europe; we have now a large immigration from the states and a large immigration from the British islands; we have the benefit of the immigration we had already received from continental Europe, and we are not to-day under the same stress for securing immigrants. It is not necessary that we should take the same means or be satisfied with the same class that we were glad to get at that time.

In looking over the conditions as I found them, I saw, in the first place, that the business of transportation from continental Europe, from the countries in which the North Atlantic Trading Company were dealing, had gone into the hands of a steamship combine, a combine which absolutely divided the traffic between them; that is to say, they divided the results of the traffic without regard to which line carried the passenger, or to what destination he was taken. Now it must be evident that although the bonus is an inducement to the booking agent to secure the passage of an immigrant to Canada, an agreement between the steamship companies which absolutely disregards whether the immigrant comes by one steamship line or another, the steamship companies getting their proportion of the moneys in any case, absolutely disarranges any control we might be able to exercise over immigration, and control over immigration is just as necessary as immigration itself. In view of the existence of this steamship combine and in looking over the return it appeared to me that the North Atlantic Trading Company, although they had been instrumental in securing large numbers of immigrants to Canada, immigrants who under those circumstances were very welcome, at the same time it seemed to me that the special provision of the contract which had been made was not being carried out by them, or was not producing the results that we were entitled to expect it would produce. The agreement that we made with the North Atlantic Trading Company contemplated a distinction as between the several countries of Europe, there was a preference shown in that contract to immigrants from Scandinavia. My hon. friend (Mr. A. Lavergne) does not seem to think that immigrants from Scandinavia are at all preferable to immigrants from other parts of Europe, but the gentlemen who negotiated that contract thought they were, and they made provision for a special payment for a propaganda in Scandinavia. When on looking into the returns I found, as it apeared to me, that the number of eligible immigrants from Scandinavia instead of increasing as we hoped it would under that payment, was either stationary or actually

decreasing. We felt that in the circumstances surrounding the North Atlantic Trading Company it was not a matter for argument, it was a matter in which either the company produced the results, or we ceased to do business with them. When I found that the immigration from Scandinavia did not justify the special payment being made to the North Atlantic Company in order to induce that immigration, it appeared to me, judging by the results, that that company was not carrying out its contract and we cancelled the contract.

Mr. ARMAND LAVERGNE. I never said that the Scandinavian immigrants were any worse than others from continental Europe, but that I preferred immigrants from the British Isles and from France and Belgium, because they were already nearly assimilated.

Mr. OLIVER. I think my hon. friend hardly remembers everything he did say. But I think he will agree that the people of Scandinavia are not inferior in civilization or in any of the attributes of civilization, and capacity for free government, to the people even of France and Belgium, or the British Isles; that industrially, commercially, politically and educationally they are quite equal to any other civilized race. I have stated the reason why the contract with the North Atlantic Trading Company was cancelled.

Mr. R. L. BORDEN. What was the reason? I did not quite catch it.

Mr. OLIVER. I say that, in the first place, the stress of requirement had passed, and it was in order now for us to consider the possibility of controlling the immigration rather than merely securing a large volume of it. Then, finding that owing to the existence of a combine amongst the steamship lines sailing from the ports through which the immigrants were secured in the North Atlantic Trading Company contract—owing to an agreement between them which provided that the companies should divide the results no matter whether they carried passengers or not, it appeared to me that the control of that immigration had passed out of our hands. And when in addition I found, as it appeared to me from the returns that the immigration for which we were specially paying was either stationary or decreasing, I was justificed in assuming that the North Atlantic Trading Company was not carrying out its contact, and the contact was cancelled.

Mr. R. L. BORDEN. Is that the same reason of a different reason to that which the minister gave last year?

Mr. OLIVER. I think if my hon. friend will look into the 'Hansard' he will satisfy himself on that point. I do not think my hon. friend is as gracious as he might be in asking the question in that way.

Mr. R. L. BORDEN. I thought it was a very polite question.

Mr. OLIVER. I must disagree with my hon. friend. Then in regard to what my hon. friend calls a contract. The order in council recently passed to provide for the payment of bonuses to agents on immigrants from continental Europe, makes provision for carrying on such a propaganda as may be possible in these different countries, and as may be desirable according to the conditions in our country, by utilizing the services of booking agents where those services can be satisfactorily utilized. Now it is true that a large number of people are coming from the British Isles, it is true that a large number of people are coming from the United States, nevertheless it is true that in Canada today there never was such a demand for unskilled labour as there is at the present moment. As a matter of fact the great railroad projects which are in hand for the development of Canada are largely handicapped if not at an actual standstill, because of a lack of necessary unskilled labour. It seemed to us therefore that although we were getting immigrants to settle our lands from the States and from the British islands, there was also room for immigrants from continental Europe to settle our lands, and there was above all room for employment of thousands and thousands of unskilled labourers to build railroads and who after having done their work, with the money that they had received on that work, would be in a position to go on to the land and become good settlers and good citizens of Canada.

We therefore thought, although we had cancelled the North Atlantic Trading Company's contract, it was right and fair, in view of all these circumstances, that we should take means to utilize the services of booking agents in any country in continental Europe from which we might think it desirable or possible to secure suitable immigrants to meet the present urgent requirements of this country. Therefore, we passed this order in council which permits the payment of a ten shilling bonus for an adult and of a five shilling bonus for a child from certain of these countries in continental Europe. These payments are permitted to be made directly to the booking agent on exactly the same principle as payments may be made to booking agents in Great Britain. The conditions are the same in all particulars except that the bonus is only one-half what it is in regard to a British immigrant. My hon. friend may believe if he likes that the difference is because of the extra cost of assimilating continental Europeans as compared with the cost of assimilating British immigrants. There is no contract with any one. We have taken authority which will enable us to pay a bonus to people whom we may see fit to do busi-

ness with in countries which will permit us to do business with these people.

Mr. ARMAND LAVERGNE. If you pay that bonus to the people that you see fit to pay it to you will be making a contract.

Mr. OLIVER. Well, we perhaps make a contract but it is a tacit contract. We propose to hold out to certain people under certain conditions that they will receive a certain bonus but we have never made any contract and the order in council which my hon. friend has told the House was a contract is no contract. This is only one of the very many inaccuracies with which my hon. friend has favoured the House to-day.

At one o'clock House took recess.

House resumed at three o'clock.

Mr. OLIVER. The motion before the chair condemns the granting of bonuses as a means of inducing immigration, and it sets up the allegation that such a system tends to indiscriminate rather than to select immigration. I desire to place before the House the facts in connection with the bonus system as applied to Great Britain, and as it will be applied to continental Europe under the order in council to which my hon. friend (Mr. Armand Lavergne) has taken objection. The system granting bonuses to booking agents has been in force for many years. It was in force in Great Britain when the contract was made with the North Atlantic Trading Company, and the agents then received seven shillings a head on adults booked to Canada. There was a general understanding that this bonus should only be paid on immigrants of the agricultural class, but in practise it was taken for granted that any one who saw fit to declare his intention of following agricultural pursuits in Canada might be classed as an agriculturist. It was found, under such a system, that there was not that discrimination which was desired in the immigration from Great Britain. So long as the intending immigrant declared he was going to follow farming in Canada, the booking agent made his claim and, in a large number of instances, he was paid. But the people we desired from Great Britain were those who not only had it in their mind to follow farming here, but who, by reason of their mode of life in the old country, were fitted to pursue that calling when they came to Canada. After consideration, it was decided to increase the bonus on British immigrants from seven shillings a head to twenty shillings, or five dollars, and at the same time to definitely restrict the payment of the bonus to immigrants who had followed occupations in the old country which might fit them to be agriculturists in Canada. This large increase in the bonus was made for the express purpose of giving a substantial inducement to the booking agents to secure only desirable immigrants. If there was a difference of five dollars between the immigrant of one class and the immigrant of another class, it was believed that the booking agent would ship the desirable man to Canada and ship the undesirable man to anywhere else he might wish to go. That arrangement went into force in April of last year, and there is no doubt that under its operation not only has the number of immigrants from Great Britain been very greatly increased, but their personnel has been improved.

Mr. SPROULE. I do not understand the distinction which the minister drew between an agricultural immigrant and another kind of immigrant. Is the distinction that the agricultural immigrant himself declares that he intended to go on the land?

Mr. OLIVER. Formerly all that was required to distinguish an immigrant as an agriculturist was that on arriving in Canada he declared his intention to become an agriculturist.

Mr. J. D. REID. In writing?

Mr. OLIVER. No. It was found that the definition did not restrict the immigration as we desired. We then increased the bonus to five dollars per head on adult British immigrants, but restricted the payment so as only to make it on people who had in the old country followed agricultural pursuits, or pursuits kindred to agricultural, and who also declared their intention of following agriculture on their arrival in Canada. That policy has had the result of increasing the actual number of immigrants, because it stimulated greater activity on the part of the booking agents, and it has also improved the class of immigrants by reason of the large bonus paid for agriculturists. For instance, two men might go to a booking office; they might not have made up their minds as to what country they would emigrate to; one had followed farming and was eligible for the five-dollar bonus, the other had not; it would be to the interest of the booking agent to induce the agriculturist, for whom he would receive five dollars bonus, to go to Canada, while so long as he got the commission on the sale of the other man's ticket, it mattered not to the agent what part of the world he went to. In order that there shall be no mistake on this point, I wish to travel a little outside of the point raised in the motion. It has been stated very publicly that the government is in some way a party to inducing other than agriculturists, people who are adapted to enter into various other trades and callings, to come to this country.

Mr. SAM. HUGHES. And why should not the government induce these to come here?

Mr. OLIVER. In order to answer the hon. gentleman so that there may be no misunderstanding, I shall read from a circular which we have sent to the booking agents of the old country.

Mr. SPROULE. When you say 'the old country,' what do you mean by that?

Mr. OLIVER. England, Ireland and Scotland. In this circular we set out, not only what we are doing, but why we are doing it. When we put in force this new order in council we propose to make the same conditions applicable to continental Europe, but for the present I am discussing the British bonus which has been in force for a year, and in reference to which we have issued these instructions to the agents in Great Britain and Ireland :

The classes of people on whom bonus is paid by the Canadian government are expected, by reason of their experience at home, to find scope for their abilities in the occupation of the vacant lands of Canada, in employment upon the lands now occupied and cultivated, or in the railway development now in progress. And while it is not asserted that people of other callings or conditions of life should not come to Canada, or may not find a career open to them in this country, it is desired to have it well understood that the government of Canada assumes no responsibility with respect to any other immigration than that of the classes mentioned as eligible for bonus payment. It is not asserted that the farmer or farm labourer is necessarily a more desirable citizen than any other, but it is a simple fact that the demand in Canada is for people to occupy the as yet vacant lands of the country, to aid in the cultivation of those already occupied, and also to assist in providing additional transportation facilities. This it is which justifies the government in assuming the expense of immigration effort. To go beyond the attempt to meet these requirements would be to use the money of certain classes of Canadian taxpayers for the purpose of securing competitors against them in their several callings, for which they would naturally hold the government to account.

There is the policy of the government in regard to this matter of immigration of the different classes as set out to the people who are acting as agents of the government in Great Britain.

Mr. SPROULE. Are these the only classes for whom the department pays bonuses to the steamship agents ?

Mr. OLIVER. In order to have the matter thoroughly understood, I will read from the circular which is sent to the booking agents, setting out the terms upon which the bonuses may be earned. I have already read from the supplementary circular which explains the reasons of this arrangement :

1. Bonus will be paid provided the regulations of the department are complied with, upon tickets to Canada sold to British subjects, whose occupation in the United Kingdom has been for at least one year, one of the following, viz.: farmers, farm labourers, gardeners, stablemen, carters, railway surfacemen, navvies or miners, who have signified their intention of following farming or railway construction work in Canada ; and female domestic servants.

2. Bonus is only payable on emigrants landing at Canadian ports, excepting those landing at Portland, Maine, during winter.

3. The bonus will be £1 on each person of prescribed classes, eighteen years of age or over, and 10 shillings on those between one and eighteen years of age. No bonus on infants, tourists, returning Canadians, prepaid tickets, or persons of other occupation than one of the above-named, or on persons mentally or physically unfit. To obtain bonus on saloon passengers it is necessary to obtain the certificate of one of the accredited agents of the department in the United Kingdom.

I read this in order to set at rest the contention made by the hon. gentleman (Mr. Armand Lavergne) that the system of paying bonuses tends to indiscriminate immigration. The system under which we are paying bonuses to-day in regard to British immigrants, and under which we propose to pay bonuses on continental emigrants is essentially the system whereby a bonus is used to secure a select class of immigrants, suitable to meet the requirements existing in this country.

Mr. SPROULE. Before the hon. gentleman (Mr. Oliver) leaves that branch of the subject, may I ask a question ? Is he giving any assistance to immigrants from continental Europe or other portions of the world ?

Mr. OLIVER. My hon. friend (Mr. Sproule) I fear has hardly followed the address of the mover of the resolution. The ostensible cause of the resolution is an order in council recently passed whereby the government takes authority to pay a bonus of 10s. a head on immigrants from continental Europe, according to the same conditions as bonuses are paid on British immigrants. We have not yet begun operations under this order in council, but the principle is the same as in the case of the British bonuses, the only difference being that the bonus on the immigration from continental Europe is just half that on immigration from the British Isles.

Mr. SPROULE. Let me go just a little further with my question. What commission does the department pay to agents in the United States ? Or is the system of paying bonuses for American immigrants the same as in years past ?

Mr. OLIVER. I cannot give the hon. gentleman (Mr. Sproule) at this moment the information he asks for. We have a large number of agents in the United States who are on salary. We have had a large number on commission. My impression is that the commission in the United States is $2. But the position in the United States is not at all parallel to that in Europe. The booking agent as he exists in continental Europe

and in the British Isles is not known in the United States.

Mr. URIAH WILSON. If the hon. gentleman (Mr. Oliver) will allow me: Have the bonuses paid on immigrants from the United States been changed recently? It used to be $3 for an adult male, $2 for an adult female, and $1 for a child.

Mr. OLIVER. I do not think there has been any change. What I am saying is that the condition surrounding the payment of bonuses in Europe and those in the United States are altogether different. In regard to the complaint made by my hon. friend (Mr. Armand Lavergne) that we were not giving enough attention to immigration from certain countries in Europe, I can only say that it has been a necessity of intelligent immigration effort that work should be pushed most where the best results can be achieved. A few years ago, until the favourable attention of the British public had been attracted to Canada by a long course of immigration effort it was practically impossible to get any considerable number of people from the British Isles. At that time we had to look to central or northern Europe for our immigrants, and the efforts of the department, at that time, were turned in that direction. After a time persistency of advertising in Britain, improved conditions in Canada making the country more adapted to settlement by British immigrants, together with changes in Great Britain, attracted the favourable attention of the British public; and to-day we find public opinion in Great Britain very favourable to immigration to Canada. Under these circumstances, it seemed reasonable that the money employed by the people for immigration should be used where it could produce the best results. A few years ago these results could be best achieved by effort directed to the over-crowded countries of central Europe. To-day, undoubtedly, the best results are to be achieved by directing our efforts to the British Isles. We have there a vast population, a prolific population, a population already assimilated and one fully imbued with the idea that Canada is the country for colonization. It seems to me only reasonable, therefore, when we are taking the money of the Canadian taxpayer to secure immigration, that we should spend it where it will produce the best results. We are not pushing our efforts in continental Europe, as we are pushing them to-day in Great Britain, for the reason that none of the countries of continental Europe offer the same inducements to immigration effort. Not only are the laws restrictive but in many of the most desirable countries the conditions are not favourable. Take, for instance, the case of France to which my hon. friend has alluded. No one will say that France is not at the head of civilization, that the French people are not desirable in every way, that France is not an agricultural country. In fact France is one of the greatest agricultural countries in the world, but it is carrying a stupendous burden of militarism. It has an empire which ranks only next to Great Britain. It has burdens on its population to-day which make it absolutely unreasonable to expect that flood of immigration from France to Canada that we would expect from Great Britain.

Mr. R. L. BORDEN. I would think that those conditions, if they do prevail, would rather induce immigration from France.

Mr. OLIVER. I am not going to quarrel with my hon. friend's opinion. I am only stating the facts; and in consequence of these facts and conditions, the sentiment of the governments in all those European countries which are in that condition, is absolutely opposed to emigration, and particularly emigration to Canada. Therefore in carrying on an immigration propaganda in these countries, we are doing that in the face of public opinion and contrary to the good will of the government.

Mr. ARMAND LAVERGNE. When the contract with the North Atlantic Trading Company was being discussed, one of the reasons given why France was not included in that contract was that in France there was no restriction on emigration. My hon. friend gave that reason in answer to the hon. member for Bellechasse (Mr. Talbot) and so did the right hon. the First Minister.

Mr. OLIVER. If the First Minister and I so stated, we were both at fault. What I have said is that the condition of public opinion which these European countries, by reason of the military burdens they carry and the colonial responsibilities they have assumed, and in the case of Germany by reason of her trade relations—by reason of all these circumstances the governments of these countries are not favourable to emigration to Canada. Therefore a dollar spent in Great Britain to-day will produce more and better results than a dollar spent in Germany or France. That, I think, is sufficient reason for the greater energy now being shown towards inducing British immigration. I have no desire to draw any comparisons, but I think that in this part of the British domain it is only fair and reasonable that, other things being equal, we should look to the British immigrants as being the most desirable, and when we can secure them we are doing our duty to our country.

Mr. ARMAND LAVERGNE. That argument would be very good if the government had not spent more money in continental Europe than Great Britain.

Mr. OLIVER. Owing to the conditions and circumstances I have mentioned it was not possible, at a certain time, to secure immigrants from Britain, and there were better opportunities in continental Europe owing to the pressure of population there. Those conditions however have changed very largely owing no doubt to the immigration propaganda the government have kept up in the mother country, so that to-day we find in Great Britain the most favourable field for immigration, and therefore we are justified in using our best endeavours to secure that immigration. We cannot and do not want to cover the whole world. Our favourable attention being particularly attracted to Great Britain it must be to some extent drawn away from other countries.

As regards the general question, I think I have shown that bonuses are not being paid on the principle my hon. friend supposes. They are being paid with the view of securing a selected, and not an indiscriminate immigration, and so as to give us the best results for our money.

As to the discrimination which my hon. friend alleges is exercised against eastern Canada in favour of the west by directing the flow of immigration to the west; in one breath the hon. gentleman decries the immigration policy of the government and in the next he complains that the flow of immigration is not directed to eastern Canada. In the one breath he complains that we are bringing out immigrants who would swamp our present population, and then he complains that we are not so directing them as to swamp eastern Canada in particular. But, Sir, the whole purpose of our immigration policy was to secure development of the great productive areas of the west. That was the policy and purpose of the fathers of confederation. Any one who understands the requirements of our country, will understand that the filling up and development of the western country cannot fail to increase the prosperity of the east. My hon. friend has made a speech which, in my opinion, was most discreditable, because it was a deliberate attempt to set section against section and excite race against race, if you like, and creed against creed.

Mr. BOURASSA. If you like.

Mr. ARMAND LAVERGNE. How does it compare in that respect with the policy of the government ?

Mr. OLIVER. I say that the people of the province of Quebec are just as much interested in the development of the natural resources of the Northwest as any other people in any other section of Canada.

Mr. ARMAND LAVERGNE. Hear, hear.

Mr. OLIVER. And the policy of developing the Northwest is one of the many features of the immigration policy which my hon. friend has decried.

Mr. ARMAND LAVERGNE. In my language I was not nearly so violent as the hon. Minister was before he was a minister.

Mr. BENNETT. Tell us about the Galicians.

Mr. OLIVER. The hon. gentleman has said that before, and I asked him to turn up the 'Hansard' and furnish proof in support of that assertion. He did not see fit to do that, but at any rate whether I was wrong or right years ago does not make him right to-day when he is wrong. It is a number of years since the statements were made which my hon. friend attributes to me, and I cannot now recall all of them; but so far as I have had the opportunity of looking over them in 'Hansard,' I think they were good statements.

Mr. ARMAND LAVERGNE. Hear, hear.

Mr. OLIVER. And they are just as good to-day as they were then.

Mr. ARMAND LAVERGNE. Hear, hear.

Mr. OLIVER. If the hon. gentleman will read them, he will gratify me exceedingly. I have nothing to take back as regards any statements I may have made concerning the question of immigration, and to-day the principles I formerly enunciated are being carried out. I was about to say that if there is any part of the Dominion of Canada that is interested in the development of the Northwest it is the province of Quebec. To what end are the ports of the province of Quebec, to what end are the industries of the province of Quebec, to what end does Quebec exist, except it shall have something behind it to support it and make it great ? Quebec has always been interested in the Northwest. Quebec's explorers were the men who discovered the Northwest and why should Quebec's representatives in the House decry the policy which develops the Northwest and makes Quebec something more than it would ever be without developing the west, realizing the great dream of great men—it is a pity they are not succeeded to-day by my hon. friend.

The necessity of immigration, if we are going to develop this country within a reasonable time, goes without saying. It also goes without saying that any system of immigration may very easily be made the subject of criticism. As I said in the beginning of my remarks, what may be a good and wise policy to-day may, by reason of a change in conditions, be an unwise policy to-morrow. Because the policy of to-day is not in all its details the same as the policy of yesterday, because the policy of to-morrow may still differ in some details, does not show in any degree that the policy of yesterday, of to-day or of

to-morrow, is unwise in any particular. The policy of this government, ever since it has been in power, has been to secure the development of the country, and it is necessary to take such means as may lie in its power according to the circumstances from time to time in order to secure that development. That development has been secured as the predecessors of this government hoped to secure it, as they were never able to secure it, and as they never could have secured it under the policy they followed, although their intentions were good. But how much less would they have been able to secure it under such a policy as that suggested in the remark of my hon. friend to-day? There is a party in Great Britain known as the Little Englanders, my friend stands to-day as the representative of that party in Canada; it is the Little Canada party—the very Little Canada party. We stand for a great Canada and a greater Canada, a Canada that is good enough for anybody and big enough for anybody, and our business in life is to secure the development of that Canada, so that it will be, not a little one amongst the nations, but one of the greatest, a nation of which every Canadian may be proud, although there may be more people in the country to-day than there were a hundred years ago.

Mr. HENRI BOURASSA (Labelle). The hon. Minister of the Interior (Mr. Oliver) has grown eloquent to a degree seldom known in this House. It is one of the first times that I have noticed that hon. gentleman abandoning the stern path of logic to adopt the high-toned and not well defined way of grandiloquence in order to avoid a straight issue. I was surprised, more especially at one of the statements of the hon. gentleman, when he said that the speech of my hon. friend (Mr. Armand Lavergne) —which to him seemed to have lasted an hour and a half, whilst in fact it was only three-quarters of an hour—was full of inaccuracies, and that in his hour and a quarter speech he has not found it proper to dispel any of these so-called inaccuracies. Before reviewing the speech of the hon. gentleman, I will remind the House of some of the facts stated by the hon. member for Montmagny (Mr. Armand Lavergne) which the minister has not deigned to refute.

The hon. member stated that the North Atlantic Trading Company's contract had been made by the government as a change from the policy of paying bonuses to booking agents, and that, according to the declaration made last year by the minister himself. This has been stated by the hon. member for Montmagny (Mr. Armand Lavergne), and not refuted or denied by the minister.

The hon. member for Montmagny stated that the policy of paying bonuses had

proved, under the operation of the North Atlantic Trading Company, to be a failure. This has not only not been denied, but it has been admitted and ratified by the minister.

The hon. member for Montmagny (Mr. Armand Lavergne) stated that the policy of paying bonuses to immigrants had a tendency to bring a bad instead of a good class of immigrants. This has not been denied, but reiterated as a reason for the cancelling of the contract with the North Atlantic Trading Company.

The hon. member for Montmagny (Mr. Armand Lavergne) stated that the system was a bad one. The minister has not denied the fact; he has simply tried to evade the issue by saying that this system was no longer in existence under the present order in council. The minister has tried to quibble with words by stating that there was no contract; but when a question was put to him by the hon. member for Montmagny (Mr. Armand Lavergne) he was obliged to admit that, under this order in council, he would enter into a tacit contract with booking agents. Instead of making the case better, it simply makes it worse; because the people of Canada are sick of tacit contracts, secret contracts; what they want is a fixed, determined and public policy in immigration as well as in anything else.

The hon. member for Montmagny (Mr. Armand Lavergne) stated that the result of such a policy was to bring a large number of people into this country whom we could not assimilate. The minister has not refuted that argument, and it would have been very difficult for him to do so, because in a moment I shall read his own words, which were stronger than my hon. friend's, a far stronger condemnation of the policy which he is himself trying to enact and impose on the people of Canada to-day.

The hon. member for Montmagny (Mr. Armand Lavergne) has stated that, with regard to immigration, it was no more a question of bringing all sorts of people, but a question of bringing the best class of people. The minister has not denied the fact, he has simply tried to prove that under the present order in council he is doing that. This was one of the few points in the speech of the hon. member for Montmagny which the minister tried to discuss, and I will prove that the minister is entirely wrong in regard to it.

The hon. member for Montmagny (Mr. Armand Lavergne) stated that after the government had denounced the North Atlantic Trading Company's contract, they had failed to announce their future policy, and had adopted this order in council whilst parliament was in session, and did not even consult the representatives of the people here assembled to give instructions to the government. The minister has not denied the fact, and the fact remains; and

here is a radical change in our policy, the enactment of a principle contrary to the very policy of the government, as announced and propounded last session; and that change has been made in this session when parliament was sitting, when it would have been the easiest thing possible for the minister to consult the representatives of the people. I wish one of the colleagues of the minister were here, I wish the Minister of Marine and Fisheries were here, so that he could repeat those words of denunciation which he thundered so eloquently against the Conservative government because, forsooth, they had dared to purchase one million of dollars' worth of arms in Great Britain while parliament was in session. Is this another one of those principles for which the Liberal party attacked the Conservative government, but which they now advocate?—with this difference, that in the case to which I refer it was simply a question of the expenditure of money, whilst in this matter it is a question of a change of policy, a change of attitude on the part of the government, contrary to the attitude which they took last year; and without consulting parliament, whilst the representatives of the nation are assembled here, they meet in a closed chamber and frame a policy which they announce to the country, and say that we must support it.

Mr. SAM. HUGHES. Do we understand that the hon. gentleman goes back on his record concerning payment for arms in 1895?

Mr. BOURASSA. No, I denounced it in 1895, and I denounce it to-day, whether done by a Conservative government or by a Liberal government. Now one of the arguments used by the hon. minister was this: He said, we are devoting most of our energies and spending most of our money in the British islands because we have found that it is the best field for immigration, and because the people of Great Britain, knowing that Canada is a desirable place to live in, want to come here. Sir, if the people of Great Britain want to come to Canada, what is the use of giving $5 a head to booking agents to send them here? But let us accept the argument, let us suppose it is necessary to have agencies in Great Britain to bring over a desirable class of immigrants is that a reason for passing an order in council to induce people to come from Norway, Sweden, Holland, Denmark, Hungary, Russia, France, Belgium and Switzerland? If the argument of the minister is good, if the government have changed their policy because circumstances have changed and circumstances have changed in such a way that the people of Canada are entitled to see that their money is well employed by spending it in Great Britain, then why has the government adopted an order in council that allows them to spend money in foreign countries where it is so difficult to carry on a propaganda? Now on this question of propaganda, the hon. gentleman says that the order in council is far different from any past order, because according to the present order in council nothing will be paid to agents who work against the laws of the country in which they are operating. Either this restriction in the order in council holds good or it does not. If it holds good, then this order in council is nothing but a copy of the contract with the North Atlantic Trading Company, because in that contract the government introduced the very same clause that the agents of the North Atlantic Trading Company were not going to do anything contrary to the law of the nations in which they were operating. If the North Atlantic Trading Company's contract was a bad one, because it brought those agents into conflict with the laws of the land in which they were operating, this order in council is equally bad because it is based on the same principle; it is the same policy, except that here you are dealing with individual agents instead of with a company.

Now with regard to this aspect of the question, I am open-minded, I am ready to be convinced that it is better to deal with agents than to deal with a company. But I am surprised that that argument should come from the minister, because last year when he announced to the House that the contract with the North Atlantic Trading Company was to be cancelled, what did he say? He referred to some writings or some letters from Sir Charles Tupper, saying that it was better to have arrangements of that kind made with companies than with individual agents, and the hon. gentleman took credit for the government in the fact that they were now paying bonuses to a company and not to individual booking agents. He said:

> Now, to whom did our hon. friends on the other side pay the bonuses? They paid them to individual booking agents—so their letters show. To whom did this government pay in the years preceding the contract with the North Atlantic Trading Company? They paid to individual booking agents.
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> To whom do they pay now? Not to any individual booking agents, but to the North Atlantic Trading Company, a collective interest of booking agents. And do they get value for their payments? Judged by the standard laid down in the letter of Sir Charles Tupper, they do. And any man of common sense, not warped by political bias, will agree that that is the main question. . . . I know they are engaged in the business of booking emigrants to Canada, and I know that they work under better conditions to-day as a company, than they did when they worked as individuals, and are sending more emigrants to Canada. That was the purpose of the change from payments to individual agents to payments to this company.

Here we have, in the words of the minister himself last year, the statement that we had beter adopt the policy of paying a company than of paying individual booking

agents. Now the minister says it is better to pay individual agents than a company. Circumstances change, says the minister; but it seems to me that the mind of the hon. gentleman is changing quite too fast, even for modern times and modern circumstances, with the development of electricity and all other means of rapid manifestations. Now if the hon. gentleman would show us what is the difference between the circumstances as they existed last year when he preferred the policy of paying bonuses to a company instead of individual agents, and the circumstances of to-day which make it better to pay to agents instead of a company, we would not be so much mystified. But he has not deigned to inform us. He has in a somewhat satirical manner pointed out what he styles the inaccuracies of my hon. friend from Montmagny (Mr. Armand Lavergne), but he does not deign to tell us what were the circumstances which allowed his ministerial mind not only to change so much from the independent mind of the member of Alberta, but to change so greatly from the ministerial mind of the Minister of the Interior from 1906 to 1907.

The minister has told us very often, not only to-day, but on previous occasions, that circumstances had changed in the last few years with regard to immigration. I admit they have, but in what way? The very argument which the minister made with regard to immigration from the British islands applies to a large extent to immigration from all countries. I think every one in this House will admit that the main change which has occurred to warrant a modification of our immigration policy is that Canada is better known to the world to-day than she was some years ago. Canada's trade is better known, her agricultural and mining resources are better known; and therefore if that basic change of circumstances means anything with regard to our immigration policy, it means that the time has come when we should stand upon our dignity as a nation and step out before the world, instead of advertising our country through more or less questionable agencies as a patent medicine vendor advertises his nostrum and invites all sick and ailing people to come and be cured. Sir, the minister has taken pride in the fact that under this order in council he was discriminating with regard to the class of immigrants which were coming in, and he read the words which I will read again.

The immigrants for which this government offers a bounty and bonus or a prize to booking agents, are:

> Farmers, farm labourers, gardeners, stablemen, carters, railway surfacemen, navvies, or miners, who have signified their intention of following farming or railway construction work in Canada, and female domestic servants.

That is a pretty broad ground. Let us come to the facts. How will this operate? You have a booking agent in London or you have ten or twenty of them. You have so many in Liverpool, in Amsterdam, in Hamburg, in Antwerp, in different parts of Europe. According to what the minister says in regard to immigration work in foreign countries, to which this order in council applies exclusively, they are not allowed to go outside of their offices to canvas immigrants. They must stay there until the immigrant comes to buy his ticket. I have very grave doubts, once this inducement is offered to a booking agent to make so much money per head of all the people he may ship to Canada, whether he will confine himself to the letter of this order in council or whether he will not put himself in the sad position, as stated by some ministerial supporters, of committing suicide or going to gaol. I have my grave doubts as to whether these booking agents, immediately you offer them this inducement, will stay in their offices. But let us suppose that they stay in their offices. Let us suppose that they conform to the letter of this order in council. What will be the result? Here is a man in Hamburg who does not know what tramp or other person will come from Prussia or Silesia to his office to get a ticket for the United States or elsewhere. The agent has only to sell him a ticket to Canada to get $2.50 and he will say to him: Of course you are a railway worker or a navvy, here is your ticket for Canada and you will make a declaration that you are going there to work at railway construction. The booking agent will receive his $2.50. By what human means does the minister pretend that he will control the work of these booking agents so that after five minutes conversation they will be able to find out what occupation an immigrant may have been engaged in three hundred or four hundred miles away from his office? All nationalities and occupations will come. It may be that a large number will be sent to Canada as farmers or farm labourers or railway workers or navvies because forsooth they have passed through some of the criminal courts and they have been condemned either to go to gaol or to leave for America. There is nothing in the order in council that prevents a booking agent from making his $2.50 out of that kind of immigrant.

In regard to female immigration, those who are familiar with the social life of London and other English cities, those who have read some of the reports of the London County Council know very well that a large female population is sent every year from continental Europe to London composed of women who have passed through criminal courts. They are sent to England and then they are taken up by the Salvation Army. Now, I have the greatest admiration for the devoted work of the Salvation Army, for everything they have endeavoured to do to raise to a higher moral

and physical standard some of the lowest classes of the United Kingdom; but as a Canadian I fail to see that the population and the future of Canada should be made part of that kind of work if that kind of works means that after the Salvation Army authorities, without going beyond the varnish of civilization with respect to these people, shall ship them to Canada in order to make them civilized beings. I have the greatest objection that Canada should be made a dumping ground—even at the expense of being considered narrow by the broad minded Minister of the Interior. I have an objection to Canada becoming the ground of exile or reformation for the Salvation Army to ship to us all the worst characters from Whitechapel or any other of the worst quarters of the larger English cities. If that is what is called British immigration, if that is what is called immigration tending to give a permanent basis to British institutions in Canada, then I say to the minister that he is greatly mistaken with regard to the social conditions in that country; and it simply proves that he does not know the fundamental principles of the development of nations, and if he thinks that a nation and the best interests of the people are promoted by the degraded elements of its population, he is mistaken.

The minister has stated that my hon. friend from Montmagny had given utterance to a policy that would be detrimental to the interests of Canada. Of course, that is a broad point of view. That is a large basis for discussion. There are many ways in which a public man may view the interests of his country. It cannot be altogether dismissed by saying : 'You are a little Canadian, you have no breadth of mind and you do not understand the interests of the country.' For my part I think it is just as patriotic to say : 'Let us take a little more time to increase the population of our country, let the land speculators of the west wait a little longer to make their money; but let the basis of the future population of Canada be sound both mentally and physically.' It may be that such is the view of a Little Canadian, but I think that hon. gentlemen who go to the very basis of this patriotic policy will agree with me. It has been stated that we want to see the result of our policy. There was once a famous phrase uttered in this House : 'Cox cannot wait.' This very sentiment can be applied to many of the friends of the hon. minister who cannot wait for their paying dividends upon the lands they have secured from the government. I am afraid that the same phrase would apply that these hon. gentlemen cannot wait because they are anxious to secure their 50 per cent or 100 per cent or 200 per cent profit from the sale of land. The future of Canada, the future of British institutions, the future of the British flag—which some of their legislators have put on every school house in Manitoba—is a very small asset in the ideas and aspirations of some hon. gentlemen concerning the Northwest. I want perfect liberty to be given to every man to make as much money as he can. But I have some objection, as a Little Canadian, if the hon. gentleman wants to style it in that way, to seeing the future of my country endangered by the policy of men who simply want to reap the greatest advantage possible by speculating with the soil of Canada and not only with the soil of Canada but with the future of the Canadian people.

Now, Sir, the hon. minister has tried to make my hon. friend from Montmagny appear as very narrow minded and as being animated by racial prejudice because forsooth he stated that it was not desirable to have all sorts of people in this country but that it was a better policy to bring in people who have something in common with the various elements that have laid down the foundations of this country, who have the same blood, the same ancestry, the same national traditions and who come here to adopt our nationality and to help us in maintaining those traditions. The hon. gentleman has tried to leave the impression that my hon. friend from Montmagny objected to the importation of people from Scandinavia or other European countries because he was animated by racial prejudice. Neither has my hon. friend for Montmagny stated, nor do I state now, that the people from Scandinavia, Russia, or Germany are not a splendid race of people, a people animated by high national traditions, and a people actuated by a deep sense of civilization.

> I am not claiming that we are the best people in the world ; that our civilization is the highest form of civilization ; but I do claim that our present civilization suits us, and it is that which we have set ourselves to improve. Our social system, our political system, our religious system, are those which we have inherited and under which we are trying to improve ourselves.
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> Possibly a Chinaman is a better man than an Englishman, let the Englishman answer for that himself; a Japanese may be a better man or a Russian may be a better man than the Englishman ; I say nothing about that, he may be a much better man, but he is not one of us, and inasmuch as he is not one of us he is not helping us to develop along those lines that Providence has chosen for us, or that we have chosen for ourselves. His presence is a hindrance and not a help.

Sir, this is the language of a Little Canadian, known heretofore as Mr. Oliver, member of parliament for Alberta. Circumstances have changed, but I am afraid the only circumstance that has brought the hon. gentleman (Mr. Oliver) to abandon this patriotic policy which he calls now a Little Canadian policy, is the circumstance that now he is a member of the cabinet and

then he was a free member of parliament.

Let me say further that it appears to me to have been a mistake in the past to have spent so much money as we have in paying bonuses to steamship companies for the conveyance of immigrants, and for this reason : we made the steamship companies, by that means, our immigration agencies, and it did not make any difference to the steamship companies what the character of the immigrant was, who he was, or where he was from, so long as they got the bonus.

Does not that argument apply to the booking agents as well as to the steamship companies ? Certainly it does, unless the Minister of the Interior can prove that every Hamburg Jew he selects as an agent is so patriotic, that when an undesirable immigrant comes to his office he will say : I cannot send you to Canada ; I am too patriotic a Canadian to do that; I will lose by $2.50 commission on you, rather than send you to that country. Unless the Minister of the Interior can give such a certificate of character to every Hamburg Jew or Liverpool Jew that he appoints as an immigration agent, the remarks of the member for Alberta on the 29th of April, 1902, which I have just quoted are just as true to-day as they were five years ago. Let me quote further what the Minister of the Interior said when he was member for Alberta :

It seems to me, from my point of view, that this is a most undesirable system and a most undesirable expenditure, and I would ask that it be not continued.

These are the words of the member for Alberta (Mr. Oliver) speaking of the immigration policy of the government, and if I have any reproach to make to my good friend from Montmagny (Mr. Armand Lavergne), it is that he has taken the words of his motion from the very language uttered in this House by the member for Alberta. The former part of my hon. friend's motion was taken from a speech made by the member for Alberta one year later than the speech I have referred to, and the circumstances which existed then exist to-day, the only change being that the member for Alberta is now the Minister of the Interior. On the 14th of July, 1903, the hon. member (Mr. Oliver) said ;

Something has been said, I understand, about the paying of bounties or commission to induce immigration. To my mind, if ever there was need for that system, that need has passed.

It was not a question with him then, as to discrimination or selection, but in his opinion the whole system was bad, and he condemned it without qualification.

The payment of bounties and commissions——

And here again, Mr. Speaker, if you do me the favour to follow the wording of the motion, you will find that my hon. friend from Montmagny has made a faithful copy of the language of the hon. gentleman (Mr. Oliver) :

The payment of bounties and commissions has a tendency to bring the less desirable rather than the more desirable class of people.

Well, Mr. Speaker, that is still my opinion ; and at the expense of being denounced as a racial zealot, or a Little Canadian, I still hold the patriotic view which the member for Alberta held before he became Minister of the Interior.

But that is not all. A Bill was introduced providing for the better inspection of immigrants in the matter of their health, and the hon. member (Mr. Oliver) supported the Bill, but he warned the House that sanitary precautions were a small consideration compared with the great national principle at stake. He said :

From my standpoint, the diseases existing among immigrants are but a trifling consideration in comparison with the general character of the immigrant. I cannot understand the frame of mind which looks carelessly upon the introduction into the very life of our country, of a population without regard to whether such population will raise or lower the general standard of our people. It does not need any demonstration on my part, that if the increase of population which will necessarily take place in the development of these resources is of a character and constitution essentially different from our own, not only will they build up a different civilization wherever they establish themselves, but they will invariably control our civilization in this part of the country.

Now, Sir, the argument made by my hon. friend from Montmagny, is the very argument that was made by the hon. member for Alberta, when he was a member and not a minister.

It may be said that I have given these quotations simply for the pleasure of putting my hon. friend (Mr. Oliver) in contradiction with himself. If he has that thought he may dispel it ; because after all when there has been some good in a man it is well to remind him of it, for it may help to awaken remorse. If I have reminded the Minister of the Interior to-day of his former self, it is simply because I still hope that he will not utterly abandon his patriotic ideas, and that instead of being dragged into this policy by a government which was dragged into it by his predecessor in the department, the hon. gentleman (Mr. Oliver) will assert his own will, and although he has given way by adopting this order in council, he will hesitate in the application of it and stop before committing the errors of his predecessor.

It is said to us : You want to restrict all immigration to Canada, you do not want the population to increase and the resources of our country developed, you are taking an unpatriotic view and the people of Canada will not support you. That charge

is false. The view I take is this: That in the development of a nation regard must be had for all conditions; regard must be had to the past and to the future as well as to the present, and care must be taken that the present exigencies of interested people are not to control. I am in favour of a strong and well directed and well controlled policy of immigration, and I think I could prove from the words of the Minister of the Interior in the past, that he agrees with me. I hold that the best immigration agent is an agent you have not to pay or hire to do your work; I hold that the best and the most patriotic and the most business-like immigration agent is the contented settler, who being satisfied with his lot in this country will write home to his relatives and friends to join him in this happy and fertile land. Instead of spending so much money in favour of steamsh'p companies, and railway companies, and booking agents, and land speculators, if you took a little more care that the settler coming to Canada is properly treated from the time he lands until he reaches his future home; is not robbed on the way; is not intercepted by the land speculator; is ont intercepted by the agents of the very same men who have enforced this immigration policy upon you; —you will have a much better immigration system than the system which is costing you so much at the present day.

If you look to the settler, from the time of his arrival until he settles on his holding; if you make him satisfied with his life in Canada; if he finds that Canada is a land of law and justice, a land which looks after the farmer and the settler, which prevents the speculator and the railway company from crushing him, he will be far more satisfied than if you paid $2.50 to a Hamburg Jew to ship him to Canada—and let God take care of him when he gets here. If you would take the large sum of money you are now spending in Europe in paying these booking agents or their steamship companies, or these secret organizations like the North Atlantic Trading Company, and devote it to the development of the transportation facilities of Canada, so that the settler would find the best and cheapest means of sending out his farm produce, that he might not be at the mercy of the elevator company or the railway company which you incorporate and which you protect, and if you would also cheapen communication so that the settler could get his manufactured goods at a better price than he gets them to-day, then that settler would write home, he would tell his friends and relatives in the British islands, in France, in Belgium or in Germany—that Canada is a land where railway corporations and land speculators do not control the government and the law, that Canada is a country where trade flourishes and a man can buy and sell without paying tribute to monopolies of any kind—and that contented settler, writing with enthusiasm to his friends of his new home, would be a far more effective immigration agent than any of your Hamburg Jews or secret organizations.

Now, with regard to the question of discrimination let me at once point out that the discrimination urged by my hon. friend from Montmagny (Mr. Armand Lavergne) was not as between English and French immigrants, as the Minister of the Interior, in an effort to make a cheap point, would have had the House believe. The hon. minister tried to put in the mouth of my hon. friend words which he never uttered; he tried to impute to him sentiments which are foreign to him. The hon. minister tried—as many like him have tried for ten years past, on my own account—to make it appear that my hon. friend from Montmagny was seeking to raise racial distinctions as between the English-speaking and French-speaking population in this country. The accusation is no more true in this case than it ever was before. What my hon. friend (Mr. Armand Lavergne) asked the Minister of the Interior to do was to formulate and carry out a policy based upon the very nature of the Canadian people, a policy that would encourage English and French immigrants as against those from other countries. Is this again 'Little Canadian?' Is this 'mere sentiment?' I say, Sir—quoting from the words of the Minister of the Interior—we must take facts as they are; we must accept history as it is. This country was settled and founded by the French and conquered by the English. After the feuds of many years these races have agreed together to found a vast Canadian nation. But, Sir, it never was in the minds of the founders of this nation, it never was in the minds of the fathers of confederation, the men whose names these present so-called Liberals are so fond of invoking, that in order to be broad—or even in order to make land speculators rich—we ought to change a providential condition of our partly French and partly English country to make it a land of refuge for the scum of all nations. That idea, I say, never entered the mind of any patriotic Canadian, whether Conservative or Liberal, whether British or of French descent. It is an idea worthy of those 'big' men who now try to teach breadth of mind and loftiness of patriotism to others. The idea of the founders of this nation was that the double current of our national and mental activity should go on, that the British civilization and the French civilization should be maintained in this country, and not that we should give the better half of our continent to people who have nothing in common with us—nothing in common with us in history, nothing in common with us in blood, nothing in common with us in education or econ-

omics, nothing in common with us in national sentiment—to men who come here, not with our inherited pride in our own land, but with the purpose only of making money. It was no part of the idea of the fathers of confederation that these people should be gathered from the ends of the earth and helped to come to this country, given such inducements as to bring them here in such number that before twenty years are over at the present rate of movement, they will be masters of the country and the two races that have formed the Canadian people will be swamped by these 'intruders.'

The example of the United States has been quoted to us to show that there is no great danger to the native population in bringing all sorts of people from abroad into our country. I regret that my hon. friend from Montmagny (Mr. Armand Lavergne) has not gone a little deeper into that subject. I fear he was too anxious not to weary the House by giving figures. But it seems to me that these figures are most instructive. Generally speaking they show that at no period in American history was there ever such a large incursion into the United States of the foreign-born element in proportion to native population as has been brought into Canada under the so-called broad and patriotic policy of my hon. friend the Minister of the Interior (Mr. Oliver). When I speak of foreign-born population, I leave aside the figures relating to those that come to Canada from the British islands, though perhaps I should be able to show that a large proportion of these are foreigners. But even assuming that all those who ship from Great Britain are British, and leaving aside all those from France and Belgium, and you find that you are bringing in a larger proportion of foreign-born and foreign-educated immigrants into Canada in proportion to the population of Canada than ever were brought into the United States in proportion to the population of that country. Nor is that all. There is still another grave reason to condemn this policy of bringing in these foreigners. In the United States the great bulk of the foreign element leave ship at the eastern ports, settle in the eastern part of the country and mix with the relatively dense population there, just as we find in our own case in Montreal or Toronto. But the western states of the union, whether annexed or purchased or conquered, were settled by American-born people. That is to say, the basis of the political institutions, the basis of education, of organization, of everything of a national character, was laid firm and immovable by the American-born settlers who left the eastern states, giving up their places to the foreign element and went west; so that when the foreigners moved slowly westward they found themselves upon a solid footing of true American institutions. I leave altogether aside the problem of the foreign element in the United States which is disquieting the mind of President Roosevelt and of many social observers and writers, and I take it for granted that this foreign element does not, in fact, threaten the character of the United States. But, even assuming this—which is very far from being proven—to be the case in fact, we find that the same does not apply to Canada. And why? Because in Canada under the policy followed by this and by the preceding government—though it has become much more dangerous of late, than in the past—you leave the eastern provinces in the hands of the old population, giving very little inducement to the sons of the farmers of Ontario and Quebec and the maritime provinces to go west, and you allow the railways that you have incorporated, that you have subsidized with the money of the people of Canada to give better facilities to a Doukhobor or a Galician to reach the western plains than they offer to a Canadian. We allow them to give better facilities to the Doukhobor and the Galician to reach the western plains than to a Canadian from Ontario or Quebec or the maritime provinces. I could read you a letter from the father of a large family in my own constituency who went to Edmonton last fall and who had to pay some $100 more to get there than your imported Galicians or Doukhobors pay from Halifax to Edmonton. And yet you plume yourselves on your broad Canadianism. What do you mean by it? Do you want to prevent your own people from Ontario, Quebec, Nova Scotia and New Brunswick from getting their share of the inheritance and domain which has been purchased and is being paid for by them—the purchase price of which came out of their taxation? You boast of your broad Canadianism and you allow your own railways, paid for with the money of your own people, to discriminate against Canadians in favour of foreigners, and you think you are going to get the people to endorse such a policy by sneering at little Canadians and casting slurs on the patriotism of men who have some regard for their country's future.

What is the result of your policy ? The old provinces are settled and populated by the descendants of the pioneers of this country. Your immigrants, who are coming in larger numbers in proportion to the rest of the population than ever was the case in the United States, instead of stopping in some of the large cosmopolitan cities, where after all the individual loses more or less of his character, are landed at Halifax, St. John or Quebec, and immediately put on board railway trains and carried through to the west. All they have is just a glimpse of our large cities. They do not know what Quebec is or what Ontario is. You convey them to the west, you put them on the land there, and

within ten years you make them the complete masters of that land. They have not even a moment's contact with the rest of the people of Canada ; they have no intercourse with those people with whom they are called on to live and carry on the business of the country. There is more than that. Providence, in its wisdom, had divided the continent upon certain geographical lines while the policy of men has parted it contrary—everybody will admit—to the laws of nature. You have two immense stretches of territory, each with different climates and resources and economical interests. They are divided by a barrier of water and barren land which, if ever peopled, will be so thinly populated that for all time to come you will always have a natural barrier between eastern and western Canada, such as never existed in the United States. And you will have in Alberta, Saskatchewan and Manitoba and that stretch of northern country whose capabilities we are only beginning to perceive, a population foreign born, foreign educated, knowing nothing of our country, having nothing in common with us, developing trade and farming industry and economical needs entirely different, if not entirely opposed to ours. What will be the result ? Within thirty years you may look not only to the probability but to the certainty that this House will be controlled by members elected in those constituencies west of Lake Superior. You will have our Canadian parliament controlled by a majority, of whom certainly the four-fifths if not the whole will be foreign—neither English nor French nor British nor Little Canadians nor broad imperialists, but simply foreigners who came to this country to make money, who will try to control this parliament so as to make money ; who will subordinate everything to that object, and who will be quite content to see British institutions disappear from our midst in spite of all the British flags with which you are decorating the schools of Manitoba. When this parliament will fall under the control of those foreign elements—and that may happen in the lifetime of the present Doukhobors and Galicians, before the first Canadian born generation of those immigrants will be taking part in our public life—are you going to tell me that it is not a wise, not a sound and patriotic and British policy to pause at least a moment and look into the possibilities of such a future ?

Having said so much on Canadian immigration, leaving aside all questions of French or English or Scotch or Irish, I will not be more afraid to state my views in this House with regard to French immigration than I was in the city of Toronto. My views are these. Because the fathers of confederation decided, and decided wisely, that this should be a dual country—French in its origin, British by assimilation, taking from both races and both civilizations its best moral, social and political characteristics—I claim that the equilibrium between the two should be maintained and that it is in the interests of all British citizens in Canada that a French speaking population should be developed. My hon. friend has referred to the influx of Americans into Canada. I hear it often said by men, who at other times will try to stigmatize us as disloyal, as racial or religious zealots, that it does not matter from what country settlers may come, that all the Americans who want to come here are welcome. To a certain extent I agree with them. Let all good, moral, intelligent people come to this country. That we must seek a large influx of American population may be, from a purely monetary point of view, sound policy ; but if there be any sincerity in the so-called loyalty of those who argue this way, you cannot say it is in accord with your sense of British citizenship that you should open this country wide to the influx of American population, capital and ideas. It is all very well to say that the Americans who go west are satisfied with the laws of Canada. They do not come here to study law but to make money, and because they find the conditions at present in Canada better for making money than in the United States. But when they have grown two or three generations, when they have reached a higher stage of civilization, and when they will form the majority of the people of this country, are you quite sure they will be so much attached to British institutions as you claim, and that the simple fact of having so many British flags hoisted on schools and elsewhere is going to make them British ? Are you sure, when you discriminate against the farmers from Quebec, Ontario and the maritime provinces going to settle in the west, that the newcomers will be as safe and sound with regard to British connection and Canadian citizenship as you say they will ? Are you quite sure that mingled with those foreign elements, neither British nor American, but who will always have a natural attraction for the larger and wealthier country to the south, a country independent by itself—which has always a greater prestige in the eyes of foreigners than a colony—are you quite sure that these foreign elements will be attached to British connections in such a way that if it comes to a choice between their British connection, between their connection with the rest of Canada, between the unity of confederation, and their economic interest, that they will not ten times rather break the British connection, ten times rather break the Canadian confederation, than endanger or damage their economic or their business prospects ? It may be that my view is wrong, it may be that I am a pessimist in this ; but I claim that this is a point of view which cannot be dismissed by a simple laugh at Little Canadianism. After all, I

do not suppose that even as big Canadians as the Minister of the Interior (Mr. Oliver) can afford to ignore history, can afford to ignore human nature, can afford to ignore the laws that have directed all nations in the past, whether in ancient or modern history; and if history repeats itself in respect to Canada, it may be that my hon. friend the Minister of the Interior cannot stop it all by himself. I think that the laws of nations, the laws of history and the laws of nature will be stronger than even my friend the Minister of the Interior (Mr. Oliver).

I need not say much more on this subject; I simply claim that this is a subject which imposes itself on the attention of the people of Canada, and that before changing the basis of the policy as defined last year, before going back to the system which my hon. friend (Mr. Oliver) himself had denounced with the greatest vehemence while a member of this House, I claim that the least that the parliament and the people of Canada could have expected would have been to be informed of what the minister contemplated, and that we should have been consulted before such a step was taken. There is, therefore, no hesitation in my mind in deciding that the motion of my hon. friend from Montmagny (Mr. A. Lavergne) is a timely one and that it should be adopted by this House.

Mr. WILBERT McINTYRE (Strathcona). Mr. Speaker, I may be pardoned for speaking on this subject as I represent a constituency in a part of the country where this immigration policy operates to a very great extent. We have had some rather peculiar statistics placed before us to-day concerning the manner in which the immigration policy of the present government works out. I shall take a few moments of the time of the House then to discuss the conditions as they work out in the province of Alberta, as far as my practical experience goes. A great deal has been said that would lead one to believe that in the western provinces our population is made up mainly of the foreign elements with a small percentage of British and Canadian people to leaven the whole lump. I have to hand statistics which I do not think can be questioned, which are based on a census taken no longer since than June, 1906, which will show that nothing could be further from the truth than the statement made by an hon. member in this House, that in the western provinces four-fifths of the people are of foreign origin. Nothing could be further from the truth, and I resent with all the energy that is in me, any imputation that my constituents and my fellow citizens in the province of Alberta constitute the scum of the earth. The exact words used are: 'Canada is becoming the land of the scums of all other nations.' I resent any such statement; it has not one solitary foundation in fact. The much discussed Galician who is so often referred to in this House has been a surprise to every man who is a citizen and takes an interest in public affairs in that country. He is a wonderful pioneer in the remote sections of the country, a man who begins with the smallest amount of capital and, working and earning as best he can to improve his surroundings, looks about him and sees his fellow countrymen improving, and whatever surplus money he acquires, he invests in improvements. The Galician becomes one of the very best, one of the most industrious citizens we have. On his arrival in Canada he does not appear to be the most desirable person to look at; his social laws are somewhat different from ours, his habits are different from ours, but when you can assimilate a class of people such as that and make them what they have become in the west, I say that they are a desirable class of citizens to have in the country, notwithstanding how they may appear on their arrival in this country.

We have heard something of American immigration, it has been, so to speak, discounted greatly in this House this afternoon. I want to tell the House one fact, if they have not already learned it, that the great proportion of the American immigration that comes to this country consists of repatriated Canadians. Do you mean to tell me that a man who has had to live in exile ten, twenty or thirty years, will not retain the tenderest loyalism towards the country from which he was exiled? Do you mean to tell me that he will not raise his children with the tenderest loyalism? Do you mean to tell me that these men are annexationists? I deny it, and declare that there could be nothing further from the truth. Take the American born citizen if you will. They are certainly not lawyers as stated by the hon. member for Labelle (Mr. Bourassa), but they are men who look into the political machinery of government in a peculiar way, they are men who have been taught from their birth that they have the full right of manhood. Therefore they take upon themselves the duties of citizenship, and the responsibilities of a citizen, and inquire into all the machinery of government, and what do they find? They find that they have left a democratic country at home to come to a more democratic country here; they find that our institutions are above their own, they find with us almost their ideal of responsible government in every particular, whether municipal or otherwise. I say it ill becomes any citizen of Canada with the capital that has come into the western country to rise in this House and, so to speak, damn the whole population that comes from the United States. It ill becomes us. I want to tell the House that the American farmer has done something for us in the west. He has taught us a great deal in the provinces of Saskatchewan and Alberta. The American farmer, the dry farmer as he is sometimes

called, has taught us to bring under cultivation land that we had concluded was semi-arid, and with these facts before us it ill becomes any loyal citizen in this country to stand up and with one sweeping phrase damn the whole population. In that census of Alberta, taken last June, we find that there is a population in the province of 185,412 souls.

Mr. ARMAND LAVERGNE. And does my hon. friend know that this year more foreign immigrants will come in than the whole population of Alberta?

Mr. WILBERT McINTYRE. I am not going to prophecy, I am talking facts. The hon. gentleman told us that he was giving us some figures; well, I am giving you some figures that are facts. I say that we have 111,138 British born people in the province of Alberta, out of a total of 185,000, disregarding the other immigrants. Take also into consideration the fact that there are an additional 43,000 immigrants coming in from the United States, and I have accounted for 154,000. Yet they tell us that the foreign invasion is upseting us, they tell us that we must look out, or four-fifths of the population will be foreigners. I can see no justification for such fears. Now you must take out of the 300,000 left, those who come in from France and Belgium, these must be reserved as sacred, these are the ideal citizens, according to the hon. member who moved this motion (Mr. Armand Lavergne). There are some 5,000 coming from Norway and Sweden who go to make up the so-called northern European immigration, which every hon. gentleman on both sides of this House will admit are most desirable immigrants. People from Norway, Sweden, Denmark, France, Belgium, Switerzland, are known to be most admirable settlers, whose civilization is as high as our own. I exclude those, and I have a very small residum of foreign population.

Now with regard to the increase in population. Take the increase of population between 1901 and 1906 in Manitoba, Saskatchewan and Alberta, which are the three provinces which we are told will be four-fifths foreign born. The increase between these two years, in each of which the census was taken, I find to be 389,351; of this increase 239,044 were British born ,which is sixty-two per cent of the increase in those three provinces. That is the way the foreign population is coming in. The remaining foreign born portion showed an increase of thirty-eight per cent, of which the United States furnished eighteen per cent. Belgium, Denmark, Holland, Iceland, Norway, Sweden, France and Germany contributed seven and two-fifths per cent, leaving of so-called undesirable immigrants, so defined time and again by the hon. member for Labelle and the hon. member for Montmagny, twelve and a half per cent. Do you think that with that percentage of good loyal Canadians there is any danger from the so-called foreign population? Even if they were not assimilable, even if they were hard to assimilate, do you think there is any danger of a foreign invasion when there is only twelve and a half per cent of these people out of the whole population?

Now, Mr. Speaker, I want to say that the fact that these people come from inferior surroundings, from a civilization perhaps inferior to ours, is no argument that they will not appreciate their new surroundings and will not form sentimental ties for this country even stronger than we appreciate ourselves? I will cite one little circumstance that came to my own knowledge to illustrate what I mean. A certain Galician came to my office one day, and in speaking of the country of his adoption and comparing it with the country of his birth, he said, Do you know that my little boy twelve years of age can take up an English newspaper and read it so that we can all understand it in our own language? You may think that is a mere passing sentiment, you may think it does not amount to much. But when I heard him say: My little boy of twelve years of age can read these books that have always been closed to me, he can read all the English papers—he was almost overwhelmed, and tears of gratitude stood in this man's eyes. It is these little sentimental things that go to make up a strong national spirit; it is these things that tie the so-called foreigner to the country. Imagine the hon. member for Labelle (Mr. Bourassa) telling us that this House would be dominated by a foreign population. Does not the hon. gentleman know that every man who comes into Canada and proves upon a homestead must take the oath of allegiance! and I claim that no man who has taken the oath of allegiance should be termed a foreigner. What difference does it make whether the accent which he used comes from the highlands of Scotland, or of sunny France or from Galicia. If he is a good citizen, if he be an honest and industrious man, contributing to the wealth of this country, he should have the sentimental protection of not being called a foreigner.

Now we have heard something said regarding the cost of immigration, and I wish to cite a few figures showing the percentage of the cost of immigration at various periods. I have here a statement showing the total expenditure of immigration and its various branches, and I have worked out the per capita cost of each immigrant. There was a statement made in this House that this government was paying $60 per head for its immigrants. What are the facts? In the year 1901-2 we paid $7.13; in the year 1902-3 we paid $5; in 1903-4 we paid $5.71; in 1904-5, $6.65; in 1905-6, $4.45.

This is the per capita cost of the immigrants for these years. Now, let us take up this national question. The great cry that seemed to come up from my hon. friend

from Montmagny was that we were discriminating, that this government did not spend sufficient money particularly in the countries of France and Belgium. That they have made no endeavour to get these people was practically his cry. Let us take the per capita cost in 1905-6 as regards nationalities. Great Britain and Ireland contributed to this country in that year 76,796 immigrants at a cost of $148,000. That made a per capita cost of $1.75. The United States contributed to our immigration tide 47,919 at a cost of $248,000. That made a per capita cost of $4.28. France and Belgium contributed 2,754 immigrants at a cost of $15,000 making a per capita of $5.44. All the other countries sent us 41,595 immigrants at a total cost of $88,000 or a per capita cost of $2.11. It seems to me that we have gone to the trouble of spending more per capita on France and Belgium than we have on any other country in the civilized world.

Mr. LAVERGNE. Does the hon. gentleman include, advertising, printing, commissions, bonuses, and the administration here in Ottawa ?

Mr. W. McINTYRE. Everything.

Mr. A. LAVERGNE. I do not know where my hon. friend got his figures.

Mr. W. McINTYRE. I can tell my hon. friend where I got my figures. I got them from the immigration department. There is another point I wish to bring up on this national phase of the question. We have been told that the best immigration agents are the contented settlers. We will admit that. They write home and bring their friends in great numbers. Any one who has lived in the west knows that quite well. But, I have some peculiar statistics to consider now. I went to the trouble of getting the statistics as to nationality as shown by the last census with regard to the city of Montreal, and I found that in the city of Montreal there were at that time only 43 souls in 10,000 that were French born. I looked up the national statistics of Alberta as they appeared in June 1906 and I found that we had 47 native Frenchman to every 10,000 people. Forty-seven native French in Alberta as compared with 43 in the city of Montreal ! They have all the attraction of the same language, they have all the attraction of their friends writing for them and all these inducements to come to Montreal and yet our statistics show us that they seem rather to be repelled than attracted. Another statement made that I would like to correct was that there was a discrimination in railway rates against the Canadians. Is it the business of this government to move the people within the country ? Is it the business of this government to change the population from the province of Quebec to the province of Alberta ? Are we to waste our immigration fund in transporting the people from one part of the country to the other ? Is not our immigration fund for the purpose of bringing immigrants to this country ? We found in one breath an hon. gentleman arguing that not enough population was coming to Quebec and in the next breath we have the same hon. gentleman arguing that we have not facilities to carry the people out of Quebec.

I do not wish to take up very much more time because we have wasted most of this day with a rather unimportant subject. But I notice that unimportant subjects are the kind that the hon. member for Montmagny likes to take up the time of the House with. I notice that in regard to the great subjects that would naturally involve the two sides of this House we do not find the hon. member for Montmagny taking a very active part, but when some little racial question comes up we find the hon. member for Montmagny very prominent. I may be pardoned if I give my estimate of the manner in which these matters are taken up as a member of this House. As I read my history, Mr. Speaker, the time was when this country was divided into French and English colonies. They had an opportunity in those days to draw to themselves their compatriots. They had in those days the opportunity of formulating the kind of laws which they thought would suit their particular religion or race. They drew to themselves their particular race and their particular co-religionists. They tried for 150 years, yes, more, the French on the one hand and the British on the other, to build up a country, but what was the result ? The great minds came from these colonies and they formulated the theory that if we were to ever become a great country we must bury our racial differences and also our religious differences. They formulated that wonderful piece of legislation known as the Confederation Act which gave liberty of conscience and liberty of race, so to speak, to every nationality that should seek our shores. That was the condition, that was the law that made this Canada as Canadian as possible. Without it we would still have been French colonies or English colonies inland and by the sea-board. Sir, we were taught a lesson by that legislation which probably was none too well learned by individuals, but the men that breathed the breath of that broad loyalty and who promoted that legislation made it possible for the teaching of the sentiment to correspond with the legislation, and I claim as I stated a short time ago that when a man takes the oath of allegiance and becomes a citizen of this country it ill becomes another citizen to stand up and call him a foreigner.

It was the idea of these wise men who saw ahead probably further than we see, who read into the future possibly better than we can; it was their idea that we should live together, one beside the other regardless of our

racial or religious differences. And I have this tribute to pay to my friends from Quebec: That they are broad in their ideas. I think probably they take less account of what religion a man has, or what race he comes from than do those of the tenets under which I was taught. I believe the French Canadians have a broad patriotic nationalism, that they take people as they are and accord to them the right of citizenship. But coming from the old colonist days, we apparently have an obsolete section that is bobbing up to teach the same carping sentiment that was taught in those days. We are told that this is a new party; we are told that it is a nationalist party. Well, when the time of this House is taken up with discussing whether a certain minister shall have the portfolio of Marine and Fisheries because he is French——

Mr. BOURASSA. The hon. gentleman is putting words into my mouth that I never uttered.

Some hon. MEMBERS. Order.

Mr. BOURASSA. I rise to a point of order. I stated that the minister in charge of that department should be one who was cognizant of the important duties of the department, and whether he be English, Scotch or French had nothing to do with it.

Mr. FIELDING. The duties of the Marine Department extend from ocean to ocean.

Mr. WILBERT McINTYRE. I say that when the time of this House is taken up with discussion as to whether the departments of government have their proper quota of deputy ministers who speak French, when the time of the House is taken up with discussing what kind of language shall be printed on a postage stamp; I say that when we have men of that class here, when we have men who will raise a question as to whether at the simultaneous moment one page of the French statutes shall be printed with a page of the English statutes; when we have men in this House who would devote the time of parliament to that sort of thing, I say they need a proper national sentiment just as much as any Doukhobor or Galician.

Hon. RODOLPHE LEMIEUX (Postmaster General). I rise, not to discuss the issue between the member for Montmagny and the Department of the Interior, but, to give a few facts and figures concerning the tide of French emigration to Canada, which after all is the principal feature of the motion before us. Let me say, that I dissent from the views expressed by my hon. friend from Labelle (Mr. Bourassa) as to the immigration policy of the Department of the Interior. I do not think that when thousands and thousands are leaving the shores of Europe every year, that we in Canada can, or should prevent a portion of these immigrants coming to our country, so long as we have salutary and stringent laws to protect our own people. Let me quote from a book written by Mr. Whelpley, an authority on immigration, who says :

> Like a mighty stream, it finds its source in a hundred rivulets. The huts of the mountains and the hovels of the plains are the springs which feed ; the fecundity of the races of the old world, the inexhaustible source. It is a march the like of which the world has never seen, and the moving columns are animated by but one idea—that of escaping from evils which have made existence intolerable, and of reaching the free air of countries where conditions are better shaped to the welfare of the masses of the people.

I say that no human law can prevent the thousands of Hungarians, of Germans, of Danes, of Norwegians, of Russians, of Poles, from leaving their own country and coming to the western world to breathe the free air of America. The very word 'America' is alluring to the people of Europe, for they know that in America they will find justice and liberty. I appeal to the liberalism of my hon. friend from Labelle (Mr. Bourassa) and I ask him, if he would prevent the Pole, or the German, or the Dane, or even the Russian, who, living under harsh conditions in his own country to seek the free air of America; will he prevent this foreigner who after all, is a unit in the brotherhood of man, from seeking a home among his brothers. If we have stringent and good laws, to prevent undesirable emigrants coming to our shores, will my hon. friend exclude these downtrodden people, who, after a few years in this country, contribute to its progress and prosperity and become law-abiding citizens? As a Canadian and as a Liberal, I say that Canada should open her doors to all desirable emigrants, and I trust that our country may be known, as Great Britain is known, to be the land of the free, and the happy home of refugees from oppression. According to Mr. Whelpley :

> Last year the immigrants from Austro-Hungary started on their journey westward to escape burdens both economic and political ; last year 230,000 Italians, 200,000 Austro-Hungarians and 136,000 Russians successfully passed the immigration barriers of a single country, the United States.

Now, if so many thousands of these Europeans found their way westward to the United States where they have the most stringent laws to prevent undesirable immigration, will my hon. friend (Mr. Bourassa) say that we, in Canada should close our doors to these people who come to us. We have a vast country awaiting development, and I as a Canadian, pround of my country, anxious that it should share in the universal prosperity, am ready to open the doors to desirable immigrants. I claim that the immigration

laws of Canada are just as well calculated to protect our people as are the laws of the United States to protect the Americans, and so we need have no fear. I am surprised that my hon. friend from Labelle (Mr. Bourassa) said so little on the question of the immigration from France and Belgium, because it is the special point raised in the motion of my hon. friend (Mr. Armand Lavergne). I say at once, that if I rise now, it is to put an end to the campaign which has been carried on by a certain press in the province of Quebec, and which has been proclaiming that this government was deadly opposed to French immigration.

I oppose, Sir, the most unqualified denial to such an accusation. It is not true, I say so on my responsibility as an adviser of His Majesty in this Dominion. It is not true. It is all very well to roam about the province of Quebec, to go into the essentially French Canadian centres, and to say: Fellow countrymen, you are not helped in this country you do not receive from France, your old mother country, the share of immigration, to which you are entitled'. It is well enough to hold that language in the province of Quebec, but what are the cold, hard facts? Let me put this question to my hon. friend: Is it a fact, yes or no, that the people of France emigrate to-day? Have they to the extent that other races do, ever emigrated in the past? I know that, with my hon. friend's honesty of purpose, with his wide knowledge, he will answer me that never in the past, and even less to-day than in the past do the people of France emigrate.

Mr. BOURASSA. Does my hon. friend (Mr. Lemieux) wish me to answer his question?

Mr. LEMIEUX. Wait a minute. During nearly two hundred years, according to the historians of this country, less than 9,000 Frenchmen came to Canada as settlers. It is true that in 1759, at the time of the conquest, there were 65,000 of French blood in Canada. But the increase was due to the high birth-rate among the French-Canadians. Why, my hon. friend (Mr. Bourassa) himself, in a remarkable essay which appeared in one of the periodicals in England, two or three years ago, stated that the French who came from France under the old regime did not come—except the small minority—as permanent settlers, but as soldiers.

Mr. BOURASSA. I never said that.

Mr. LEMIEUX. I will quote it. Wait. The moment the struggle was over in 1759, the soldiers returned to France—

Mr. BOURASSA. Hear, hear.

Mr. LEMIEUX—the rich merchants returned to France;—

Mr. BOURASSA. Hear, hear.

Mr. LEMIEUX—but the peasants remained in this country, and they formed the permanent basis of the French race in America. All this is only to exemplify the main point, which is that, in two hundred years under the French regime, the French came to this country to the number of only 8,000 or 10,000. To further illustrate my point that the French do not emigrate, contrast the History of Canada under the French regime with the history of the New England colonies. The Pilgrim Fathers landed about the same time as the first French settlers on the shores of the St. Lawrence. But, at the time of the American revolutionary war, we find that the French colony—though the means of communication with England were no better than those with France, and though France was, perhaps, the predominating power in Europe and in the world—there were only 65,000 French in America against nearly 3,000,000 English-speaking people in the thirteen colonies. The French do not emigrate, yet my hon. friend speaks of French immigration. He knows—I am sure he knows—that you will not find emigrating from France to-day to the foreign countries of the world more than 6,000 a year. My hon. friend will not deny this.

Mr. BOURASSA. Of course, I deny it.

Mr. LEMIEUX. I will explain—

Mr. BOURASSA. Over 90,000 emigrated last year.

Mr. LEMIEUX. My hon. friend (Mr. Bourassa) is not serious. Of course, it is quite true that from Toulon, Marseilles, Bordeaux and Hâvre, 90,000 people, 100,000 people, 150,000 people, leave France every year. But are they French? No, they are Armenians, Syrians, they are Spaniards, they are Italian navvies. Mr. Whelpley, who has written on this subject, who has thought over it and knows more about it than my hon. friends from Montmagny and Labelle know, says:

> The emigration from France has been nearly a quarter of a million people in fifty years, and the annual exodus is now less than 6,000. These people come to the United States of America or the Argentine. France is deeply concerned, however, with immigration matters owing to the fact that her territory is a great highway for those coming from countries of the east and of the south. Russia, Austria, and Italy and the Levant, send their thousands of immigrants each year, and the French ports and the French people are thereby exposed to all the evils which follow upon this movement.

That is where my hon. friend (Mr. Bourassa) will find his 90,000 French emigrants.

Mr. ARMAND LAVERGNE. If my hon. friend (Mr. Lemieux) will pardon me, it is not to Mr. Whelpley's book that he should

go, but to the statistics of the French government.

Mr. LEMIEUX. And if my hon. friend (Mr. Armand Lavergne) will look at the French statistics, he will find also that France has colonies as England has. Now, in order to show still more clearly that the French do not emigrate, even to the French colonies, let us consider first the case of Algeria. Algeria is just across the Mediterranean—the French lake as it has been called—at a stone's throw from the southern coast of France, from the great port of Marseilles. It has the same climate, and yields the same products as southern France. It has now been in the possession of France for eighty-five years. French capital has directed its forces for more than half a century to build up this colony for France. And to-day the total French population of Algeria is 295,000, while the total Spanish and Italian population is 300,000. This is the darling colony of France, and we all know what sacrifices France would be ready to make in order to keep the colony of Algeria. But, France has other colonies. She has Madagascar, she has Tunis, she has Tonquin and others. She has closer relations with Louisiana and some other parts of the United States to-day than she has with Canada. And still, the exodus from France to all parts of the world does not exceed six thousand souls a year. It is true as I have said, that in the great ports of Marseilles, Toulon and Havre and Dunkirk, you will find inscribed in the books of the agents of the several navigation companies, the names of thousands and thousands of emigrants. But, they are not French. Mr. Speaker, Mr. Whelpley speaking of France, says that France has a population of about 39,000,000, and this population is practically at a standstill, owing to the abnormally small birth rate. Sir, the people who emigrate are those who live in countries overflowing with population. But is that the case in France? Let me point out first that in France property is more evenly divided than in any other country in the world. There is in Great Birtain to-day—I am sorry to say it as a Liberal—a system of feudal tenure, and this may be the cause why my friends from Ireland left the green little isle; in Germany the masses are led by the classes; we know what are the civil and economical troubles suffered by the Russians—but in France the property is evenly divided. There are 10,000,000 families and 8,000,000 land owners. The Frenchman is happy in his own country. Nay, more, he is wealthy, and there are not the civil and political troubles in France that there are in other countries. But this is a question of fact to be determined by those who know best. Frenchmen, I say it again, do not emigrate, because the property there is evenly divided, and also because the population is practically at a standstill. Last year the population in France increased by about 205,000 souls, whilst in twelve departments or territorial divisions the population decreased by nearly ten or twelve per cent. Do you think that a race whose birth-rate is decreasing will emigrate? Common sense will tell you no. The people will stay in France, and the French government will see that its own population does not emigrate. My hon. friend knows fully well that there is no country in Europe where there are more stringent laws to prevent emigration than in France.

Mr. ARMAND LAVERGNE. What about the North Atlantic Trading Company? Why did it not operate in France?

Mr. LEMIEUX. I will read the laws which have been passed.

Mr. ARMAND LAVERGNE. I am not denying the statement, but I am asking why did not the North Atlantic Trading Company operate in France then?

Mr. LEMIEUX. I say once for all, from my seat in parliament, and before the whole country and not in some obscure little village in the province of Québec, where there is an election, where you can appeal to the French Canadians—and in doing this I have no intention to belittle the French government or nation—my sympathies for France are well known, and I can well afford, as a Canadian and a British subject, to love and revere the old mother country—that this government is doing its level best to bring out French settlers to this country. But in France there is no reciprocity. Just let me read a synopsis of the French laws relating to restriction of emigration:

No one shall undertake to engage or transport emigrants without the authority of the Minister of Agriculture, Commerce and Public Works.

Any infraction to the above law is punishable by fine of from 50 to 5,000 francs. In the case of a second offence during the same year the fine shall be double this amount.

In a circular dated November 10, 1873, the Minister of the Interior calls the attention of the authorities to the decrease in the population of the rural constituencies and attributes this to the constant emigration of young people. He states that there are a certain number of authorized agencies who are employing sub-agents who are distributing literature giving erroneous ideas as to the places where they are asking them to emigrate. The minister recommends to the public officials to oppose themselves to the distribution of literature promoting the cause of emigration, and he states that the authority for the distribution of such literature must be refused in every case.

Another circular dated December 9, 1873, calls attention to the fact that a certain subagent of emigration employs an illegitimate process to induce people to emigrate to America. This circular recalls the necessity for all French people to be supplied with a 'pass-

port' if they desire to emigrate, it being important for young men to remain on their farm where they are more useful to their country, and also in view of the fact that they may be called upon to fulfil the obligations imposed by the law of enrolment.

In a British and free country, and in any other country, they do not exact passports from people who emigrate. We require pass-ports from immigrants, but in France they have a dual pass-port policy. They exact pass-ports from Frenchmen who wish to emigrate as well as from people coming into France. You see that the laws are very stringent. I do not admit that this government is not doing all it can to promote French immigration, but it is very much hampered in that work by the French authorities themselves. Here is a circular published in January, 1886, instructing police officers to warn emigrants against going to Canada. This circular says:

Emigration to Canada can be successful in only two cases. First, for those who are willing to be employed as agricultural labourers by others; and second, for those who have sufficient pecuniary means to establish themselves independently. All others are condemned to misery.

This is a circular which was published by the French government in 1886, and since then we have had in France immigration agents. We have Mr. Fabre in Paris, one of the most remarkable French Canadians, one of the most creditable men our race has ever produced on this continent; and besides Mr. Fabre, there are two agents, Mr. Wiallard and Mr. Foursin. My hon. friend said that Mr. Foursin was going about carrying crutches. I deny this. He wishes to ridicule Mr. Foursin, but I can state on my honour, knowing Mr. Foursin, and having been the cause of his appointment, that he does not carry crutches, and that he, more than any one else, has been instrumental in sending French immigrants to the territories. If in Alberta and Saskatchewan there are a few French settlements, that is due to the efforts of Mr. Foursin.

Mr. SPROULE. If it be the case that France will not allow her people to emigrate, and puts every obstacle in the way, and if they do not emigrate, does the hon. gentleman think it right to spend money keeping up immigration agencies there?

Mr. LEMIEUX. This is, Sir, the effect of such speeches as we have just heard. As was stated a minute ago by my hon. friend from Strathcona, as long as we have in this House, hon. members who have a political platform based on a postage stamp or a Dominion bill, the French Canadians may well expect that some day or other the majority in this country will say: Only one race, only one language, only one law—and the firebrands will have been the cause of it.

It has been repeated over and again that this government has done nothing towards helping French immigration to Canada. I have stated under what special difficulties the Canadian immigration agents work in France. Yet, Sir, if we take 6,000 as the average number of Frenchmen emigrating every year we will find that Canada received her full quota of that immigration. The immigration to Canada during the past ten years from France, has been:

Year.	Number.	Percentage immigration from France.
1896..	382	6·36
1897..	370	6·16
1898..	267	4·45
1899..	332	5·53
1900..	180	3·00
1901..	360	6·00
1902..	431	7·18
1903..	937	15·62
1904..	1,534	22·22
1905..	1,743	28·9
1906..	1,648	27·3

Thus, you will see, that even with the small exodus of Frenchmen, Canada has received her full share of that immigration.

Will my hon. friend state that the government does not do its duty in helping Belgian immigration towards Canada? Some years ago I remember we had no agent in Belgium and I was one of those who went to the then Minister of the Interior (Mr. Sifton) to obtain the appointment of an agent. My hon. friend (Mr. Bourassa) and myself obtained the appointment of Monsieur Treau de Coeli, a very good agent, whose name was suggested by my hon. friend, I believe he even was one of his electors in the county of Ottawa. My hon. friend will not deny those facts. In Belgium, I am told by Mr. Whelpley, who is a very good authority on the subject that:

The native emigration from Belgium is inconsiderable, but owing to the fact that Antwerp is one of the important points of embarkation for emigrants from other European countries, the treatment of emigration by the Belgian government becomes of considerable interest and importance.

Here are the hard facts. It is needless for me to draw on my imagination or on any fancies of the mind. I stand by the book and by the facts. My hon. friend has read a book probably the best book written on Canada and the Canadian question since the last 25 years. It is by M. André Siegfried, the son of the ex-Minister of Trade and Commerce of France. It is called 'Le Canada, Les Deux Races,' Canada and the two races. Here is a Frenchman who has travelled in our country, who knows our people and who has published chapters of intense interest which have created quite a sensation, because it was never thought that a Frenchman could grasp the Canadian question as well as he has done. In order to

show you that after all there is not so much affinity between the modern Frenchman from France and the French Canadian of to-day, I would only have to quote what this gentleman states in his book. Indeed I would not need to quote what he said but only to quote from some of the speeches which have been delivered by my hon. friend from Labelle (Mr. Bourassa). There is not such a great affinity and I am pleased to say so before you, Mr. Speaker, between the modern Frenchman from France, and the French Canadian of to-day. There is quite a gulf dividing them and the differences are plainly shown in this book. Speaking about Canada and France he says :

The present political relations between France and Canada, since the conquest of a century and a half ago, are characteristic because there is a complete absence of any equivocal questions between the two. On the one hand the French Canadians do not desire to come back to us. Abandoned, left to their own resources, they have magnificently fought in order to create for themselves a place under the sun of God, in the new society where destiny had brought them. They have succeeded and to-day they are well enough accustomed to the present arrangement to be freely and frankly satisfied with it. It would be very hard for them to readjust themselves to the ideas and the ideals of modern France. On the other hand——

And this comes as another illustration of what I stated a moment ago, that the French government itself, the French nation itself, is not desirous of sending its sons abroad and especially to Canada.

On the other hand, our government is not labouring under any illusions. It does not ignore the state of mind I have just recalled, and it admits freely that such a state of mind is both natural and logical as in good faith it believes that our political domination and prestige in North America belongs to the past and that it would be chimerical to attempt to revive it. At no moment have we ever thought or dreamt of making the conquest of our old colony, and that old colony in the same way has never thought of being reconquered by us.

Speaking of what relations there are existing, the writer says that the French Canadian could cultivate the French literature, the French language, could revere and love the old French history, but that is all. M. Siegfried adds :

There is a rapprochement which we must make with a very delicate touch. For many reasons we are too different from the French Canadians to understand each other. As I have stated, a whole fraction of Canadian society is afraid of our influence, and I must admit that this is quite natural and quite logical. Can we indeed ask devout Catholics, men who are moderate in their political views and who politically belong to the English school, to come to us and receive their inspirations from a country politically the most advanced in Europe ? It is not only distance, but also time which separates us, and we would be wrong in believing that it is possible to go back a number of years after so long a divorce between modern France and French Canada

Such is the opinion expressed by an eminent Frenchman who has travelled in our country, who is known among French Canadians, both clergy and laity, and remember that the views which he expresses in this book which I now hold in my hand, are those expressed by four-fifths of the people of France. So, Mr. Speaker, I for one would view with pleasure, any efforts this government might make towards stimulating French immigration, though I would favour such a movement I will never claim as some of my hon. friends do claim, that there is such an affinity, such a similarity of ideals between modern France and French Canada, that we ought to hope for a large influx of French immigrants. In the first place, we will not be able to get that influx because the laws of France are against it, the French birthrate is against it, the tendencies of modern Frenchmen are against it. It is like fighting a windmill to shout right and left in the French Canadian centres that this government is not doing its duty towards the French Canadian population in neglecting to promote French immigration into this country. No, Mr. Speaker, this government since 1896, by the literature distributed broadcast in France, by the appointment of agents in France, by the subsidizing of a line to the extent of $100,000 between Havre and Montreal in the summer and Havre and Halifax in winter, has done its duty towards the French Canadian population in the province of Quebec. Now, Sir, I heard a moment ago my hon. friend declaring that the French Canadians did not receive fair-play at the hands of the Department of the Interior in the matter of transportation from the east to the west.

Mr. BOURASSA. I beg your pardon, I stated that Canadians moving from the eastern provinces had to pay more for their fares than foreigners.

Mr. LEMIEUX. Did not my hon. friend state that an elector from his county had been refused some advantages, and was I not justified in inferring that my hon. friend meant that the people of the province of Quebec—of Ontario, if you please, of the lower provinces, if you please—were not treated as well as foreigners ? That claim has been answered by my hon. friend from Strathcona (Mr. W. McIntyre). This government does not provide, in its immigration policy for the moving of one Canadian from the east to the west, it only provides for bringing in people from foreign countries. But I say this, does my hon. friend in his plea for the people of the province of Quebec, ignore that the leaders, the natural leaders, of the French Canadian element, are very averse to sending our compatriots from Quebec into the western provinces ? I put that question straight to my hon. friend. Does he deny that the clergy in the province of Quebec as a rule are opposed to such a movement, because

they argue that the French Canadians would be swamped in the west ?

Mr. BOURASSA. Do you want an answer ?

Mr. LEMIEUX. Yes, the answer is given by Monseigneur Taché. I have it here. Monseigneur Taché some years ago——

Mr. BOURASSA. Circumstances have changed.

Mr. LEMIEUX. Circumstances have not changed. Will my hon. friend deny that the organ of the clergy in the province of Quebec, a paper which I hold in my hand, 'La Vérité'——

Mr. BOURASSA. I deny it.

Mr. LEMIEUX. My hon. friend is strong in denials when the facts are brought forward before the House.

Mr. BOURASSA. Will my hon. friend state on his responsibility that 'La Vérité' is the organ of the clergy of the province of Quebec ?

Mr. LEMIEUX. I will state, Mr. Speaker, that 'La Vérité' is generally known as the organ of the clergy in the province of Quebec, and my hon. friend knows it well. Some days ago the Rev. Father Lacombe, an old missionary well known to many members of this House, came back from the west, and as usual he gave an interview to a journalist in Montreal. That journalist asked Father Lacombe : How about the French Canadians in the west ? And Father Lacombe answered : We have not the French Canadian immigration that we should have into the west, because 'La Vérité' prevented the French Canadians from settling there some years ago. Being rather nettled by the statement made by this old missionary, 'La Vérité' has taken up the question, and in its issue of the 16th of March last 'La Vérité' discusses that question with Father Lacombe, and gives word for word the language used by Monseigneur Taché between 1870 and 1890. An old missionary had gone to Monseigneur Taché and asked him if he would allow him to bring some French Canadians from the province of Quebec into the Northwest Territories, and Monseigneur Taché answered: No, it is perfectly useless, you should not depopulate the province of Quebec where the French Canadians are strong and bring them into that vast Northwest territory. Will my hon. friend deny that? I accept the word of 'La Vérité' although 'La Vérité' is pretty hard on me sometimes, Mr. Speaker. I translate again from the French into English:

From 1872——

Says 'La Vérité' :

—Monseigneur Taché was opposed to French-Canadian immigration. If French Canadians come here, he said, we will receive them, but let us not appeal to the province of Quebec to migrate to Manitoba. It would be too grave a responsibility. One of his priests who lives to-day and who resides in Manitoba proposed to the bishop to recruit some settlers in the province of Quebec, but Monseigneur Taché stoutly opposed such a plan.

There is a marginal note.

We received this information from an old missionary from the Northwest.

So, Mr. Speaker, when my hon. friends are appealing to the province of Quebec that this government does not do its duty towards helping immigration from France or towards helping French immigration from the province of Quebec to the Northwest they are making vain appeals. First of all, as I have already proven, the French do not emigrate, and secondly the natural leaders of the French Canadian people—I mean their religious leaders in that province—are not in favour of emigration to the Northwest. Now, Mr. Speaker, I have stated plainly what are my views with regard to the question which was raised this afternoon. I know that I will be taken to task in the province of Quebec and misrepresented by my hon. friend from Montmagny whom I have helped to be elected, as trying to get the sympathies of the majority of the English speaking members of this House at the expense of French emigration, but I am well enough known on both sides, and I have a past of which I am proud enough to appeal to my own countrymen, to appeal to their sound common sense to which we have appealed on so many occasions and which has brought us victory in the past. I have said, Mr. Speaker.

At six o'clock House took recess.

After Recess.

House resumed at eight o'clock.

MANITOBA RADIAL RAILWAY COMPANY.

Further consideration of amendments made by the Senate to Bill (No. 46) to incorporate the Manitoba Radial Railway Company.—Mr. Bole.

Mr. FIELDING. In this case the Senate struck out a clause which had relation to the power of the company to run its line through a municipality ; the Senate taking the view that the Railway Act, 1903, was sufficient protection. The promoters of the Bill thought this was not so, and I understand that at the request of the city of Winnipeg the amendment was not concurred in by the committee. I move that the first amendment be disagreed to.

Mr. SPROULE. The reason given in the committee was that the General Railway Act does not safeguard the rights of the municipality.

Mr. LENNOX. The only provision of the Railway Act that could be said to apply would not cover the case.

Amendment disagreed to.

On motion of Mr. Fielding the second amendment was concurred in.

SECOND READINGS.

Bill (No. 15) to incorporate the Live Stock Insurance Company of Canada, Limited.—Mr. Walsh (St. Anne).

Bill (No. 153) for the relief of Victor Harold Lyon.—Mr. Wilson (Russell).

Bill (No. 149) to incorporate the Rock Life Assurance Company of Canada.—Mr. Parmelee.

Bill (No. 150) to incorporate the Collingwood Southern Railway Company.—Mr. McCarthy (Simcoe).

SUPPLY—IMMIGRATION POLICY OF THE GOVERNMENT.

The House resumed discussion of the motion that the House go into Committee of Supply, and the amendment of Mr. Armand Lavergne thereto.

Mr. R. L. BORDEN (Carleton, Ont.). Mr. Speaker, after the very lengthy debate on the motion of the hon. member for Montmagny, I do not intend to detain the House at any great length. The Minister of the Interior was good enough to refer to the speech of the hon. member for Montmagny (Mr. Armand Lavergne) as a very discreditable one. I do not agree with everything the hon. member for Montmagny said, but I did not notice anything discreditable in his speech; on the contrary, I thought he argued his case from his own standpoint very fairly indeed. It is true that the Minister of the Interior may very well think it a most outrageous thing that the member for Montmagny should have selected extracts from the speeches of the minister himself, embody them in a resolution, and move them as an amendment to the motion to go into Committee of Supply. I do not wonder that the feelings of my hon. friend the Minister of the Interior (Mr. Oliver) were somewhat hurt. I trust that my hon. friend from Montmagny (Mr. Lavergne) will never again be guilty of perpetrating such a trick on any minister of the Crown because that is rather a serious thing to do. Then to have my hon. friend the Minister of the Interior (Mr. Oliver) launching out into a somewhat discursive and very warm speech in attack of that very motion, which was taken from his own utterances of bygone days, was a spectacle which of course the minister himself did not relish as soon as he came to realize the situation. My hon. friend the Postmaster General (Mr. Lemieux) as well as my hon. friend from Strathcona (Mr. McIntyre) did not argue this motion very seriously. They contented themselves with criticising very strongly the speeches made by the hon. member for Montmagny (Mr. Lavergne) and the hon. member for Labelle (Mr. Bourassa) in support of what those gentlemen consider a proper policy. The Postmaster General (Mr. Lemieux) asked very warmly more than once whether we propose in this country to exclude foreign immigrants. But I did not understand either of the gentlemen who supported this motion to advocate any such policy. They simply proposed that we should not spend money in certain quarters to encourage immigration from those quarters. When it was suggested by the Postmaster General (Mr. Lemieux) as well as by my hon. friend from Strathcona (Mr. McIntyre) —and the hon. member for Strathcona (Mr. McIntyre), I thought, did not exhibit his usual fairness in some passages of his speech—that there was something racial or narrow in the arguments put forward by the mover and seconder of the motion, I am bound to say I found nothing racial or narrow in the speeches of those gentlemen. I have not agreed very often with my hon. friend from Labelle (Mr. Bourassa) in this House. We have sat on opposite sides, and, as a general rule, have not been very much in agreement; but I am bound to say that I never denied him the qualities of courage and sincerity, and I believe that he has never said in the province of Quebec anything he has not been willing to say in this House. I believe that thoroughly; and even if his speech had the characteristics which were somewhat unfairly imputed to him this afternoon, I would venture to inquire most respectfully whether the Postmaster General should be selected as the one to throw the first stone.

There were one or two other observations which I wish to take up. The hon. member for Strathcona (Mr. McIntyre) referred to this as a very unimportant subject. I do not agree with him. I think it is a very important subject indeed and one which well deserves the consideration of this House. It was said by my hon. friend the Postmaster General (Mr. Lemieux) and also by my hon. friend from Strathcona (Mr. McIntyre) that the hon. member for Labelle (Mr. Bourassa) had endeavoured to raise the racial cry with reference to the transportation of people from Quebec to the west. I did not so understand the remarks that were made. I simply understood my hon. friend from Labelle (Mr. Bourassa) to allude to the difference in transportation rates, whether from the maritime provinces, Quebec or Ontario, as compared with those charged by the transportation companies of this country to persons landing at Halifax or Quebec from foreign countries or the British Isles.

As a point was sought to be made against the hon. member for Labelle (Mr. Bourassa)

because of some reference he made to the devolution of the duties of the Minister of Marine and Fisheries (Mr. Brodeur) upon the Minister of Inland Revenue (Mr. Templeman), I distinctly understood him to say that, from his point of view, he did not attach very much importance as to whether a certain proportion of the ministers came from one province or the other, but would look rather to the fitness of a minister than to the province from which he might happen to come. I do not think therefore that the imputations passed upon these gentlemen this afternoon were deserved, and I can say this the more freely because a little later on I intend pointing out that I do not concur in the terms of the resolution as it goes somewhat beyond what I would be prepared to support in this instance.

A somewhat sneering remark was made with regard to the attitude of my hon. friend from Montmagny (Mr. Lavergne) concerning the use of the French language in this country. As far as the statutes are concerned, I have not the slightest hesitation in supporting the position he took. I would like to point out to the hon. member for Strathcona (Mr. McIntyre) that if the French version of these statutes had been prepared in the first instance and the English version would not be ready for some three month later, probably we would have heard something from the English speaking provinces, and perhaps the hon. member for Strathcona (Mr. McIntyre), if he happened to be a member of the bar, would not look at the situation in the very philosophical light he was inclined to bestow on the converse situation this afternoon. As far as the two languages are concerned, both are, under the law of the country, to be used in the preparation of the statutes and the debates of this parliament, and I can see no good reason why it was departed from in the instance alluded to. Those of us, whose mother tongue is English, if we were two millions in this country among a population of over four million French, might perhaps be quite as susceptible as my hon. friends have proved themselves to be during this session and previous sessions on that point. I have thought fit in all fairness to express this view because neither one of these two gentlemen will have the opportunity to speak again in this debate. I have therefore taken this opportunity to say what I think may well be said in fairness and justice to them with regard to the imputations which have been cast upon them.

I was impressed with the baldness of this resolution when my hon. friend from Montmagny (Mr. Lavergne) moved it. But its somewhat bald and abrupt wording was explained afterwards when it was shown to consist of two sentences taken from two speeches of the Minister of the Interior (Mr. Oliver). It could not therefore be expected to be in precisely that form which would command the adhesion of a majority in this House.

Let us look at it for a few minutes and see what it involves. It declares that the payment of bonuses on immigrants has a tendency to bring a less desirable rather than a more desirable class of people into this country. That was the utterance of my hon. friend the Minister of the Interior (Mr. Oliver) some few years ago before he was a minister of the Crown. I do not think that sentence expresses a principle in which I would be inclined to confer. It does not seem to me that the payment of bonuses in itself has any tendency to bring in a less rather than a more desirable class of people into this country. That would depend altogether on the way you work it out. If without the payment of bonuses you permit people to come in indiscriminately, if you use every possible means by advertising and otherwise in any particular country from which immigration is not very desirable, you might, without a system of bonusing at all, increase the tendency to bring in people who are not desirable. On the other hand, if you use the system of bonusing, you might attach to it such conditions as would not tend to bring in undesirable people. It seems to me that that portion of the resolution is of so bald and inconclusive a character that I for one would not be inclined to commit myself to supoprting it.

Mr. BOURASSA. Does my hon. friend not think that the moment you pay a bonus to an agent in a foreign country, over whom you cannot have the direct control that should be exercised, the result of that system will naturally be to defeat your purpose of selecting immigration, and you will encourage the agent, through his own self-interest, to look rather to the number than to the character of the immigrants?

Mr. R. L. BORDEN. I would not think so necessarily, and I shall come to that point a little later on and endeavour to satisfy my hon. friend that there is at least another way of looking at the matter.

Before going into that, however, I would like to call the attention of my hon. friend from Strathcona (Mr. W. McIntyre) to his observations this afternoon with regard to the qualities of foreign immigrants. I do not think that the expression 'foreign immigrants' was used in this debate to characterize those people who have taken the oath of allegiance. It was intended to distinguish between those born under the British flag, and those not born under that flag. The hon. member for Strathcona was particularly severe, in that connection, in commenting upon what has been said here today. Now, I have here some expressions with regard to certain settlers in the Northwest. I quote them, not because I approve of what is said, for I am bound to say that, from my observation of the Galicians in

the Northwest—I did not see anything of the Doukhobors—I thought these Galicians would make very good settlers, and that in the second or third generation you would hardly be able to distinguish them from the descendants of Canadians. That was the impression which I formed and which I have stated more than once in this House. But if my hon. friend (Mr. W. McIntyre) proposes to question language used with regard to these settlers, let me point out to him what his leader, the Minister of the Interior (Mr. Oliver) has said about these people. I will not give many of the extracts that have been placed in my hands, but here are two or three of them. In 'Hansard' of 1901, page 2934, the hon. Minister of the Interior, then a private member of this House, is reported to have said :

I have heard hon. members say that these strange people, these Slavs, will assimilate with the other people. Do you know what the word 'assimilate' means ? It is a nice sounding word. Do you know that it means that if you settle on a farm on the prairies, amongst them, or in their neighbourhood you must depend for the schooling of your children, on the taxpaying willingness and power of people who neither know nor care anything about schools ?

That is a fairly strong statement. There is more of it, but I will not quote more than another line, as follows :

The pride of race is as strong in these people——

He is speaking now of the Germans and Scandinavians.

—and they object, and object very strongly, to being placed in the same category as a Slavic people, a people who, less than two generations ago were serfs of the soil, and who unfortunately have not had the opportunities, even if they had the capability to rise very high above that position to-day.

I do not think my hon. friend from Strathcona will find anything in the observations he reprobated so strongly which compares with the language of the Minister of the Interior whom to-day he is proud to call his leader.

Mr. W. McINTYRE. If the hon. leader of the opposition (Mr. R. L. Borden) will excuse me : He expresses the opinion that I was mistaken in interrupting the hon. member for Labelle (Mr. Bourassa) as saying that even a man who had taken the oath of allegiance was a foreigner. If my memory serves me well, the hon. gentleman went so far as to say that there will be a majority in this House coming from the western provinces, and if so, they would have to take the oath of allegiance. He also said that four-fifths of the population, would be foreign born and then before they could vote, would have to take the oath of allegiance.

Mr. R. L. BORDEN. I do not pretend to be able to set forth in detail what the hon. member for Labelle (Mr. Bourassa) said. I can only say that his words did not impress me in the same way as they have evidently impressed the hon. member for Strathcona. Let me give another quotation; and, if the hon. member for Strathcona is disposed to criticise, I should certainly expect him, at the very earliest opportunity to rise in this House and reprobate most earnestly, the language used by the hon. gentleman (Mr. Oliver) who now occupies the position of the Minister of the Interior :

But the Galician or the Doukhobor who have been reared under circumstances which did not permit them to know what free government is, who know nothing of government, except that government is a tyranny, these people, let them be ever so good, cannot be citizens as we would wish them to be citizens, or as our Scandinavian or German fellow citizens are.

That is fairly comprehensive. A little further on there is this quotation :

We want to build up a nation, a civilization, a social system that we could enjoy, be proud of and transmit to our children, and we resent the idea of having the millstone of this Slav population hung around our necks in our efforts to build up, beautify and improve that country and so improve the whole of Canada. I say it is an unpopular policy in western Canada to encourage this Slav immigration.

I do not think you will find anything in the language used here to-day that at all approaches this which, somewhat singularly, has escaped the attention of my hon. friend from Strathcona—to which at all events, he did not refer, this afternoon.

Mr. OLIVER. Would the hon. gentleman (Mr. R. L. Borden) care to give the House his opinion of the remarks he has quoted?

Mr R. L. BORDEN. I have already done so. I said—and I say again—that the Galician settlers, so far as any information with regard to them came to me, seemed to me to be good settlers ; and I believe that the second generation will not be distinguishable from the descendants of Canadians. Now, I have answered the hon. gentleman (Mr. Oliver) ; will he answer me ? Does he adhere to the sentiments he uttered and that I have quoted ?

Mr. OLIVER. What has been stated there are facts, not sentiments.

Mr. R. L. BORDEN. I would point out to the hon. member for Strathcona that the hon. minister still adheres to the strong language he uttered with regard to the settlers who have been so strongly commended by the hon. member for Strathcona himself. I trust that hon. gentleman will take an early opportunity to bring to the attention of the Minister of the Interior the unfairness of the language he has used with regard to these settlers and to show him that this is language not worthy of a member of the

House, much less of a minister of the Crown.

Mr. OLIVER. My hon. friend (Mr. R. L. Borden) has been good enough to give us his opinion of the people who have been mentioned, but he has not been good enough to give his opinion of the language used—whether it is or is not in accordance with the facts.

Mr. R. L. BORDEN. I do not seem to have succeeded in making myself clear to the Minister of the Interior (Mr. Oliver) but I think I have made myself perfectly clear to every other person within the sound of my voice.

Now, this motion, as I have already pointed out, goes beyond what I think is desirable. It declares that the bonus has a tendency to bring in less desirable rather than the most desirable class of people. I do not think that necessarily follows, for the reason I have stated, and the motion, in the bald form in which it has been extracted from the speeches of the Minister of the Interior, does not seem to me to be proper. It would shut out altogether, any effort of this kind to bring us immigrants from the British Isles. That was the policy of the Minister of the Interior, when he was a private member of this House if these sentences are correctly quoted from his utterances in 1901 or 1902, as I am assured they are. I must say that that circumstance makes me a little suspicious. I do not think we would be justified in going thus far. Now, it is true that we have an order in council, passed on the 19th of February last. It seems to be designed for the purpose of establishing, in effect another North Atlantic Trading Company in a somewhat different form. I observe, in the first place, that it specifies certain classes of persons upon whom bonuses are to be paid. In the next place, it provides for the selection of agents ; that is to say, it declares that it will be possible

> —to make a selection of responsible and reliable agents who may be depended upon to provoke no conflict with the authorities who are responsible for the administration of the emigration laws above referred to.

These are the restrictive laws which prevail in most European countries. Now, there is the selection of classes and the selection of agents, but there does not seem to me any particular provision in the order in council for the selection of immigrants.

My idea is that we in this country should endeavour to select the best quality of immigrants. It is not enough to select agents who will not get into conflict with the governments of the respective countries, we should go further than that and endeavour to select the very best immigrants of each class referred to in this order in council. The order in council does not seem to take any account of that. I think further it is not a desirable thing that we should carry on an emigration propaganda against the law of any foreign country. That was attempted in a very skilful form by the contract made with the North Atlantic Trading Company. I shall not go over the history of the negotiations and the contract with that company to-night. It is enough to say that the apparent attempt to carry on by collusion with these agents a propaganda which was forbidden by the laws of foreign countries, has resulted in secrecy of contract, in the denying of information to parliament and last but not least in the threat by these agents of the government that they would commit suicide if their names were divulged. That is not a very desirable condition of affairs. We would not desire to drive any one to suicide or to contravene the laws of any foreign country or to enter into collusion with any agents, so that while pretending to carry out the laws they will, with the collusive sanction of this government, in effect violate the laws of foreign countries. I do not believe in that ; I believe we should not carry out in Germany, Scandinavia, Russia, Austria or any country a propaganda which is in effect forbidden by the law of that country. This order in council seems to me to be intended to carry on the very same game as that which was carried on under the contract with the North Atlantic Trading Company ? What was the meaning of the contract with the North Atlantic Trading Company ? What was the meaning of the terror that was inspired by the suggestion of divulging the names of the persons who composed that company. It was pointed out by one of the gentlemen who discussed this matter the other day that there were only two possible explanations of the failure of the government to divulge the names of those persons to this House and this parliament. The first explanation is one which would be unworthy of this government and which I shall not put forward, namely that some persons who ought not to be interested in this contract had, as a matter of fact, an interest in the contract. The only other explanation was that these agents were in fact carrying on a work in foreign countries which was forbidden by the laws of those countries, but this government knew perfectly well that these agents were carrying on this work and by the secrecy it imposed on their operations and by withholding information from parliament, was protecting these people against the laws of the foreign countries which they violated. That is the only explanation, and if it is designed by this order in council and by the scheme which is to be carried on under it to repeat that which has already brought discredit upon this government, I for one am not inclined to agree with it.

I do not agree with the motion in the terms in which it is proposed. I do however

agree with most of the arguments that have been advanced in support of it. I believe that the splendid opportunities which Canada affords to the people of all countries, the magnificent fertile land in the west, the opportunities in Quebec, in Ontario and in the maritime provinces, should attract to Canada the very best elements of the most desirable emigrating races in the world, I do not think there is a doubt about that. I think that any resolution which is proposed on this subject should declare that our immigration propaganda should not be carried on in any country whose law it contravenes. I think the efforts of the government should be especially directed toward securing immigration of the highest quality available and that the indiscriminate payment of bonuses on unselected immigrants has a tendency to bring the less desirable, rather than the more desirable class of people, and should not be continued. In a word, I would be inclined to restrict our efforts so far as the system of bonusing is concerned to the people of the British Isles. If the motion of my hon. friend from Montmagny (Mr. A. Lavergne) had not been so comprehensive, had been restricted to the lines I have suggested now, I would have been very glad indeed to support it, but in the unqualified and comprehensive terms in which it is brought forward, I do not think I can in justice to the convictions I hold on this question, support it.

Mr. A. LAVERGNE. Might I offer a word of explanation ? When we drafted the motion we expected that the government would support us, that is why we put it in that form.

Mr. R. L. BORDEN. I think the belief of my hon. friend was a very natural one considering the sources from which he derived his inspiration.

Mr. F. D. MONK (Jacques Cartier). In order to accommodate the Minister of Marine and Fisheries (Mr. Brodeur) I paired with him before he left this chamber, but I would not like to see this occasion pass without at least expressing my opinion on this very important motion. My hon. friend the Postmaster General (Mr. Lemieux) took up a good deal of the time of the House this afternoon in developing the idea that this motion was intended to shut out from Canada desirable settlers who might wish to settle within the limits of this country, and he held up to scorn the idea that we, of all nations of the world, having such a splendid domain and such a fine class of population should, contrary to the comity of nations, close this country to desirable settlers. It is not at all in that sense that I understand the motion is presented. We are anxious to observe the rules that govern nations among themselves, we are desirous of seeing immigrants come to this country, but we should lay it down as a rule that we will not admit to our family, we will not take in among those who are contented with us to build up this great country undesirable settlers. We will not pay so much a head to people we do not know in order to increase the flow of immigration to this country. For my own part, I have not, since I have had the honour of a seat in this House, taken any other position than this, that the time has arrived for us in our present state of development to discontinue that system of bonusing immigrants and to have recourse to some other means of procuring immigration if in any way the flow which at present is coming into this country should show any signs of diminution. The question to my mind is : Is the system a good one ? Is it bad in principle ? If it is a bad system in principle, we should abolish it entirely, and I will say for my own part that I consider immigrants from the British Isles, the English yeoman, the Scotch farmer, the Irish peasant as the most desirable immigrants for this country. But if the system is a bad one, why should we continue to apply it even to the countries from which we expect a most advantageous flow of settlement into Canada ?

At the same time we should limit ourselves at present to making known the advantages of this country as a place of residence, establishing offices in all countries where we may expect to find immigrants, making known to the world what immense natural facilities this country affords and the great advantages open to people who desire to settle, not only on the great plains of the west, but in all the different provinces of Canada. But the idea of saying to a person, whom in most cases we do not know, as in the case of the North Atlantic Trading Company, which has brought most forcibly before this House and the country the defect of that system, the idea of saying : We will pay you so much per head for every person that you send to this country, and who will be able to pass the cursory examination he will have to submit to at the port of entry—I say that system is a bad system, that it has been productive of bad results, and that it is time, in the interest of the welfare of this country, that we should adopt a more proper and more advantageous system of immigration. Now, my hon. friend the leader of the opposition has quoted from speeches made at different times by the Minister of the Interior, and it is a very singular thing that this afternoon we have had from two ministers of the Crown practically a repudiation of the views which, before they entered the sacred precincts of the cabinet, they held and were not afraid to express publicly on many occasions.

Mr. OLIVER. Does the hon. gentleman mean to indicate that I have intentionally

repudiated any of the expressions which have been quoted as utterances made by me?

Mr. MONK. Intentionally—I believe the intentions of my hon. friend have been excellent. He has become converted. I would apply the same remark to my hon. friend the Postmaster General.

Mr. OLIVER. Allow me to say that I do not repudiate any statement that has been quoted here to-day as having been uttered by me in this House; on the contrary, I stand by those statements as statements of fact, which are incontrovertible, statements which no attempt has been made to controvert, which have not been contradicted in any way.

Mr. MONK. Very far from contradicting any of the statements which my hon. friend calls statements of fact, it is upon those statements of fact that I have relied in declaring that the motion before the House is well founded. I think that my hon. friend is sincere, and after coming into contact with the duties of his high office perhaps he has changed his views. That is the deduction to which one is led upon reading these statements of fact. There is nothing more concentrated than the opinion to which my hon. friend, in 1901, gave expression and which was quoted by the leader of the opposition.

Mr. OLIVER. As long as my hon. friend does not hold me responsible for his deductions, we won't quarrel.

Mr. R. L. BORDEN. Might I ask my hon. friend whether he adheres to these two sentences embodied in this resolution?

Mr. OLIVER. Properly expressed, yes. I think they have been expressed under an entire misapprehension.

Mr. MONK. Speaking in 1901, at the very time referred to a moment ago by the leader of the opposition, my hon. friend said:

> But I tell you that if you want such a market, you must settle the Northwest with a people who will be in sympathy with you, and upon whose industry, integrity and loyalty you can rely. It is better for your and better for us that the people leaving the eastern provinces should go to the Northwest rather than to the United States. What has been done cannot be helped, but this is still a young and a growing country, population is still increasing in these eastern provinces; young men and old men are still looking for new fields. Then, instead of attempting to people the Northwest with Slavs, with people from eastern Europe who are certainly not recognized by the rest of Europe as being equal with them—people under whose nationality and government there has never been reached that degree of liberty, civilization, progress or prosperity which we expect to attain—instead of looking to these people for the settlement of the Northwest, let us look to our own people and to kindred people, upon whose industry and loyalty we can depend. This is the immigration policy which will appeal to the people of Canada from one end to the other.

There is much more, but I will not take up the time of the House in quoting further from the utterances of the hon. gentleman when he was in a position of greater independence than he is to-day. The only point in which I differ from the sentiments and views expressed a moment ago by the leader of the opposition lies in the principle of the system which this resolution, as I understand, intends to condemn. There is no prohibition of an immigration propaganda in England, those immigrants are most desirable. But we cannot lose sight of the fact, however British we may be, that there are in England and in the British Isles undesirable classes. We must make, there as well as in every other country, a selection. I say that under the system which it is intended to condemn by this motion that selection is practically impossible. Not long ago I saw in the papers that some benevolent society in England, well-intentioned no doubt, intended to send out to Canada immigrants belonging to the juvenile criminal classes. That is not desirable, that is to be avoided. There is no doubt, in England as well as in every other country of Europe, a large number of people whom we do not desire to see here; and the system of bonusing at so much per head allows too great a latitude to agents who are intent upon inducing these people to come to this country. You will find these undesirable immigrants in every large city in Canada. If you go to Montreal, you will find that since the active propaganda which has been carried on under the system of bonuses has been productive of such a large immigration, we have received in the city of Montreal a very large number of immigrants who have increased our criminal population to a notable degree, and have increased the population of our jails. I may say, to use the expression of one of our most experienced magistrates. We have had from eastern Europe, under the bonusing system, people who have come to Canada and have given us a revelation of criminality unheard of before. I say, therefore, that at this stage of the development of Canada the first thing we should have in view is the performance of our duty, and if that duty referred to by the Postmaster General consists in throwing open our doors to the people of all nations without any discrimination, we owe a duty to ourselves as a young and rising nation, anxious to see this country settled by the best classes of the rest of the world, and to that end we must select most carefully among those who come to our shores the very best qualified in every way. While we should receive and treat properly in this country all those who come to

the country, and who conform to the conditions imposed by our immigration laws, we should, at the same time, put an end to a system which has been productive of bad results and, to my mind, threatens a very grave danger in the future, whatever may be the country in which that system is allowed to prevail.

Mr. Speaker, I am not prone to calling the attention of the House too often to the example of the United States, but there is one fact that we must not lose sight of and that is that in that great country they have never put in force the system of bonusing immigrants. For a long time they gave no particular attention to immigration, but the moment there began to flow into the United States that stream which has continued to flow and increase in spite of all the preventive measures and all the restrictions that have been adopted by the Americans, they put into practice a system of inspection, of selection, and even of taxation to which I venture to say, without being a prophet, we will be obliged to have recourse before many years have elapsed. We must not lose sight either, Mr. Speaker, in connection with this matter of the very large expense to which this system puts us. When I came into this House in 1896 our expenditure under the head of immigration reached some $200,000. Immigration at that time was, comparatively speaking, insignificant. We have to-day reached a very large figure indeed. I venture to say that a careful examination of our accounts would reveal the fact that we are expending in connection with immigration, not only on bonuses, but for every other detail connected with the system a million dollars a year, and we do not derive, to my mind, anything like the benefit which we ought to derive from such an expenditure. In the United States there is a head tax. Not only have they put in force the most stringent laws in order to ensure a most perfect system of inspection and such selection as is possible in view of the immense stream of immigration which comes to their shores, but they have placed a tax upon immigrants which enables them to carry out their system of inspection and selection without the expenditure of a single dollar from the national treasury and they have at the end of each year a large surplus which is the product of the immigration tax which enables them to improve every year with the increasing wants of the country the precautions they take against an undue inflow into the country of undesirable people.

Mr. Speaker, the members of this House who take some interest in this subject should really read the proceedings of the Congress of Social Science which has lately been held in the city of New York and which brought together the most eminent authorities in the United States upon all subjects connected with social economics and other social questions agitating the Americans at the present time. So important was that meeting that the government of this country sent down Dr. Bryce, our medical inspector under the system of immigration, to attend the sittings of the branch of that congress which particularly had under consideration the immigration question. Not only do we find from the deliberations of these men, all of whom are men of great experience, that they do not intend in any sense to relax the stringency of the laws existing in the United States at the present time upon that subject, but their argument appears to be that in view of the immense population of the American Republic—over 80,000,000—it is necessary to adopt a system of dispersing these immigrants all over that great nation for the purpose of avoiding the bad results of immigration even carefully watched from the merger which immediately takes place of these foreigners in the great American republic on account of the immense population. Those conditions do not exist over here, and one of the inconveniences, one of the dangers pointed out by my hon. friend the Minister of the Interior, when he was plain Frank Oliver, member for Alberta, was that in view of our small population these immigrants are grouped in the Northwest, and this grouping of them far removed from the rest of the population constitutes, to use the very language of the hon. gentleman, a very grave danger for the future of this country.

Now, Mr. Speaker, my hon. friend the Postmaster General (Mr. Lemieux) took very severely to task the mover and seconder of this motion, because they pointed out, I think, in guarded and discreet language, the strange absence of effort made by this government to secure desirable immigrants from France. My hon. friend the Postmaster General repudiated absolutely any such intention, and he took ocasion to preach a doctrine of tolerance and the cessation of any appeal to race and religious prejudices. I was very happy to hear my hon. friend, because he has not always carried that doctrine into practice. I have noticed with very great pleasure that my hon. friend has become converted to this view, very much like the conversion of the Minister of the Interior, since he has attained to the high position which he so worthily fills. But these were not always my hon. friend's ideas, and in regard to roaming about the province of Quebec and making strong appeals to race and religion in his younger days and before he had found the road to Damascus, he excelled to a certain extent. I do not wish to refer particularly to this subject, but it is no exaggeration to say here that my hon. friend and his friends on more than one occasion infringed that rule in the province of Quebec. I remember

in 1896 when one of the faithful allies and life-long friend of my hon. friend the Postmaster General came into my county and pointed out to my electors that the traitor, Sir Charles Tupper, through his Minister of Militia, Mr. Desjardins, was purchasing rifles in order to force the young men of my county to leave their mothers, sisters and sweethearts to go and fight in Venezuela. There was a very distinct infraction of the rule then. I also recollect that in the last general election a colleague of my hon. friend the Postmaster General, the Minister of Marine and Fisheries, took the trouble to go down into my county and there denounce me, because forsooth, I had undertaken the defence—I believe the legitimate defence—of Lord Dundonald and denounced me as a man who wanted to substitute the military rule of an English general for the liberal, popular and free government of Sir Wilfrid Laurier. We are glad that my hon. friend has now found out the error of his ways as many of those who sit with him on that side of the House have. But, to return to the French immigration question, I am bound to say—and I hope I shall not be taxed with appealing in any sense to race or religious prejudice that it is a very significant thing, in reverse of what the Postmaster General has said, that when they made that contract with the North Atlantic Trading Company, the government omitted from its provisions France, Belgium and the French cantons of Switzerland. I do not say there was any sinister design in that, but why was it done? Neither the Minister of the Interior or the Postmaster General have given even a semblance of a pretext for the omission. Every one admits there are desirable emigrants to be found in these countries which have been placed under the ban, but the Postmaster General will not deny that we have done nothing towards promoting emigration from them. There was a point, and one of great gravity, raised by the hon. member for Montmagny which was not touched upon by any ministerialist who has spoken. Is it true, as the hon. gentleman (Mr. A. Lavergne) alleged, that a pamphlet, printed at great expense by the government of Quebec to be circulated among the Belgians, describing the advantages of settlement in that province, was locked up in a cellar by the Canadian commissioner at the Liège exhibition and not allowed to be circulated?

Mr. BOURASSA. There was more than that. There was a representative of the government of Quebec at that exhibition and he was forbidden to remain in the Canadian pavilion to do anything in the way of inducing Belgian emigrants to come to Quebec.

Mr. MONK. Surely we are entitled to some explanation of that state of affairs.

The province of Quebec spent about $25,000 to secure proper representation at that exhibition, and the Quebec government expended $12,000 on the publication of a very excellent pamphlet which I have read from cover to cover, describing to the Belgians the advantages of their settling in the province of Quebec. What possible reason could the Dominion government, through its representative at that exhibition, have had for this unwarranted act in preventing the circulation of this book. Every one knows that the Belgians are excellent settlers. They excel in gardening and dairying; those who have come to Quebec have been the most successful settlers we have had from any foreign country; what reason was there for this extraordinary act on the part of the Canadian government?

Let us look at the present situation in France, and let us ask what the Canadian government has done to induce French settlers to come to Canada. In France, at present, there are laws which are displeasing to a very important section of the population, and a section from which we could draw the most excellent immigrants. We could not induce this class of people to come here through the bonusing system; you will not get them to come at $4 or $5 a head, but, you will get them to come here by making known to them—not in a surreptitious way, not by men who are obliged to hide themselves, whose names we are not permitted to know, whose doings and expenditure we are not allowed to inquire into—you will get these people to come here by openly and frankly showing them the advantages of this country, and the fact that in Canada as in all British countries they can find a safe refuge where they can practise their religion, whatever it may be, and educate their children as they see fit. Nothing has been done by the government to induce such people to settle in Canada. We are told that we have emigration agents in France. Well, I believe we have a gentleman who is a Frenchman by birth, and who does something there, though what he does I do not know. Otherwise we have nothing that I am aware of to promote emigration from France, whereas some years ago we spent over $50,000 in eastern Europe to bring out Doukhobors who certainly have not been a success.

My hon. friend (Mr. Lemieux) quoted at great length from Mr. Siegfried's book on Canada, and I noticed with some surprise that his quotations were received with great applause by gentlemen on the other side. What an authority for the Postmaster General to quote. No one will deny the literary merit and wealth of statistics to be found in Mr. Siegfried's book, but what is the doctrine that this man propounds, and that the Postmaster General seems to approve of. As I understand it, Mr. Siegfried lays down in his book the proposition that the people of the province of Quebec, under

some compact which has intervened between the government of England and the clergy, are kept in ignorance by the priests of that province ; that their only hope of salvation, if they want to establish a distinct French nationality in Quebec, is to throw overboard their religion and cling to the philosophical ideas which prevail to-day among a certain class of Frenchmen. He invites them to pursue that principle, and in pursuance of it to estrange themselves from their English compatriots. Do hon. gentlemen on the other side applaud that proposition ? For my part I dissent from it entirely. No more sinister and no more unwise exhortation has ever been addressed to the French Canadian people. It is not surprising, that whatever may be in other respects the merit of this book, it has been received coldly in our province. I venture to say that the day when the people of Quebec will become estranged from the Christian belief, and will look upon their compatriots of other origin as strangers, when that day comes then all hope departs of building up in Canada a great Commonwealth of united people. Mr. Siegfried, I suspect, belongs to the school of some of the public men of France, who, through one of their authorized spokesmen, have declared in the French Chamber, that the time has arrived in France for the people to banish once and for all the name of God from that country ; that when they look up to the stars at night they will all believe that there is nothing beyond these stars ; no God, no Christ, no hereafter. I do not for a moment, discuss the deep causes that may have provoked that condition of affairs in France, but unfortunately such it is. A great number of people who do not belong to the Catholic Church, a great number of eminent writers, express sincere regret that this state of affairs exists. I say it has produced this condition—that there are at present in France, perhaps, ten millions of people who would be prepared if, in the proper way, the advantages of this country were shown to them, to consider emigration to Canada ; large numbers of whom would come to this country—eligible people who would make excellent settlers and would quickly become accustomed not only to our political institutions but to our national life in every sense. It may be these possibilities that my hon. friend from Montmagny (Mr. Armand Lavergne) had in view when he spoke of the singular remissness which this government has shown in encouraging immigration from that great country.

Now, Sir, my hon. friend the Postmaster General (Mr. Lemieux) made a declaration which, I must say, surprised me. He spoke in answer to the proposition—a proposition to which I give my cordial adherence—that we should endeavour to secure as settlers in that great domain in the west—which has cost us so much sacrifice in money, in effort, and even, in a certain sense, in blood—in the first instance our own people of the east. The hon. gentleman (Mr. Lemieux) objected that the clergy in the province of Quebec were opposed to people leaving our province and going to settle in the west. I wholly dissent from that proposition, and I say there is no proof of the truth of it. My hon. friend (the Postmaster General), with considerable astuteness, referred to some statements made by the late lamented Archbishop Taché. Well, Archbishop Taché as is well known to all of us who were acquainted with that eminent prelate, at one time considered that that great country, in which he had at a very early period performed wonders as an apostle and missionary, might not be fit for settlement. Was he the only one ? Did not friends of the Postmaster General declare time and time again in this House that in building the first transcontinental line we were committing a folly ? Did they not declare that that transcontinental line would not earn enough to pay for grease for the wheels ? Was it not Mr. Blake who declared in this House that that British Columbia was a sea of mountains and would bring no good whatever to the Dominion ? Hon. gentlemen opposite have changed their minds upon that subject ; and everybody knows that, long before he died, Archbishop Taché also changed his mind upon that subject. Time and again, he has told me, under my own roof, that he had altered his views, and considered that land one eminently suitable for settlement by our own people. And this government itself knows to the contrary of the proposition laid down by the Postmaster General. Has not the government made a very important arrangement with a religious congregation in our own province, granting them a very large tract of land in the Northwest, on the condition that they would, under certain specified terms, settle that land ? Does not my hon. friend (Mr. Lemieux) know, that, on account of the solidity that is found among the clergy, that an agreement of that importance would have been impossible if as a body, as he pretends, the clergy of our province disapproved of that most important movement. And are there not at this moment—there certainly were a few months ago—in the employment of this government two members of the clergy of our province engaged, with the assent of the clergy generally in the work of repatriation. There is not an occasion when clergymen from the distant west come to our province, but we hear lectures in praise and approval of the migration of our own young farmers to the west in order that, along with the young men of other provinces, they may have the first choice in picking up our best lands in that most important domain. And I have been

often a subject of great astonishment to me that, while, even in most distant countries of Europe, we provide facilities for immigration to this country, and spend fabulous sums every year in inducing immigrants to come and in taking care of them from the time they leave until they are actually settled on the best lands of the west, yet, the young men of our own country, people the most eminently eligible, people who, by birthright should have the first selection of the best lands in these distant provinces, are offered no facilities whatever to settle on these lands. I believe that we should carry on with a great deal more earnestness the work of repatriation, not only among the people who, to our great regret, have left the province of Quebec in such a large numbers and have gone to the New England States, but amongst all those who are suitable as settlers in the Northwest.

I have had some doubt, I confess, of the desirability of this change, not because any doubt presents itself directly to my own mind, as to the advisability of abolishing the system of bonuses, but because a number of our friends, who are settled in the Northwest, including some who are in this House and even some who sit on this side of the House, seem to cling to the opinion that we should hurry as much as possible the settlement of that great western part of our commonwealth. I say this has created some doubt in my own mind. It is stated that those who have gone there as settlers have succeeded well. I am glad to hear it. But I am also somewhat surprised, I must say; for our system has so lacked the necessary quality of selection that we might have expected to hear a good deal of complaint from that quarter. But we have gone far enough. The time has come for a change. If these people who have settled in the Northwest are suitable even contrary to the opinion often expressed by the Minister of the Interior (Mr. Oliver), they are the best immigration agents we can have. They will write home to those whom they have left behind—and we can rely implicitly upon them to bring out only the mots suitable immigrants—I would say to my hon. friend the Minister of the Interior, let us have a little confidence in our country. Nations such as ours are not built up in a day. What is fifty years, or seventy years, in the life of a nation? Better by far that we should go slowly, that we should make selection of those who are going to help us to build up this commonwealth, that we should be most prudent, even proud and distant, in the selection of these settlers, than that we should fill up this country with people who, at some future day, may become a danger to our commonwealth.

Under these circumstances, it seems to me that we should change our policy. That we should make known our country—yes. That we should spend liberally in order to develop the transportation system of our country—yes. We should take part in exhibitions; we should, for instance, in France and Belgium, have offices where information is given. There is no prohibition as to that. We have spent thousands and thousands of dollars in getting articles published in newspapers to be diffused through the eastern part of Europe. Why should we not do something in order to make known to nearer and more sympathetic countries the value of Canada as a place of settlement, and not continue giving so much a head to in most cases, irresponsible parties, in order to carry on this system. I say the time has come to make a change. I do not wish to cast any aspersion on those employed at present in the immigration propaganda. Some of them have undoubtedly some good qualities, but what is the reason the government is so loathe to accomplish this, to my mind, most urgent reform? Many of these people have been placed in their position because they are political hangers on. Some of them are related to members of parliament or ministers, and some are there doing little less than draw their salaries. Open the public accounts, and you will find that we spent in the United States last year over $100,000 on our immigration agencies there. What on earth is the use of these? They are absolutely useless. There is not a man who knows anything of the immigration of Americans into our Northwest Territories who will not tell you that not one of them has been induced to come in by an immigration agent. If they have come, it is because of the quality of the land in the Northwest. They have found it in their interests to sell out at a profit in their own country and to settle on the virgin soil of the Canadian prairie and thus better their position. Abolish that item of expenditure, withdraw these agents from the United States, and you will not see a diminution of one immigrant. They will continue to come in just as they have done in the past. Under all these circumstances, it seems to me this motion commends itself to the approval of the House; and if I was not situated as I am, I would vote to support it.

Hon. SYDNEY FISHER (Minister of Agriculture). I do not wish to take any particular part in this discussion on the subject of immigration. I think that the results of the policy of this government speak for themselves, and there is not much necessity for the friends of the administration to defend its course and policy. My own suspicion is that the reason hon. gentlemen opposite attack us on this point is that they are envious of the results of our policy as compared with their own in days gone by, and they now wish they had taken the same course and had been able to show similar results. But I wish to say a word with regard to the Liège exhibition, concerning

which some strictures fell from the lips of my hon. friend from Jacques Cartier (Mr. Monk). On one or two occasions in the province of Quebec, I heard rumours of this kind of thing, but as I was not present when the charges were made and therefore unable to explain the true facts of the case, I am glad to have the opportunity now of stating them to parliament and the country. The Liège exhibition, like many others, was taken part in by Canada from a national point of view, and the Dominion government was careful to see that the representation was a national one and not a local or a partial exhibit. Some years ago the provinces did take part in these universal exhibitions, and on several occasions there was some clashing among the representatives of the provinces themselves and between them and the representatives of the Dominion. When the policy of having a special Canadian pavilion at these exhibitions was adopted by this government, it was declared that this was to be a national pavilion and that the exhibits therein were to be the products of the Dominion as a whole and not of any special province. The exhibit was to be a national and not a local one. We have adhered to that policy, and I venture to think that the results at the various exhibitions which have been held during the past five years have been a complete justification of that policy. When the Liège exhibition was announced, the Dominion government received an invitation to participate and accepted that invitation, and we arranged for the establishment in it of a Canadian pavilion. I was asked by the authorities of the exhibition, as minister in charge, to give the names of the commissioners from Canada and those who would have charge of our pavilion and its exhibits. I gave the name of my chief commissioner. Shortly afterwards I received a letter from the officials in Belgium informing me that a certain gentleman by name the Baron de Lépire was declaring in Belgium that he had authority to represent this Dominion at that exhibition. I replied that he had no authority from the Dominion government, but that we had our properly constituted commissioner going there and doing the work, and my reply to the people of Belgium was that the only authority which I could recognize there as representing Canada was the commissioner whose name I had sent. I was asked afterwards to nominate an honorary commissioner and I was very glad at the request of the authorities in the province of Quebec, to name the Hon. Mr. Turgeon as honorary commissioner for Canada at that Belgium exhibition. The statement that the authorities of the province of Quebec were refused entrance into the pavilion at Liège is not correct. That province, the same as the others, was told it could not have particular representation in the Canadian national pavilion, and the provinces of Ontario and British Columbia and the others as well as the province of Quebec, in the recent exhibitions, were all informed that in the national pavilion of Canada only Canadian national exhibits could be received and accepted and only the officers of the Dominion government could have authority or control there as representing Canada. All the provinces were told this over and over again. As far as literature is concerned, let me say that in the Liège exhibition, over a million documents in French were distributed, on behalf of the Dominion, to the people who came to visit. There was no objection to the province of Quebec circulating its documents.

Mr. ARMAND LAVERGNE. I made the statement this morning, and I made it on the authority of Mr. Obalski, engineer of the Quebec government, and Mr. Simard, employee of the Quebec government, who both told me that some literature sent by the Quebec government—I think it was a book written by Mr. Girard—was ordered by Mr. Hutchison to be put in the cellar of the pavilion and not distributed.

Mr. FISHER. I cannot believe that to be true although I have said over and over again that, as far as the Canadian pavilion and this government are concerned, they do not distribute the literature of any particular province, but literature which deals with the whole Dominion without reference to any particular province, and in that respect the province of Quebec is treated just the same as all the others. The exhibition work of the Dominion government is a national one, is a work without reference to provinces and for the benefit of the whole country, for Quebec just the same as for any other part of the country and no more for Quebec than for any other province.

Mr. ARMAND LAVERGNE. The literature which was distributed by the Dominion government was supposed to treat of Canada, but, as a matter of fact, it treated only of the provinces of the Northwest.

Mr. FISHER. That is not correct. The Dominion literature treated of all the provinces equally, treated every province according to its proportions, according to its capabilities—I will not say according to its importance in the country, because the provinces are equally important. The description of every province was just as complete for that province as the description of the Northwest for the Northwest, and in every regard, in all exhibitions in which we have taken part, our officers have been particular to say that all the provinces of Canada welcome immigration, are able to absorb and take in and deal well with immigrants. We gave the same information to immigrants in respect to every province, from the maritime provinces in the east to British Columbia in

the west. Quebec has not been neglected ; on the contrary, in every case where foreign languages were employed, the language of the French Canadians has been unusually prominent.

Mr. L. ROBITAILLE (Quebec County). Before I enter into my speech, I wish to rebut the statement just made by the Minister of Agriculture (Mr. Fisher). I have here some literature of the Department of Immigration. Here is a special pamphlet entitled 'The Last Best West, Canada, the Twentieth Century, Western Canada, Vast Agricultural Resources, Homes for the Million.' I have another here in the same style, 'Past and Present, the Canadian West, Present Conditions and Future Possibilities.' I have here 'British Columbia,' a treatise written in the French language. I have another one which treats of New Ontario, and another one in French dealing with gratuitous land given in New Ontario. From this it is plain that we have here a minister who will stand up and make statements which he cannot back up. I assure you that I find it very strange that ministers will stand up and make statements which they cannot support with any argument. I was disagreeably surprised this afternoon when I found a man of my own race, who, untrue to the sentiments which are supposed to be born within him, stood up and advanced such an argument as would perhaps not have been so open to criticism if it had been uttered by a member of the English-speaking community. But, Sir, there are times when a man in political life forgets his own blood, forgets his own creed, and looks only to the pedestal of honours where his personal vanity can bring him, and therefore he forgets his religion. I found in the speech uttered this afternoon by the Postmaster General (Mr. Lemieux) evidence that the Minister of Marine (Mr. Brodeur), when leaving Canada had good reason to pass over French Canadian interests and entrust the administration of his department to the Minister of Inland Revenue (Mr. Templeman), who is an Englishman. If we have to swap for an English minister like the one who is now in charge of that department, who, on taking temporary charge of a department which, under the direction of a French Canadian, without any representations being made to him, but simply on walking through the department and finding the salaries of some French Canadians not sufficient, with the increased cost of living, voluntarily raised these salaries—if that is the treatment we are to expect from an English-speaking minister, then every time I will swap an English minister against a French Canadian. I have no desire to raise any question of sectionalism ; I have travelled through the east and through the west of Canada, and I have travelled the eastern states ; I have been brought into such close contact with cosmopolitan ideas and heterogeneous principles, that it is useless for any one in this parliament to ask me to look at any question from a purely provincial standpoint. If we are to expect attacks upon our nationality, if things which are not just and equitable are to be said against us, surely we should expect them only from those who do not bear French names.

This is not the first time that I have known the Postmaster General to show want of tact. He showed it in Nicolet, in Montreal, in fact every time he opens his lips he always puts his foot in a mud hole. I find it bad form on his part to have brought in the article relating to Bishop Taché. I do not want to excuse Bishop Taché for any statement he may have made against or for Western Canada, but the statements made in the House this afternoon have done more to harm the French Canadian element, inasmuch as they tended to show that our own religion is against the work which the government is attempting to do in the west. If you remember, prior to 1896, at which period the Liberal party came into power, the Catholic clergy had a great hold on the people, a hold which they had maintained from the time when Canada was given over to the English by the treaty of 1837——

Some hon. MEMBERS. Oh, oh.

Mr. ROBITAILLE. There is a proverb which says : If ignorance is bliss, it is foolish to be wise. I mean the treaty of 1663. At that time when the French Canadians had been abandoned and handed over by a treaty to England, the clergy took hold of the material welfare of the French Canadians and became leaders among them; and let me remind the House that there was a time when Montgomery appeared before the walls of Quebec when, if it had not been for the clergy, some of our French Canadians might perhaps have thrown in their lot with the Americans, and to-day Canada might be incorporated in the vast domain of the United States ; perhaps instead of the English flag we might have the Stars and Stripes floating over this parliament. At all events, when, in 1897, the Liberals swept this country and came into power, Sir Wilfrid Laurier, understanding the great harm that might flow from the interference of the clergy in politics, made a special trip to Rome and obtained a manifesto calling on the parish priests of Canada to withdraw from politics, and not even express opinions on them in their own presbyteries.

That statement was issued previous to 1896, and until then no fault was found against the clergy, either Protestant or Catholic ; but there came a time in 1897 when they thought that this question of religion might influence votes and become

a burning question. I think it shows very bad form for a minister, especially a French Canadian minister, to bring up in this House a question which, last year, when only the name of a bishop was mentioned on this side of the House, drew forth expressions about popery and sectarianism which ought never to be brought into this House. Another statement has been made by the hon. Postmaster General in which he had to retreat. He was asked if he would state under his responsibility of a minister that 'La Vérité' was the organ of the clergy, and he had to give in and say that it was generally known as the organ of the clergy. It might be a Catholic organ, but it is not the organ of the clergy, and the proof is that not long ago the editor was censured because he had made certain uncomplimentary remarks about a bishop who is now dead. Also a polemic originated in that newspaper which was somewhat ridiculed by private members of the clergy on account of its too candid belief in the doctrines of Leo Taxil. So you see, Mr. Speaker, that the statement of the Postmaster General is not one which can be relied upon. I challenge him to say the contrary, because I belong to Quebec, and he never knew what Quebec was before he landed there with the Liberal forces. I know for a fact that the Quebec politicians asked who opened the window to let that float in? Now another statement was made by the same gentleman, as well as by the member for Strathcona (Mr. W. McIntyre). He asked, Why should not the immigration funds be paid to railways to help them move people from the east to the west? I wonder if the minister is aware that no immigration money is given to the railroads to diminish rates from one point to another. If the railroads do get a subsidy from the government, let it be used for the purpose of transporting people who live in Canada, and with indiscriminate rates. Why should the minister object that rates from Labelle to Brandon should be less than those that are being paid to move immigrants from Halifax to the Northwest? He has spoken of the liberty of races which is guaranteed by the constitution. Well, if he is in favour of the equality of races, if the province of Quebec pays 30 per cent of the immigration fund to bring in foreigners, why should not Quebec have the right to say how that money should be spent? Now if bonuses are to be paid, or ought to be paid, a point on which I take issue with the government, why should a minister put that question in a false light before the country and say that we are working to prevent immigration? I would ask him according to the sound principle of logic if it is a prevention of immigration simply to criticise a policy that induces immigration not only from Great Britain, not only from continental Europe, but from every country except France and Belgium? It seems to me that such an argument is too much opposed to British fair-play even for a French Canadian minister who wants to pour taffy down the English people's backs. I have heard of many a man, who by using too much soft soap, had slid down the lather. Another point that was made this afternoon was that there was a French law against immigration to Canda. That law still exists, it was passed shortly after 1763 when France ceded Canada to England. It was only right that a nation like France, who sent immigrants into all her colonies, found that it was not to her advantage to develop a country which was no longer hers. That law has not been forgotten by the minister, and I would ask him if that law has been revoked or if it is still in existence. At all events, I think it is but right to call this fact to the House to show the light in which this question should be treated. Another point which has been mentioned this afternoon is that the French do not emigrate. Now, Sir, the same thing could have been said about the English in 1899, a period not far back, for we find that British immigration in that year was only 10,660. If it is a fact that this policy of bonusing immigration has given some results by reason of the advertisement of Canada in Great Britain, why should not the same means have been used in France? If France had the same opportunity that England has had of having a magnificent office on the Strand, of having a permanent exhibition of Canadian agricultural products, she would have made a better showing in sending immigrants to Canada. Some one has told us that two of our immigration agents in France have to walk on crutches; perhaps the term was a little too strong, but no one can deny that one of them is infirm and cannot be as active as a man who has full use of his limbs, and it must be admitted that legs help a lot for immigration purposes. If the same operation had been carried on in France as in Great Britain we might perhaps have had better results. As to the question of the French people not emigrating, history teaches us, Mr. Speaker, that France was one of the pioneer countries who sent her navigators not only to India, not only to Africa, but whose adventurous son, Jacques Cartier, was one of the first to plant his foot on Canadian soil. If France did not approve of a policy of emigration why should she be so urgent in sending out vessels and trying to establish colonies in the new world? When the Declaration of Independence was made in the United States there was a vast colony representing French interests in Louisiana, and if France was not interested in her colonies why then should she have accepted the invitation of a Franklin to send a Lafayette with arms and moneys to fight for the American cause? It is useless for me to proceed

further but I might just mention a few facts.

Some hon. MEMBERS. Go on, go on.

Mr. ROBITAILLE. I am a great admirer of people who make fine speeches, but they have to be backed by facts. There are also some politicians who in their convictions are regular weather cocks. I know of a certain minister who was only too glad not long ago in the heart of Paris to make a eulogistic allusion to the advantages of a Franco-Canadian alliance. I know of a certain minister who was only too glad to accept a small decoration of which he is very proud, but there is nothing more to be expected from France. The season is approaching when England will give away decorations, and nothing could be better designed to secure royal favours than the statements which were made here this afternoon in excusing the government and flattering the English principle. The hon. minister would have been better advised had he retained his seat and left the task of defending the government to some English member of the House. Now, I come down to my subject.

Some hon. MEMBERS. Oh, oh.

Mr ROBITAILLE. I might call this the entry—the vestibule. According to what was disclosed here last session, let it be right or wrong, and I am not here to discuss it, but basing it on the dictum that where there is smoke there is fire, I must say, Mr. Speaker, that this immigration policy seems to revolve around land speculation. This is the basis of my argument. I have sufficient information from the Department of Immigration to know that the immigration agents work solely for the west. I have proven that by the publications issued by that department. I have here certain circular letters which are distributed as part of the immigration propaganda. Whether the immigrants come to the ports of Halifax, St. John, Montreal or Quebec, the whole effort of the Immigration Department is to promote the interests of the Northwest. These agents have been working absolutely for speculative purposes, not perhaps in their own interests, but in the interests of others. We heard in this parliament the other day of a certain gentleman who was charged with having speculated in land although he was an immigration agent. That gentleman had been sued in the courts because he had been charged with misrepresenting the condition of the land involved in a transaction, but he was fully protected by the vote of this parliament. It shows certainly that if these officials are not engaged in land speculation at least the government approves of the system and encourages it. The second phase of that businesslike transaction of utilizing the Immigration Department for speculative purposes is the taking of immigration money to advertise a portion of the country where prominent politicians have a proprietary interest in lands. While private interests are involved in the expenditure of this money some kind of an effort must be put forth to make it appear that this policy is being carried out for the furtherance of national development. Then in pursuance of the scheme of promoting private interests a company is formed, the government agree to grant a bonus for each immigrant received and it has been proven that the London agent was chiefly concerned in sending people to the west to buy lands from the Saskatchewan Valley Land Company or some other company, or if that were not directly suggested at at least it was made known in an indirect way and everybody so understood it.

The hon. member for Labelle stated that in the not far distant future four-fifths of the population of the west would be composed of foreigners, but I think I can carry that statement further and prove from the figures that nearly four-fifths of the population there now, is of foreign origin. The statistics of the department show that between 1901 and 1906, 273,390 emigrants came to Canada from Great Britain, and that 240,000 came from the United States during the same period. The bonuses on British emigrants amounted to $96,998, and the salaries of agents and expenses of advertising amounted to $505,000, while there was no expenditure made to secure the immigrants from the United States. Now, I would call the attention of the hon. member for Strathcona to the fact, that during the period I have mentioned we received from continental Europe 196,515 immigrants and if we consider the immigrants from the United States as being foreigners, then, we get 430,000 foreign immigrants as against 273,000 from Great Britain, or 50 per cent more foreign than British immigration. The member for Strathcona has truly said that the American immigrants very quickly catch on to the political idea, perhaps quicker than do the Canadian born, and in that very fact alone there may be danger to our institutions. Are the people of eastern Canada to spend their hard earned money to develop a young giant in the west which is already showing its teeth, and which, if we are to judge by what occurred in this House last session, has some pretty long teeth already. What will be the result in the near future when that young giant develops brawny arms, and when eastern Canada has to crouch under the majority from the west. I am opposed to paying bonuses on immigrants. If we cannot get immigrants to Canada without paying for them, it would be far better for us to keep our glorious heritage for ourselves and not throw it away to foreigners who may perhaps imperil our social and political conditions. It seems to me, that the steam-

ship companies who get a profit on every passenger they carry to this country ought to engage in this immigration propaganda at their own expense. It seems to me that in return for the subsidy which we grant to the transportation systems, we might expect in return that they would promote immigration. The Canadian Pacific Railway and other railway companies which have lands in the west stand in the position of private speculators in land; their lands receive increased value from the influx of immigrants, and it seems to me that they should do their share in promoting immigration, and that all the expense should not be borne by this country. Speaking of the interests of eastern Canada as contrasted with the interests of the west, I trust the English speaking members of this House will not find fault with me if I stand up for my own province. So long as I have the honour of a seat in this House, I will never be heard advancing any views tending towards sectarian hatred, or indicating that I am in any sense an anti-Britisher or a firebrand. It would be bad enough, if the government, after bonusing immigrants and after ignoring immigration from France did nothing further against the interests of the province of Quebec in this regard. If they only remained neutral when the immigrants arrived in this country, it would not be half so bad as it is. But the fact is that they systematically try to prevent immigrants who come to ports in the province of Quebec from remaining in that province. To show that I am not making this statement rashly, let me quote from the law of Canada respecting immigrants. I quote from section 38 of the Act:

Immigrants not to be solicited except by licensed persons.

They are so afraid that the province of Quebec or the province of Ontario will secure some of these immigrants that they take this special precaution. Or, rather, I should confine, this remark to the province of Quebec, for the policy has been changed so far as Ontario is concerned, because the representatives of that province stand up for their rights better, perhaps, than do the representatives of the province of Quebec. We do not blame them for that, because we think they are right; we only hope that when we stand up for our own they will not find fault with us.

No person shall, at any port or place in Canada, for hire, reward or gain, or the expectation thereof, conduct, solicit or recommend, either orally or by handbill or placard or in any other manner, any immigrant to or on behalf of any owner of a vessel, or to or on behalf of any lodging-house keeper or tavern keepr or any other person, for any purpose connected with the preparations or arrangements of such immigrant for his passage to his final place of destination in Canada.

This shows that the policy of the Immigration Department is to direct these immigrants to the western lands; and if, perchance the agent of any farmer would like to offer one of these immigrants employment—and we have farms in the vicinity of the city of Quebec where these immigrants would find welcome and an opportunity to work for an honest wage—the making of such an offer is specifically forbidden. It goes on:

—or give or pretend to give to such immigrant any information, oral, printed or otherwise, or assist him to his said place of destination, or in any way exercise the vocation of booking passengers or of taking money for their inland fare, or the transportation of their luggage, unless such person has first obtained a license from the superintendent of immigration authorizing him to act in such capacity.

I must say that the superintendent of immigration knows the policy that he is to follow and gives these licenses only to those parties who are amiable enough to conform to the speculative idea which appears plainly in this bland suggestion to any one who can read between the lines. Here is another point:

No person, whether a licensed immigrant runner, or agent or person acting on behalf of any steamboat company, railway company, forwarding company, or hotel or boardinghouse keeper or his agent, shall go on board any vessel bringing immigrants into Canada after such vessel has arrived in Canadian waters, or into an immigration building or on to any wharf where immigrants are landed, or shall book or solicit any immigrant by such vessel, before the immigrants are landed from such vessel, unless he is authorized so to do by the superintendent of immigration or immigration agent at the port of entry where such vessel is to land its passengers.

A triple lock on any opportunity which might otherwise be opened to the immigrant to find work before he reaches his final destination. To show what control this department has, consider the following section of the Act:

6. Subject to any regulations in that behalf, the minister may appoint or employ, either permanently or temporarily, any necessary subordinate officers not provided for in the next preceding section or in any order in council made thereunder.

And here is another that goes further to show that the interpretation of this law is pretty well in accord with what I have contended:

9. Every officer appointed under this Act shall perform any and all duties prescribed for him by this Act, or by any order in council, proclamation or regulation made thereunder. . . . . and no action taken by any such officer under or for the purpose of this Act shall be deemed to be invalid or unauthorized merely because it was not taken by the officer especially appointed or detailed for the purpose.

Now, I have been in the immigrant sheds in Quebec and have seen the manner in

which the officials, directed, perhaps, by tacit instructions, would carry out a policy which is not supposed to be in the interest of Canada ; and such an official, when called to order by the superintendent in Quebec, made his superior officer feel that he could make him very uncomfortable in the office he held. And, as in the Militia Department, so in the Immigration Department, officers are blindfolded and gagged, —they have eyes but cannot see, they have tongues but cannot speak, for they know that their promotion depends upon their seeing nothing and saying nothing. What I say is not mere hear say, nor is it prejudice. I have looked into this question for two or three years past. I have friends in the Immigration Department. I have attended the arrival of vessels, and among the immigrants I have seen faces such as, certainly, one would not care to meet in an unfrequented street after dark. The minister (Mr. Oliver) was right in stating that Canada should be advertised in England. We know that there are judges on the bench in England, men who are supposed to represent the best intellect of that country, who, sentencing convicted prisoners, have given them the choice of three years in the penitentiary or emigration to Canada. Another instance has been quoted of a mother, who to secure the release of her son who had been convicted of a crime, promised, if the boy was allowed to go that he would emigrate to Canada. If Canada is to be turned into a devil's island for the convicts of England, while it will not be to the interest of the French Canadians, it is certainly even more to the discredit and disadvantage of the Englishmen's sympathizers and co-imperialists who live in Canada.

Now, in England there are 1,200 immigration agents; in France there are two. There is also an arrangement under which one who books in England and does not wish to be directed to the west can be booked to Ontario, in which province there are 190 agents, who are paid $2 a head to receive these immigrants as they come and secure for them farm employment. As I have already intimated, I do not object to that. What I do object to is that the province of Quebec and other eastern provinces, which pay their share of taxation, should be discriminated against in the placing of farm help. The balance of power, which has been moving westward, will under the present policy, soon move from Ontario to the Northwest. In reply to the Minister of Agriculture (Mr. Fisher) who has told us that there is no discrimination exercised against the province of Quebec by this government or its agents in its immigration policy, I have here a newspaper in which is published a few paragraphs of a letter written by an employee of the Quebec government, who is in France representing that government. This letter was written to a minister of the provincial government, and in it the writer was depicting the strong undercurrent against which he had to compete when trying to advance the interests of his province. He said :

> We are perfectly aware that there is in France and Belgium a certain movement to prevent emigration to the province of Quebec. We have made official representations to our federal government in the hope of obtaining justice in this particular.

In another paragraph, the same correspondent says :

> We are perfectly aware that there is a campaign made against the province of Quebec, not only in France and Belgium but in all continental Europe. Our only regret is that we have not the means, pecuniarily speaking, to combat by our agents the efforts of those who are working for the federal government.

We have further the statement made by a Quebec minister on his return from France, that he was satisfied, not only by correspondence, but by his own personal observations, of the discrimination which is being exercised against that province. This shows what the province has to contend against, and is it any wonder that such strong prejudices should exist against that province in the rural settlements of the other provinces, and especially of Ontario? And these prejudices are accentuated by the fact that, for political purposes, we have men—and not only ignorant men —exciting sectarian hatred among English-speaking citizens against the province of Quebec in Ontario and the other provinces, and who call upon the people there to vote for such and such a man because his inclinations are British ; whereas, on the other hand, we have even ministers who come down to the province of Quebec and advise the voters there to support such a man because he is a French Canadian. These two elements, working in opposite directions, tend to produce similar results. We have had statements made this afternoon by a minister of the Crown (Mr. Lemieux) which he dare not utter in a French Canadian centre, and certainly not in a centre like the district of Quebec. But he can come here and pose as a broad-minded man, and still be the first to try and crush his own origin under the heel of his boot. This question of immigration is one which should be looked into more seriously. Just see how the United States have advanced. A member of my family, who is to-day still living and who in his youth travelled through the eastern portion of the United States, told me that thirty years ago the vast farms of eastern California and of North and South Dakota were then unproductive, as they were perhaps less settled than those of our west, and he never in those days could have believed that in his lifetime he would see

those lands settled as they are to-day. Last year the drawing by lottery of the last government free land was made, and to-day, instead of encouraging immigration, the people of the United States are taking measures to restrict it. They have adopted a most stringent and careful schedule of inspection, which every immigrant must pass. They even went so far as to have appointed a special Immigration Commission, who is largely aided by the immigration office and the Department of Labour. Every immigrant is followed from the moment he leaves his native soil to the moment he lands in an American port. The economic conditions, the political conditions, the reasons which induced him to leave his country and the means employed by transportation companies and others to induce him to leave, are all carefully noted. Then the Labour Department follows the immigrant from the moment he lands in the United States until he has chosen his domicile, and statistics are taken to show what proportion settle in the cities, to what occupations they devote themselves, what proportion settle on farm land and how many become public charges. That example might be very well followed by the Department of Labour in this country; and if that department would adopt such a policy, it would meet the approval of the labouring classes throughout the Dominion. It is about time that some limitation should be put on this influx of new arrivals. It is about time that some judicious discrimination should be enforced, so that we might not receive into our country people of a class with whom it may be exceedingly difficult for us to assimilate, or that in any case we should limit in some degree the immigration of elements whose education, national spirit, political conceptions, habits of life and ways of thinking are alien to ours. Every hon. member in this House knows how difficult it has been since 1837, in fact since we have been a colony of England, for the French Canadian element to work hand in hand with the Britishers who came to this country, and how hard it has been for the phlegmatic Britisher to assimilate himself with the quick, active, enthusiastic way of looking at things which is characteristic of our Canadians of French origin. On the other hand, we, who hail from old France, have found it difficult to become accustomed to the phlegmatic stolidity of the Englishman, especially when he first landed on our shores. But, thanks to the extension of commercial relations, thanks to the influence of commercial travellers on both sides, thanks to the intercourse necessitated by business connections, a great many prejudices have disappeared. The Ontario commercial traveller who visits Quebec, and the Quebec commercial traveller who seeks to find a market for his wares in Ontario—each finds in the other province a more sympathetic and friendly centre than he anticipated, and many an Englishman finds, when he comes to our province, that he has been prejudiced without cause against our people and that he receives from them often a warmer welcome than from people of his own nationality. We French Canadians who come to this parliament expect to have to contend against influences which are not always sympathetic, and to stand up for rights which those who think differently from us are not always able to appreciate; but I personally am glad to say that I have been paid a compliment by members of the English deputation here, which, of course, I value exceedingly, who have told me that we are not half as fanatic as we are supposed to be, and that we are really a very decent lot of fellows after all. In fact, if it were not for the articles inserted in newspapers, which seek to increase their circulation by appeals to prejudice, and were it not for fiery speeches, such as the one delivered by the hon. the Minister of Justice (Mr. Aylesworth) in Wiarton—and delivered in circumstances in which no question of sectarianism was in question, but which was simply an ordinary election contest—were it not for appeals such as these, we would hear very little about provincial or national differences. But whatever we may say about the writer on a newspaper who is working on the ignorances of the people to gain his own ends, we cannot find language sufficiently strong to express our opinion of a man who enjoys high official standing, and who prostitutes that position for the purpose of exciting racial prejudices and disturbing public opinion by sectarian appeals.

We say Canada for the Canadians. I claim that if it has taken so long to build up the commonwealth which we call Canada, and if the majority of the people of Canada are Britishers, then whatever advantage we can give without sacrifice, it is but right we should give by preference to England. It is only by a slow process that the assimilation of these two races has come to pass, and it can only be a slow evolution that the newly-arrived settler can be assimilated. The great danger is that the country may be developed more quickly than conditions would justify. This would have the same effect as over-growth on a child, it is a disadvantage not only to his physique, but also to his intellect and his moral sense. It may be that the time will come when the large number of foreigners entering our country will outnumber us and force us to become subservient to their ideas. It may be that within a few years the English and French Canadians will be a minority among thirty million or forty million people absolutely strange to our methods of living and to everything that is sacred to us.

In conclusion I desire to enter a vigorous protest against the present method of paying bonuses on immigration and also against the present policy of immigration from a Canadian standpoint, as it is detrimental to all of the eastern provinces. We are legislating for national development and our present system of inducing immigration has not proved to be a safe one. Our efforts should be directed to becoming a great nation so that in the words of the poet:

> We shall have made our lives sublime,
> And dying, leave behind us footprints on the sands of time.

Mr. T. S. SPROULE (East Grey). I can agree frankly with a great deal of what has been said by the mover and seconder of this resolution. I see nothing very objectionable either in their arguments or in the conclusions which they reached. The motion seems to me to have but two or three elements in it. One is that payment of bonuses to immigrants has a tendency to bring a less desirable class of immigrants to the country; the other is that the system is wrong and the expenditure unwise. To a large extent I believe this. While I do not feel like going the whole length of adopting it at this moment I frankly confess that I think the hon. gentlemen were not far astray in their conclusions. The Minister of the Interior (Mr. Oliver) took very strong exceptions to it. He said the speech of the mover (Mr. A. Lavergne) was most illogical, inconsistent and unwise. A large part of his speech was made up of quotations from the speeches of the minister in this House before he became a minister, and if I understood the minister's reply it was to the effect that he has nothing to take back to-day and that he stands by everything he said before becoming a minister. Was I right in that conclusion?

Mr. OLIVER. Correct.

Mr. SPROULE. If that is correct the minister ought to be one of the first men in this House to support the motion made by the hon. member for Montmagny (Mr. A. Lavergne) and seconded by the hon. member for Labelle (Mr. Bourassa). Yet he abused these two gentlemen because they took the position they did to-night and because the motion they presented to this House was a part of a speech made by himself some years ago. I am sure that the House would be surprised to hear to-night that he has not one word to take back. I find on looking up some of his speeches that in 1904 he said:

> Though we all agree that the system previously followed of resident agents in the old country was very largely a failure, we must admit that the principle of paying bonuses to steamship companies was largely a failure. Both these systems were failures for obvious reasons. I believe that by bringing in contact with the agricultural population of the British Isles successful farmers of this country, there is a reasonable probability of securing the class of immigrants we most desire.

He believed in that, but not in paying bonuses. Then he goes on to say in the same speech:

> In fact I think that a very large part of the money which has been hitherto spent for immigration purposes in the old country, both in the employment of permanent agents there and in paying bonuses to steamship companies, was money absolutely thrown away.

And he stands by that to-night. Now what did he say with reference to bonuses given to the North Atlantic Trading Company? He says the only difference is this, that we are giving these bonuses to a syndicate of agents instead of to agents individually. Therefore when he says that the employment of permanent agents there and paying bonuses to steamship companies was money absolutely thrown away, he ought to be the first man to vote for that resolution. The next part of the resolution is to the effect that foreign population will soon dominate this country and swamp the Canadian element. Now according to the immigration returns for the last ten years, it appears that between eight and nine hundred thousand people have been brought into Canada, a large percentage of which are foreigners from the continent of Europe. Now the minister argued strongly a few years ago that these people could not assimilate with our Canadian race without distinctly lowering that race. Is it desirable that should be done? That was his contention, and he says he still believes it. If the great bulk of the immigration that has come into Canada during the last few years is from continental Europe, then I say it must distinctly lower the standard of the Canadian race. That must be so, because if there is assimilation between the Doukhobors and the Canadians, will the progeny be as high as the Canadian? In my judgment it will not. Many of these immigrants are very desirable, and will make valuable citizens; but we cannot shut our eyes to the fact that a great many are coming in who will not make good Canadians. One of the great problems we have to contend with to-day is how to assimilate the foreign element with our Canadian population so as to make of them loyal and good citizens. The Minister of the Interior then feared that it could not be done. But to-night he seems to entertain a different opinion, notwithstanding the fact that he says he stands by every word he uttered then. Now are these people likely to assimilate? They may, but it will not be by following out the policy adopted by this government, of putting those foreigners down in colonies instead of mingling them with the English speaking element. In my view that is a great mistake, and will have evil consequences.

I have thought of late years that the splendid inducements which Canada holds out to immigrants from other countries are

so great that we do not need to spend money in bringing them here. I think so still. The advantages we offer in the way of free land are such as should be sufficient to induce people to come here without paying them bonuses. While saying that, we cannot forget that we have practically the only available land left on the continent of America that will give homes to the new comers. The United States have no longer free land to offer; therefore as long as we have free land to offer we are bound to receive a very large volume of immigration in the future, as the United States are receiving to-day. The United States are not giving bonuses, on the contrary they are putting obstacles in the way of immigration, and yet they are receiving proportionately almost as great a percentage of immigrants as we are in Canada. I think, therefore, the time has come when it is no longer necessary for us to spend the large amounts of money we are spending on immigration. At the same time, I think we should still continue to advertise Canada in foreign countries by distributing literature and by employing agents to give information. True, these agents do not always bring in good settlers, they have brought many people here whom we have been obliged to send back. I notice by the papers the other day that a batch of thirty were sent back from Winnipeg who were brought out under this bonusing system.

Now will any one say that we are justified in still paying commissions to agents to bring in people from the United States? I do not think so. I think we would have just as desirable a class of people coming from the United States if we did not pay a dollar in commissions. There are a great many land companies in the west who are pecuniarily interested in bringing in settlers to take up their land, and these companies are active in bringing in immigrants. The only purpose on which we should spend money to-day is in connection with advertising the country, in connection with our quarantine, and in connection with the selection of immigrants, so as to let in the desirable ones and keep out the undesirables. According to the public accounts, in 1895-6 we expended $120,119 for immigration purposes, and the opposition of that day, represented by the government of to-day, declared that we spent entirely too much money for that purpose. But they commenced to increase that amount from year to year and what does it represent to-day? It has run up from $120,000 to $842,660. From that time to the present we have spent $5,222,000 for promoting immigration to our country. Were we justified in spending so much? I think we were not. Were we justified in giving the large amount of money that we did give to the North Atlantic Trading Company, to that syndicate of men who have taken so much money out of Canada? In my judgment we were not. The Minister of the Interior said: I am in favour of giving this bonus to a syndicate. He said that notwithstanding the statement I read, which he made in 1894 that the whole bonus system was absolutely wrong. I am opposed to it; it is wrong in principle and in practice and should not be carried on any longer. Are we justified in spending the large amount that we are spending to-day for immigration purposes? We are not. We would have plenty of desirable immigrants coming to this country if we did not spend that money—quite as large a number as we have to-day and perhaps of much better quality as well. That being the case I feel that it is well that such a motion should be put forward if for no other purpose than for the purpose of testing the sense of the House upon this question. Were it not for the fact that we are paying a consideration to get immigrants from the British Isles to-day—and I think a most desirable class coming from there—and were it not for the demand that there is in the older provinces for these immigrants because of the number of people who are going from these provinces to the west, I would be disposed to support this motion. I think we have reached the day or very nearly reached it when we can completely do away with giving bonuses either to steamship companies or syndicates to induce immigrants to come to our shores, but I think we ought to have a free vote in this House regardless of party fealty or party politics to ascertain the sentiment of the House and I am quite convinced that it will be shown, in so far as the opposition is concerned at least, that a great many agree with the opinion expressed in the resolution which is put forward to-night. While I am not prepared at this moment to go the full length of this resolution I say that in my judgment we would not suffer very much if we did adopt this resolution and if it were carried into effect by this government.

Amendment (Mr. A. Lavergne) negatived, motion agreed to, and House went into Committee of Supply.

Immigration—to pay Mr. C. F. Just's salary from 14th December, 1904, to 31st October, 1906, notwithstanding anything to the contrary in the Civil Service Act, $3,572.84.

Mr. TAYLOR. Is this the gentleman who was in the London office, and who was sacked by Mr. Preston?

Mr. OLIVER. Yes.

Mr. TAYLOR. That amount should be deducted out of Mr. Preston's salary.

Mr. OLIVER. This amount is required to pay the salary of Mr. Just while he was under suspension.

Mr. TAYLOR. What was he doing while he was suspended.

Mr. OLIVER. I do not know. Mr. Preston ordered Mr. Just to cease his duties and

there is no doubt that Mr. Preston believed that Mr. Just would be officially suspended. After Mr. Preston's departure from the immigration office it was thought advisable to reinstate Mr. Just, and it was found that Mr. Just could only be legally suspended by order of the minister, or deputy minister, and no such order had ever been issued. We thought the only thing to do was to acknowledge there had been a mistake and to pay Mr. Just.

Mr. TAYLOR. Mr. Preston is now enjoying a good salary and neither I nor anybody else knows what he is doing. He may be forming another North Atlantic Trading Company for the purpose of making money for himself or his friends. He thought he was running the whole show in London and had power to dismiss this man, and he should pay for his mistake.

Amount required to provide additional accommodation for the staff of the Topographical Surveys branch, $3,368.33.

Mr. OLIVER. This amount is required to pay for alterations done in the building occupied by the Topographical Survey. Partitions were removed on the second floor and other alterations made. It was found imperative to make some provision for ventilation owing to the large number of clerks to be accommodated in this small building. The work was performed by J. & C. Low, of Ottawa, at a cost of $3,368.33.

Mr. SAM. HUGHES. Mr. White is the geographer of the department and a very efficient officer; he is a most capable man, and a good Liberal, and he should have charge of all the work in the department. Why does he not get control of all this work?

Mr. OLIVER. Mr. White does the map work which includes not only the survey work done by the topographical surveys branch, but also the map work for the Dominion at large. The topographical survey branch only maps the work that is actually surveyed, and Mr. White's branch does all the other map work including the reproduction of these maps.

Mr. SAM. HUGHES. Does Mr. White issue the Homestead map?

Mr. OLIVER. The record of the Homestead is done in another branch, but the map work is done under Mr. White.

Mr. SAM. HUGHES. Mr. White is a most excellent geographer as every one knows, and he should be given full charge of the work of all the departments. It would be to the advantage of the service if that were done.

Mr. FOWLER. Does it not strike the minister that this is a very large expenditure for mere alterations?

Mr. OLIVER. It is.

Mr. FOWLER. You could erect quite a respectable building for $3,368. It would look as though the gentleman who did the work figured on the same generous basis as the gentleman who built the porch at the entrance to this building.

Mr. OLIVER. There is a good deal of force in the hon. gentleman's remarks. I have always found that any work that I have had done here in Ottawa, whether public or private work has been charged for at the full price. And I have no doubt that under this particular item nothing has been done for nothing.

Mr. FOWLER. Did an architect pass upon the work as to the price?

Mr. OLIVER. The son of Mr. Ewart, the chief architect, who is himself an architect, was consulted.

Dominion lands—chargeable to income—further amount required for salaries of the outside service, $13,000.

Mr. OLIVER. This sum is made up of the following: New appointments, $6,307.85; transfers from vote for Dominion Land contingencies $2,625.75, statutory and other increases $4,051.61—total $12,985.21.

Mr. FOWLER. Has our dearly beloved friend Philip Wagner received an increase? I feel a little interest in Philip.

Mr. OLIVER. I am sorry that Mr. Wagner has not had an increase this year.

Mr. FOWLER. Ah! I fear there has been some mistake.

Mr. OLIVER. If my hon. friend recommends——

Mr. FOWLER. I will recommend him.

Mr. OLIVER. Then, I will take his case into consideration.

Mr. SAM. HUGHES. What about Mr. Leach?

Mr. OLIVER. He has not had an increase either.

Mr. SAM. HUGHES. Is the man still kept in the service?

Mr. OLIVER. Yes.

Mr. W. J. ROCHE. Who has been appointed to take the place of Mr. White?

Mr. OLIVER. Mr. White did not have jurisdiction over any particular locality. On his death Mr. Sinclair was appointed to do the work of the same character as that Mr. White had done, though his appointment could hardly be called a filling of Mr. White's place.

Mr. J. D. REID. I understand that Leach was the original organizer of the 'thin red line' outrage and was appointed inspector of land offices. I see by the

Auditor General's Report that he received $6,575. Is he going to get another raise ?

Mr. OLIVER. We have not provided a raise for him.

Mr. SAM HUGHES. Why not dismiss such a man ?

Mr. OLIVER. So far as the department is aware, since his taking service with the department his work has been entirely above reproach.

Mr. SAM. HUGHES. But does not the minister know that he took part in the Saskatchewan election ?

Mr. OLIVER. I have no information to that effect ; and I can assure my hon. friend, if Mr. Leach took part in the Saskatchewan election, he did so absolutely contrary to orders.

Mr. FOWLER. Contrary to public orders.

Mr. OLIVER. Public and private. I am satisfied he took no part in that election.

Mr. FOWLER. The hon. gentleman (Mr. Oliver) surely does not mean that Mr. Leach's conduct was contrary to private instructions. Of course he would receive his public instructions as matter of form, but if the minister were to tell him privately that he did not want him to take part in elections, I am sure, that, in loyalty to his chief he would abstain.

Mr. J. D. REID. I understand that Mr. Nixon has been appointed sub-land-agent at MacLeod. He was dismissed for embezzlement.

Mr. OLIVER. Mr. Nixon is not in that country at all.

Mr. J. D. REID. Is Wagner still in the employ ?

Mr. FOWLER. On the recommendation of the hon. member for King's (Mr. Fowler) the minister will increase Mr. Wagner's salary.

Mr. J. D. REID. And what about Moberly ?

Mr. OLIVER. He was temporarily employed by the census department, but owing possibly to some misunderstanding, his services were dispensed with on somewhat short notice.

To pay the widow of the late Thomas Young, homestead inspector at Dauphin, a gratuity equal to two months' salary of the deceased, $250.

Mr. J. D. REID. Who has been appointed to take Mr. Young's place ?

Mr. OLIVER. The position in this is much as in the case of Mr. White. We have appointed Mr. Davis to fill the vacancy.

Mr. FOWLER. Where is he from ?

Mr. OLIVER. He was a resident of Plumas, Manitoba.

Mr. W. J. ROCHE. Is he the only homestead inspector appointed in the last two years in the Dauphin district ?

Mr. OLIVER. I think he is the only one appointed since I took office.

Mr. W. J. ROCHE. Is there a man named Searle, or something like that ?

Mr. OLIVER. I do not see any such name in the list before me, I would read the list, only it covers a good many pages——

Mr. W. J. ROCHE. I do not want that. Perhaps the hon. member for Dauphin (Mr. Burrows) would know.

Mr. BURROWS. A man named John Seale was appointed.

Mr. W. J. ROCHE. Yes, and he was the organizer for the hon member (Mr. Burrows) in the last elections.

Mr. BURROWS. No.

Mr. W. J. ROCHE. Or was it Mr. Davis? Yes, I mistook the name—it was Mr. Davis.

Mr. FOWLER. Was this appointment, made not for fitness, but as a reward of this man's services as organizer ?

Mr. W. J. ROCHE. Is Mr. D. C McNab homestead inspector ? And where is his field of operations ?

Mr. OLIVER. He is at Brandon.

Mr. W. J. ROCHE He is at Brandon at the present time, but in the district in which he has been operating for the last few years. I think the Auditor General's Report shows that he was down in the Dauphin district, but I do not think he has been doing any work in that district.

Mr. FOWLER. Election work ?

Mr. W. J. ROCHE. No, that was in Marquette. He was organizer then and was afterwards appointed to a position. I think it was in the Auditor General's Report. He had drawn so much, but he had not been operating in that district at all.

Mr. OLIVER. A homestead inspector, while he has a residence at a certain place, is not restricted in his operations to that vicinity.

Mr. FOWLER. And you do not restrict their operations to homestead inspection either?

Mr. OLIVER. Yes, we do, but there may be certain parts of the country where there are more homesteads to inspect than in others, and we exercise the privilege of sending the inspectors where their services are most required. Because a man's residence is at a certain place, it does not

follow that he will not perform his duties outside that district. For instance, Mr. Gibson, who is homestead inspector at Brandon, was engaged in making an enumeration of the Doukhobor colonies in Prince Albert district, and as the Doukhobors have not any votes, I presume that my hon. friend will acknowledge that Mr. Gibson took no part in the provincial elections which were on at the time.

Mr. STAPLES. Is Mr. William McMillan still acting as homestead inspector in Manitoba ?

Mr. OLIVER. I am sorry that I have not that information at present.

Mr. J. D. REID. The hon. minister should be ashamed to have all these men, guilty of these politicial rascalities, put in his department. Here is this man Preston who was sent over to England and Jackson who was also sent over to England and John McGillicuddy put in his department. And Mr. White, of Ottawa, the man who was at London, he was sent to the Northwest as immigration agent. And Phillip Wagner and this man Leech, and Davis, and many others too numerous to mention. I should think he would divide these up and let some of the other departments take a share of these men. He is making his department a rendezvous for all these men who are committing all these political rascalities.

Mr. OLIVER. In the first place we absolutely deny the rascalities, and in the next place my hon. friend is crediting the Interior Department with some of these gentlemen with whom it has no connection whatever.

Mr. J. D. REID. What about Preston?

Mr. OLIVER He is connected with the Department of Trades and Commerce now.

Mr. J. D. REID. Then you shunted him.

Mr. OLIVER. My hon. friend accused me of permitting other men to be shunted on to my department. In this case the man has gone from the Interior to another department.

Mr. J. D. REID. Where is Jackson ?

Mr. OLIVER. He is in the Trade and Commerce. He was never in the Interior Department.

Mr. J. D. REID. What about Dan McGillicuddy?

Mr. OLIVER. He is not in the employ of the government at all. He is connected with a newspaper at Calgary.

Mr. J. D. REID. He was sent out there.

Mr. OLIVER. He was at one time in the department.

Mr. J. D. REID. So was White.

Mr. OLIVER. I have no knowledge of White at all.

Mr. SAM. HUGHES. Is Dan McGillicuddy doing any government work at Calgary?

Mr. OLIVER. Not that I know of.

Mr. GERVAIS. Dan McGillicuddy has sent in his resignation as an employee of the Debates Committee.

Mr. SAM. HUGHES. And is still drawing pay?

Mr. GERVAIS. No, Sir. We accepted his resignation last month.

Mr. TAYLOR. While working for the Debates Committee the Minister of the Interior (Mr. Oliver) sent him out as a political agent and gave him $150 for travelling expenses. He sent in a bill for three or four times that amount and the minister paid his account purely as election agent in the local elections out west.

Mr. J. D. REID. The hon. gentleman for St. James, Montreal (Mr Gervais) is on the Debates Committee?

Mr. GERVAIS. Yes.

Mr. J. D. REID. That is the reason he was retired.

Mr. WILLIAM J. ROCHE. The Minister of the Interior (Mr. Oliver) made a statement a few minutes ago with regard to instructions which he sent out both publicly and privately to his officials. He said that he sent instructions to Mr. Leech, and no doubt they apply as well to the other officials and especially his homestead inspectors. I think it well to inform him that those instructions are not lived up to very strictly by his officials. I had the privilege of speaking in the constituency of Russell in the provincial elections there and heard a candidate accuse Mr. McGregor—a relative of the Klondike McGregor—who is a homestead inspector operating in the Dauphin district, to which he does not confine his operations—the candidate accused him of acting as a very active electioneering agent among the Galicians located along the Riding mountain in the constituency of Russell. I call the minister's attention to this fact in view of the instructions he tells us he has sent to these homestead inspectors to confine themselves to the government business. This man has been publicly accused by one of the candidates in Russell of having been a very active electioneering agent.

Mr. OLIVER. What is the name?

Mr. WILLIAM J. ROCHE. Mr. Robert McGregor.

Mr. FOWLER. I would suggest that the minister should not advance the salary

of Mr. McGregor because he did not succeed in bringing Russell into the Liberal fold. He is, therefore, not entitled to the award of the faithful.

Mr. SAM. HUGHES. I would suggest that the free and independent electors of the Northwest should bind and fetter any government agent that they may find going outside of his duties to meddle in elections.

Mr. OLIVER. I hope it is not necessary to give any such permission to the people.

Mr. SAM HUGHES. I would suggest that they should do it.

Mr. OLIVER. I am willing to fall in with the suggestion. If any employee of the Interior Department is not attending to the business of the government he will get no protection from the head of that department should any little accident happen to him as my hon. friend suggests. Whatever they may or may not have done they are not serving the country or the party to any degree by deviating from their proper business. They will do the government more good by attending to their own business.

Mr. FOWLER. I trust the minister will stand by these words so that we may say there is one of them who has kept his word.

Mr. TAYLOR. Will the minister ask for an explanation from Mr. McGregor?

Mr. OLIVER. I think that is only fair.

Yukon Territory—salaries and expenses, $165,000.

Mr. SAM. HUGHES. Would the minister give us the programme for the Yukon?

Mr. OLIVER. There is no programme that I can give.

Mr. TAYLOR. Would the minister explain the item?

Mr. OLIVER. This amount is required for salaries and expenses connected with the administration of the territory. $150,000 was voted last year for the nine months, that being at the rate of $200,000 for twelve months. For the twelve months of 1908 it is estimated that $165,000 will be required, a decrease of $30,000. The services of ten officials at Dawson are being dispensed with saving $25,200, and reductions of $9,800 have also been made in the estimates for various items of expenditure in connection with the administration of the territory.

Mr. BLAIN. There has been criticism owing to the absence of officials from the Yukon. I am informed that the postmaster among others is absent now.

Mr. OLIVER. I am not prepared at the moment to give a statement in regard to the absence of officials. A question was asked in the House and answered at the time but I have not kept posted in regard to the movements of officials since. The postmaster is not under the control of the Interior Department.

Mr. FOWLER. Who is acting in the place of the commission.?

Mr. OLIVER. Mr. J. T. Lithgow, the controller.

Mr. FOWLER. Is Mr. Lithgow giving satisfaction in his position?

Mr. OLIVER. Yes.

Mr. FOWLER. Would it not be a good idea to keep him there?

Mr. OLIVER. There are petitions for and against him and while there are things to be said in favour of him there are others that may be urged against him. The petitions both ways are very strong. This is the second time he has acted as commissioner and he has given every satisfaction to all interests concerned. The questions connected with his candidature for the commissionership have no bearing on his position as controller.

Mr. FOWLER. Does not the minister think in view of the decrease in population in the Yukon, that there are too many highly paid officials there? As I understand the population at the present time is only 6,000 or 7,000. It seems to me the machinery of government is too large, too complicated for so small a population. For instance a great loss has accrued to the people of Canada from the fact that the royalty which is supposed to be paid on the production of gold has not been collected, that a large sum of money remains uncollected, amounting to a million dollars or more, I have heard it spoken of as more than two millions, measured by gold production, and by the amount that has actually come into the Dominion treasury. Now if these statements are correct, if it is true that we have not received in royalty by so large an amount as two or three million dollars what we should have received, if it is true that the population of the Yukon has decreased, that now it is only about 6,000, it seems to me that the very large expenditures that we are voting cannot be justified: $165,000 in salaries, and $125,000 granted to the local council, there is a matter of $290,000. Then we have to vote large sums for the Justice Department. I think we are keeping three Supreme Court judges up there with high salaries and tremendous living expenses, living expenses based upon what it cost to live in that country years ago when the cost was double if not treble what it is to-day, and yet the allowance remains just the same. Then we

are spending about $100,000 in the Public Works Department. Does not the minister think it is about time to call a halt? We were told that the Yukon was going to be a tremendous source of revenue, we were to receive very large amounts in excess of what we were spending but for the last two or three years the amounts we are spending are very largely in excess of the revenue we are receiving. Now here we have a population decreasing, the output of gold decreasing, and yet we find the expenses of carrying on the administration of the Yukon very largely increasing. Surely there must be something wrong about that. It really looks—I don't want to be unkind—as if the Yukon were used as a place where the government pensions off its supporters when it has no more use for them. Then take the Justice Department. Why would it be necessary to have three Supreme Court judges to carry on the judicial business of a population of 6,000 people? A good stipendiary magistrate ought to be able to do all the work. But you have three Supreme Court judges with salaries in excess of those obtained by judges in other parts of Canada, and with living expenses almost equal to the salaries they receive, if not in excess. Then you have a controller, and I do not know how many other officers. Now let us look at this thing from a business standpoint. Does the minister think that it is good business to continue it along this line? I would like to have the minister's opinion, not only as a minister, but his honest opinion as a ratepayer of Canada as to whether he thinks this is a proper thing for us to continue.

Mr. OLIVER. I think there is a good deal to be said for the hon. gentleman's contention that the expense of government in the Yukon might be reduced in some way. But I would point out that it is not fair to take the population as a guide of the proper cost of government. If you are going to endow with autonomous government a certain piece of territory, whether there is a thousand more or a thousand less people, makes no difference in the cost; that is to say, it would be about as cheap to govern the Yukon if it had 20,000 as if it had only 10,000. When you give a separate government to a district you require to take account of all the incidental expenses of government, and these are not always in proportion to the population. Now the Yukon is peculiarly situated in many ways. I need not remind the House of the very large expense of living there. For instance, a labourer's wage is $5 a day, if I am not mistaken, and of course every thing else in proportion. So that a scale of salaries which would be right and proper in any other part of the country has no application to a country where labourer's wages are so high, and where other salaries are in proportion. These figures are abnormal but I am speaking of conditions as they actually exist. A government organization was given to the Yukon at a time when prices were higher than they are now, and when the expenses were greater, and they were given on a scale which is not altogether justified by present conditions. In the Department of the Interior that fact has been recognized, and as I have already stated, we are reducing the cost by dismissing ten members of the service, and effecting a saving in salaries of $25,200.

Mr. TAYLOR. Can you not dispense with ten more?

Mr. OLIVER. That is a matter for consideration.

Mr. TAYLOR. What are these officials?

Mr. OLIVER. I will read names with the particulars.

—	—	Salary.	Allowance.
		$	$
N. A. Watt....	Assistant Correspondence Clerk.....	2,000	
C. Petre ...	Quartz Recorder.....	1,000	1,200
A. H. Povah...	Clerk Gold Comm'r..	2,000	
T. D. Macfarlane	" " " ..	1,000	1,200
G. L. Hereux...	" " " ..	2,100	
L. G. Bennett..	" " " ..	900	1,500
J. F. Sugrue....	.....	1,500	1,500
H. M. Martin..	Dom. Lands Agent...	2,400	1,200
P. F. X. Genest.	.....	1,500	1,500
G. Berand.....	.....	1,200	1,500

Mr. FOWLER. Upon what basis do you fix the salaries and living allowances, because I notice that in some instances the living allowances are greater than the salaries?

Mr. OLIVER. I am not aware of the basis upon which these payments were arranged. I fancy that the apparent discrepancies may occur by reason of a change in the official, that is, that a certain living allowance is attached to a certain office, and that the salary is changed when the official is changed, that is to say, the official who was appointed first possibly got a higher salary than the official who is there now. On the principle that my hon. friend has hinted at, that an official at a low salary requires as much food as an official on a high salary, no change was made in the living allowance. Last year, on the recommendation of the commissioner, the government dispensed with these ten men's services, and relieved the treasury of that amount of drain. At the time I had the idea that possibly we could go a little farther, but I must tell the commit-

tee that during the past summer such a change took place in the fever for prospecting in that country that we found that instead of it being possible to still further reduce our staff, it became almost necessary to increase it again. While apparently we still have a large staff, when there is an increase of work, such as took place last summer, we have to, of course, provide for that, and it will not pay the country to fail to give a good public service for the sake of the saving that would be made in the salaries. We are ready to cut down the service and possibly to cut down the salaries. That, however, is a matter for consideration; but the first consideration is efficient and satisfactory service, and we believe we are securing that in the Yukon at the present time.

Mr. FOWLER. As far as the salaries are concerned, they are not excessive when the circumstances are taken into consideration. You would not expect a man to go out into the Yukon and live there for the same pay, even suppose he could live cheaper there than he could in other parts of the country. It is not natural that a man should go out into that country and not want better pay. What strikes me is not the excessive salaries, but the excessive number of individuals who are getting salaries. Of course, this is not in his department, but as the Minister of the Interior has the supervision of the Yukon, does he not think that three judges are out of proportion to the work being done in that country?

Mr. OLIVER. Of course, it is hardly fair that I should answer that question. It may fairly be said that three judges were appointed to do the work when the work was certainly very heavy, when the population was large and when the output of gold was also very large, and there is no doubt that these three judges were all required at that time. It is quite possible that now, with a smaller population, with the smaller output of gold and more settled conditions, it would be possible to get along with a smaller number of judges; but, of course, there is a difficulty in dealing with men who have once been on the bench, because they are not subject to being disposed of as ordinary officials are. I understand that one reason why three judges were placed there and kept there is that it is more convenient to take care of the appeal cases in the Yukon. The cases that are tried before a single judge may be tried in appeal before the two other judges. Otherwise a case subject to appeal in the Yukon would have to be brought up outside, which would be a very heavy expense to litigants. At the time there was considerable litigation, and it was really an economy to have three judges.

Mr. FOWLER. Most of these cases would be appealed to the Supreme Court of Canada, anyway.

Mr. OLIVER. Possibly. There is something to be said on account of the changed conditions, but I am hardly in a position to discuss the matter, as my hon. friend the Minister of Justice (Mr. Aylesworth) could. But in so far as the Interior Department is concerned, our desire is to keep the service up to the requirements of the country, and not have it beyond these requirements.

Mr. MARSHALL. I have here a comparative table showing the cost of administering justice to 6,000 people in the Yukon Territory by three judges two of whom are often absent from the territory for several months of the year; and the cost of administering justice in some of the eastern provinces which may be instructive. It is as follows:

Provinces.	Judges.	Population.	Cost.
			$ cts.
Nova Scotia.....	13	459,574	63,693 36
New Brunswick .	16	331,120	58,863 84
Manitoba	13	255,211	44,657 50
British Columbia	14	178,657	75,050 53
Territories	8	200,000	45,920 85
Yukon.....	3	6,000	93,398 38

It seems to me that if it costs that amount of money to administer justice in the Yukon, some change should be made. That is an outrageous charge it seems to me. Here is a place with three judges and only 6,000 people costing $93,000. This is a comparison I have made of the different territories and provinces. I find that the Supreme Court of Canada, which has six judges, cost last year $84,618, or about $10,000 less than it cost to administer justice in the Yukon. There must be something wrong. The difference is too great.

Mr. FOWLER. That means $15 for every man, woman and child in the Yukon to pay for the cost of administering justice. I think it would be an excellent idea if the minister, during the recess, were to go up there himself and look the whole situation over. I am satisfied he would bring back the scalps of about three-quarters of the officials there.

Mr. BLAIN. I see an article in the paper headed:

Declines the Governorship.

Ralph Smith will not go to the Yukon.

Ralph Smith, M.P., for Nanaimo, will not be the new governor of the Yukon Territory. He has definitely declined the proffered honour

and will remain in the House of Commons as a representative of the people.

I would like to ask the minister if the position was offered to the hon. member for Nanaimo and if the report that I have just read is correct.

Mr. OLIVER. I could not say, Mr. Chairman, what offer has been made to Mr. Smith. I know there has been a current rumour that Mr. Smith was to take the commissionership of the Yukon. Mr. Smith told me in discussing the rumour with him, that he was not going to do so and he spoke in accordance with the item that appears in the paper. Beyond that I am not able to give the committee any information.

Mr. BLAIN. Will the governorship be left vacant? Is it of such little importance that the governor can be absent or that there can be no governor at all?

Mr. OLIVER. I think it must be made very shortly. In the winter the duties of the government are perhaps less onerous than at another time of the year, and with the comptroller in charge I do not think the public interest has been suffering seriously. On the opening of the season's business it will be necessary to have a responsible commissioner in charge, and no doubt one will be appointed in time to get in at the opening of navigation.

Mr. TAYLOR. I understand there has been a trade made between Mr. Ralph Smith and the Minister of Inland Revenue, by which Mr. Smith is to become minister and Mr. Templeman is to go to the Yukon. Is that a fact?

Mr. OLIVER. I have no knowledge of any such arrangement.

Mr. FOWLER. How many members in the Yukon Council; how many appointed by the government; how many elected, and what salaries do they receive?

Mr. OLIVER. The elected members are George Black, R. L. Gillespie, Robert Low, H. C. Macaulay and T. W. O'Brien. The appointed members are officials or judges. The elected members receive $600 a year and mileage allowance; Robert Low, whose constituency is furthest from Dawson, gets $600 salary and $460 travelling expenses. The appointed members get no special salary as members of the council.

Some resolutions reported.

Mr. FIELDING moved the adjournment of the House.

Mr. TAYLOR. What business will be taken up to-morrow at eleven o'clock, and what at three o'clock?

Mr. FIELDING. In the morning we will take up some of the Bills which are not non-contentious, and if there is time we may go into Committee of Supply. In any case the House will be moved into Committee of Supply at three o'clock under agreement.

Mr. LAKE. What supply?

Mr. FIELDING. The item for the Insurance Commission will be taken up in the afternoon, when I understand the hon. member for North Toronto wishes to speak.

Motion agreed to, and House adjourned at 12.15 a.m., Wednesday.

HOUSE OF COMMONS.

WEDNESDAY, April 10, 1907.

The SPEAKER took the Chair at Eleven o'clock.

FIRST READINGS.

Bill (No. 156) to amend the Civil Service Act.—Mr. Fielding.

Bill (No. 157) for the relief of Arthur Leon Macpherson.—Mr. Leighton McCarthy.

QUESTIONS.

THE QUEBEC-LEVIS FERRY SERVICE.

Mr. A. LAVERGNE—by Mr. Talbot—asked :

1. What arrangements has the Minister of Railways and Canals made with the Ferryboat Company between Quebec and Lévis for the carrying of Intercolonial passengers ?

2. Is the Minister of Railways aware that the Ferryboat Company, between Quebec and Lévis, collects a double fare after midnight ?

3. Is the minister aware that the service given by that company is not satisfactory to the travelling public, and that the passengers are obliged to reach the boats without any shelter or protection, and to be found pell-mell with the freight and animals, and that, on account of the irregularity of the service, they are frequently obliged to wait on the wharf, exposed to the inclemency of the weather ?

Hon. W. S. FIELDING (Acting Minister of Railways and Canals) :

1. The department have no contract with the company.

2. In winter double the regular fare is charged from 7 p.m. to 6 a.m. Summer double the regular fare is charged from midnight to 4 a.m.

3. The department is aware that the service is not as satisfactory as it should be ; complaints having been made from time to time. The minister discussed the matter with the company, and various suggestions were made by him for improvement in the service. The department will endeavour to have it made more satisfactory. The ferry company is not under its control.

GRAND TRUNK PACIFIC COAL LANDS.

Mr. RALPH SMITH asked :

Has the Grand Trunk Pacific Railway Company the first claim to pre-empt coal lands in

close proximity to their line in Alberta, Saskatchewan and British Columbia ?

Hon. FRANK OLIVER (Minister of the Interior). By Order in Council the Grand Trunk Pacific Railway Company is to be considered as the first applicant for all unappropriated coal rights under the lands taken for its right of way and station grounds in Manitoba, Saskatchewan and Alberta. The company has no rights in coal under lands outside the lands taken for its right of way and station grounds.

THE EXCHEQUER COURT.

Hon. A. B. AYLESWORTH moved that the House do go into committee to-morrow to consider the following resolution :

Resolved, that it is expedient to provide that the salary of any person who may hereafter be appointed registrar of the Exchequer Court of Canada, shall, upon appointment, be two thousand five hundred dollars per annum, with an annual increase thereafter of one hundred dollars, up to a maximum of three thousand dollars per annum ; and that the salary of the present registrar, so long as he remains in office, shall be the said maximum of three thousand dollars per annum.

Motion agreed to.

HAMPTON, N.S., POSTMASTER.

Mr. R. L. BORDEN. Before the Orders of the Day are called, I wish to ask the Postmaster General whether or not Mr. Zaccheus Hall, postmaster at Hampton, in the county of Annapolis, N.S., is still continued in office. I brought to the attention of the House four months ago the fact that this gentleman had been found guilty of having bribed electors at the recent provincial election in Nova Scotia. Having regard to a resolution which was passed by this House in 1905, I desire to know what the action of the government has been.

Hon. RODOLPHE LEMIEUX (Postmaster General). Mr. Speaker, I remember that in the early days of the session, the late member for St. John, Mr. Stockton, put a question on the order paper on this subject, and to the best of my recollection I answered that Mr. Hall, the postmaster in question, had been prosecuted before the courts of Nova Scotia, but that no judgment had been rendered or no verdict found against him. I have had no news since, but I will at once inquire of the department, and may give an answer at a later hour of the day, if my hon. friend will renew his question.

Mr. R. L. BORDEN. The hon. minister may be very sure that I will renew the question. I would like to tell him that the judgment of Mr. Justice Townsend was pronounced on the 6th of last November, that an appeal was taken upon it, and that the only ground of appeal was, not that the man had not interfered, but that the person whom he had bribed had not been technically proved to have had the right to vote. That appeal was dismissed a long time ago, as I have been informed, and it did not affect the matter dealt with in the resolution of this House one iota. Two witnesses swore that this man had bribed them. There was no evidence that one of them was a voter, and the charge as to him was dismissed. There was evidence in the opinion of the judge that the other had a right to vote, and he found the defendant guilty and fined him $200. That has been the condition since the 6th of November last, except that an appeal was taken, as I have said.

Mr. LEMIEUX. My hon. friend may be sure that I will look into the case, and I would ask him to renew the question to-morrow.

RELATIONS BETWEEN CANADA AND THE UNITED STATES.

Mr. E. N. LEWIS (West Huron). Mr. Speaker, I notice in one of the most prominent and authentic papers in western Ontario, the London 'Free Press,' a statement as to which I want to ask the government whether it is correct or not. It is headed, 'Treaty Names Commission to settle all Questions between United States and Canada—Official Announcement from Washington, which is denied by member of Dominion cabinet ;' and is as follows :

Washington, D.C., April 8.—It was officially admitted to-day that a treaty had been drafted between the United States and Great Britain, providing for the appointment of a joint commission which will consider all of the complex questions connected with the water boundaries between Canada and the United States.

This will include such questions as the disposition of waters of the great lakes ; the regulation of the use of the water at Niagara Falls for power purposes, and the whole general subject of fisheries regulations not only for the great lakes, but for the Atlantic and Pacific states.

This treaty will require the approval of the United States Senate to become effective, but it is possible that an arrangement in the nature of a modus vivendi will be reached between Secretary Root and Ambassador Bryce in the near future.

I wish to ask the government if there is any truth in this report. I trust there is not. Our Waterways Commission is doing good work looking after these matters and we have had enough modi vivendi. Questions solely affecting ourselves should be settled by ourselves.

Mr. FIELDING. I have no information on the subject, but I think my hon. friend may safely assume that a newspaper report of that character is not to be relied on.

INQUIRIES FOR RETURNS.

Mr. AMES. When may we expect a return ordered the 17th December last for copies of all leases and agreements regarding the Athabaska Fishing Company? I have asked at least four times for this return.

Mr. FIELDING. I said a day or two ago that I had given special instructions to have inquiries made concerning all returns and hoped in a day or two to bring the returns in question down or give the reasons for non-production.

Mr. R. L. BORDEN. It seems remarkable that this particular one should be so long delayed—four months at least. Who is the minister in charge? Can he give any reasons?

Mr. TEMPLEMAN. The hon. gentleman was kind enough to send me a note and I shall have inquiry made and give him some information later in the day or to-morrow.

Mr. R. L. BORDEN. In case the hon. gentleman makes an inquiry, I hope it will be a thorough one.

WINNIPEG TERMINALS—CANADIAN NORTHERN RAILWAY AND GRAND TRUNK PACIFIC RAILWAY.

Mr. FIELDING moved third reading of Bill (No. 128) respecting the Winnipeg terminals of the Canadian Northern Railway Company and the Grand Trunk Pacific Railway Company. He said: When this Bill was presented for third reading some days ago, an hon. gentleman opposite requested delay so that the hon. member for Lanark (Mr. Haggart) might inquire into a particular point to which he was giving attention. I afterwards discussed the matter with the hon. gentleman and he said on examination that he had obtained all the information he desired and had no objection to the third reading. The hon. member for Marquette (Mr. Roche) asked a question concerning the plans. I produced the plans. So far as I know all the information required has been furnished, and I presume there will be no objection to the third reading.

Motion agreed to, Bill read the third time, and passed.

ADULTERATION ACT—AMENDMENT.

Hon. WILLIAM TEMPLEMAN (Minister of Inland Revenue) moved second reading of Bill (No. 127) to amend the Adulteration Act. He said: This amends the present law only in regard to the method of appointing analysts. Under the present law there is some doubt as to the status of the analysts employed in the laboratory at Ottawa. We have the power to appoint public analysts and assign them to districts and to appoint a chief at Ottawa, so that the assistant analyst in the laboratory and the others who do the real work of analysing are not under the law, properly appointed. If their work were attacked, it would not stand. This is to legalize the appointments of analysts.

Mr. SPROULE. Do you regard outsiders as in the employ of the government? There are analysts appointed for respective localities.

Mr. TEMPLEMAN. This has only reference to the laboratory in Ottawa.

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

On section 1,

1. Paragraph (f) of section 2 of the Adulteration Act, chapter 133 of the Revised Statutes, 1906, is repealed and the following is substituted therefor:

(f) 'analyst' means public analyst and includes any member of the examining board appointed under the authority of this Act, and also the chief analyst and the assistant chief analyst.

Mr. TEMPLEMAN. The only change in subsection (f) consists in the arrangement of the words and the addition of the word 'public' in order to cover outside analysts appointed by the government.

Mr. SPROULE. The explanation is that the words 'public analysts' merely includes those appointed outside for that purpose.

Mr. TEMPLEMAN. All the analysts employed by the government outside and assigned to districts and who are retained from time to time to do work that may be required, as well as the analysts employed in the laboratory, will all be known as public analysts. It makes no change in the standard of qualification.

Mr. LENNOX. There seems to be a remarkably quick change on the part of the minister. Before we went into committee he explained that it covered only those who were working at Ottawa. Now I understand it covers those appointed outside as well. We have two contradictory statements within three or four minutes.

Mr. TEMPLEMAN. I would still be quite right in my explanation. The status of the present public or district analysts is not changed by this Bill.

Mr. SPROULE. Are they continued in their present status notwithstanding this Bill or is it intended to supplant them and get the opportunity of appointing others?

Mr. TEMPLEMAN. Not at all.

On section 2,

2. Section 8 of the said Act is repealed, and the following is substituted therefor:

8. The Governor in Council may appoint one or more persons as public analysts to analyse food, drugs, agricultural fertilizers, and other

articles, and may also appoint a chief analyst and an assistant chief analyst.

2. The Governor in Council may assign a public analyst to a particular district, and may fix the territorial limits of such district.

3. The chief analyst, the assistant chief analyst, and such other public analysts as the Governor in Council directs, shall be attached to the staff of the Department of Inland Revenue at Ottawa.

4. The assistant chief analyst shall have the same powers as are conferred by this Act upon the chief analyst.

Mr. TEMPLEMAN. We are taking the power to appoint an assistant chief analyst. We have no such power now. Mr. McGill, who is a very prominent chemist, and actually assistant analyst in the laboratory at Ottawa, has no status as such—I understand that the Department of Justice has so advised the Department of Inland Revenue. Under this Bill we propose to take power to appoint an assistant chief analyst and provide that the work done by the analyst at the laboratory in Ottawa shall have all the effect of the work done by other analysts. It also confers upon the assistant chief analyst the powers conferred upon the chief analyst. Mr. McGill has been assistant analyst, but, under the existing Act, he had no power, and in the absence of the chief analyst through illness or otherwise there was no head of the branch. It is to remedy what has been, unquestionably, a serious difficulty that this change is proposed.

Mr. SPROULE. You leave out the recital of the qualification of these experts?

Mr. TEMPLEMAN. Is it necessary to leave it in?

Mr. SPROULE. I am not discussing that at the moment. But what qualifications must these men possess in order to be appointed?

Mr. TEMPLEMAN. Of course, no person can be appointed to be an analyst until he has passed the examination of the examining board, which is composed of Dr. Girdwood, of Montreal; the Abbe Choquette, of St. Hyacinthe, and the chief analyst of the department.

Mr. SPROULE. Under the proposed law would outside applicants have to come before the same board?

Mr. TEMPLEMAN. Yes, just as all those already employed in the laboratory at Ottawa have passed that examination.

Mr. SPROULE. If my recollection of the law is correct, the outside or public analysts have not applied to go before that board. They must have a certain certificate under the Pharmacy Act and I think there were other standards to be complied with.

Mr. TEMPLEMAN. I think the hon. gentleman (Mr. Sproule) is right. Those who were to become public analysts or district analysts had to undergo an examination. But, as a matter of fact, that has not been enforced. I believe that three out of the total of five district analysts have not passed the examination provided for by the law.

Mr. SPROULE. What examination did they pass?

Mr. TEMPLEMAN. None, I understand.

Mr. SPROULE. What evidence is there of their qualifications?

Mr. TEMPLEMAN. Well, for instance, one is Dr. Ellis, of Toronto, a celebrated chemist and competent analyst.

Mr. SPROULE. Then he would not be eligible under this proposed Act?

Mr. TEMPLEMAN. It makes no difference in that respect. The present law is as stringent as the proposed amendment.

Mr. SPROULE. I would like to understand this. At present, analysts must receive a certificate from a certain board. Will the present law supersede that and make that certificate unnecessary?

Mr. TEMPLEMAN. I am advised that it does not affect the status in the slightest degree. The object of the law is to meet conditions existing in the laboratory at Ottawa. Nearly all the analysing is done at Ottawa by competent analysts, but these officers have not the status they ought to have. If the department should attempt to prosecute in the case of an adulteration of food, it is very probable that the case would fail in court simply because the analyst who does the work has not the proper status.

Mr. SPROULE. That refers to the assistant analyst here?

Mr. TEMPLEMAN. Yes. As I have said, nearly all the analysing is done at Ottawa. It is true that the district analysts are assigned work from time to time, mainly to verify what has been done at Ottawa.

Mr. SPROULE. But if the district analyst found certain food to be adulterated would the report of that local analyst be accepted in a court as satisfactory evidence of the food being adulterated, or would you be obliged to send a portion of that same food here to have the analysis verified by the analyst in the department before the prosecution would be sustained?

Mr. TEMPLEMAN. There is no doubt that the report of the district analyst would prevail in court. As to the question raised, as to the existing law, section 9 reads :

No analyst shall be appointed until he has undergone an examination before a special examining board appointed by the Governor in Council, nor until he has obtained from such

board a certificate setting forth that he is duly qualified to perform the duties attached to the office of analyst.

That has been the law for many years and it has not been changed.

Mr. SPROULE. All the present analysts have been accepted under that law ?

Mr. TEMPLEMAN. Yes.

On section 3—method of collecting samples.

Mr. TEMPLEMAN. There is a very small change in this. The change is to authorize the examination of the sample by an analyst at the laboratory instead of confining it solely to examination by the public analyst in the district.

Mr. SPROULE. It may be examined there ?

Mr. TEMPLEMAN. This makes it permissive to examine it here.

Mr. COCKSHUTT. Are there any other instructions issued than those contained in this clause to the purchasing agents ?

Mr. TEMPLEMAN. Yes, definite instructions are sent to the food inspectors as to the manner in which they shall purchase samples.

Mr. COCKSHUTT. Is there any objection to these being made public ?

Mr. TEMPLEMAN. No, I should think there is none whatever, there are generally written instructions in each case. They may vary from time to time as to the number of samples to be collected, &c., but there is no objection whatever to making them public.

Mr. COCKSHUTT. In fairness I think the tradesmen should be fully informed as to the mode of procedure. There is too much of the informer style of doing business in this department. The tradesman is supposed to be an honourable man until proved otherwise, and a good deal may depend on the mode of procedure when the inspector visits the establishment. He should take it for granted that there are pure goods in the place, and should endeavour to get them, but in all cases he endeavours to purchase not the purest but the most impure. The purchaser should be asked ot procure the pure article. We are aware that there are compounds sold by every legitimate and honest trade and there is no reason why there should not be. For instance the bulk of the mustard sold is used for plasters, and why should a compound that will answer every purpose for the plaster be subject to the same law as the mustard required for food ? This applies to a dozen other articles.

Mr. TEMPLEMAN. It is not a question of what the food inspector may do but of whether the dealer has his goods properly labelled.

Mr. TEMPLEMAN.

Mr. COCKSHUTT. Most of those goods are not sold under label, but are in open stock in a drawer or can. This would apply to coffee, pepper, mustard, ginger, or any of these ground spices. Why does not the inspector say that he wants a pound of pure stuff ?

Mr. TEMPLEMAN. Why should he use the word pure ?

Mr. COCKSHUTT. Because compounds are allowed.

Mr. TEMPLEMAN. If they are marked or represented——

Mr. COCKSHUTT. A householder does not always want the cheap article, sometimes he wants the good article. The minister will not dispute that a great amount of mustard, for instance, is used for plasters, and why should not an impure mustard be allowed to be sold for that purpose ?

Mr. TEMPLEMAN. I suppose there is nothing but impure or mixed mustard that can be sold for that purpose. The law permits that. It simply provides that impure mustard shall not be sold for pure mustard. That is the whole spirit of the Adulteration of Food Act.

Mr. MACPHERSON. I think that is an excellent Act. The very point which the hon. gentleman (Mr. Cockshutt) suggests, when speaking of mustard alone, is the best of reasons why purity should be insisted on, because the active principle of a mustard plaster is the oil which it contains, and if the oil happens to be adulterated it has not the same effect. There is very little mustard used for plaster purposes. There is a very much better article called mustard leaves. However, that is by the way. I want to say that the very point my hon. friend attempts to make constitutes an excellent reason why these adulterated articles should not be allowed to be distributed through this country. Take, for instance, cream of tartar ; if I go into a grocery and ask for a pound of cream of tartar, they will give me a mixture of cream of tartar and something else which is not cream of tartar. The result is that I am paying the price of cream of tartar for a preparation containing a mixture of alum. Suppose a purchaser goes into a grocery store and asks for a pound of pepper, ninety-nine times out of a hundred pepper is sold to him which is absolutely impure, and the man should be fined for selling impure pepper when he is asked for a pound of peppr. If the purchaser goes in and asks for a pound of cinnamon, I will venture to say that in nine times out of ten he will get a combination. The dealer himself possibly is not aware of this fact, but the manufacturer is, and he puts upon this article a label bearing the words 'pure cinnamon,' just as he puts on the pepper the words 'pure pepper.' The

retailer buys this article in bulk and he retails it as pure pepper. Why should not the seller of such an article be fined, so that he will in future give me what I want? I have had some experience of officers of the department who would come into my store and ask for a certain article. I have seen my own preparations analysed and the results published. I did not know when they were bought, but I know that the man who came in asked for preparations which were exactly the same as other men would have got and submitted them to an analysis. That is the only way you can do it. To my mind, our pure food law is not nearly stringent enough. The public are getting to-day, in nine times out of ten, an article which is not at all in accordance with the label which it bears. Yet the purchaser is paying the outside price. Why should not I, when I go into a chemist's or a grocer's shop and ask for cream of tartar, get cream of tartar? Is there any rhyme or reason why I should not get it, because I am paying the price of the pure article? My hon. friend, if he thinks for an instant, will see the force of the statement I am making, that every article which is sold for consumption to the people should be absolutely pure.

Mr. COCKSHUTT. It is all very well for the hon. gentleman to speak about absolute purity. He knows there is no absolute purity in anything.

Mr. MACPHERSON. Oh, yes, there is.

Mr. COCKSHUTT. The hon. gentleman does not want to be too rigid in his definition. I am for selling pure goods just as much as the hon. gentleman is, but there are degrees of purity in all trades. If the hon. Minister of Inland Revenue sends his inspector to my store and asks for a pound of coffee, pepper or spice, and does not get it, I am deserving of being dealt with according to the law, but if he asks for an ordinary article, a compound, or if he says that he wants it for some ordinary purpose and not for eating purposes, why should a man be fined for selling him a cheaper substitute when he may be giving full value? In reply to the hon. gentleman that each article should be labelled in accordance with its contents, I would just say that we have come down from the Banking and Commerce Committee, where they are proposing to mark gold nine karats fine, whereas twenty-four karats is pure gold. Some hon. gentlemen want it to be marked nine karats when it is one-third gold and two-thirds alloy. The same applies to some of these articles of commerce which the inspectors go in and purchase. With all due regard for the hon. gentleman, I think I know a little about business as well as himself.

Mr. MACPHERSON. I do not question that.

Mr. COCKSHUTT. And I want to assure him that there is a great deal of these goods used for poultices and other purposes, that are not consumed for food. They are used for man and beast; they are largely used for animals. Perhaps the hon. gentleman is speaking more particularly in regard to the drug trade, which is quite different from the ordinary grocery trade. When a man sells an article as being pure he should give it pure, but where he sells it as a compound he should be permitted to do so. A man who wilfully adulterates should be punished, but in all fairness I ask that when an inspector goes into a shop to purchase an article he should ask for the kind of article that he wants, the same as any ordinary customer does. There are degrees of purity. The hon. gentleman knows, when he speaks about purity, that it is only a matter of degree, that none of us come up to the pure standard, either one way or the other, and therefore it is that we must allow a little latitude and not look for absolute purity where it cannot exist.

Mr. MACPHERSON. The moral lesson the hon. gentleman has read us is perfectly right, but when it comes to a question of mustard or cream of tartar, it is not the degree of purity, but it is the degree of impurity and the sale of an impure article should not be allowed. If a man is going to use it for his horses or for any other animals, he wants to get the best mustard, and that is the point I am trying to make. The hon. gentleman makes that point himself, except that he applies it wrongly. You want the best of any article, because you pay the price of a good article. You should not be allowed to sell anything which is not absolutely pure that is consumed as food.

Mr. BARR. I quite agree that in so far as we possibly can we should have purity and a stringent law in connection with the adulteration with everything that is used by man or beast. We have a stringent law in so far as many of the things used for cattle are concerned, and I do not think it is any too strict in that respect, but the subject is one that is not without its difficulties. In the first place, the law allows an assistant to analyse these articles, and it is possible that an injustice may be done in that way. The chief analyst may be all right, while the assistant may not be capable of judging whether an article is all right or otherwise. In that case there would be a great danger of injustice being done. Then, in so far as the druggist or the grocer is concerned, he buys his goods from the wholesaler. We do know that soda and mustard are not pure as they are sold in the grocery trade. For instance, there are different grades of soda; you may pay five cents in a grocery store and

you will pay fifteen cents for the same quantity in a drug store, but the latter, of course, is of better quality. The difficulty I see in this Bill is that it draws no distinction in a case like that. The provisions of the Bill are too crude. As I understand it, the Bill only touches the retailer in its penal provisions, and does not get at the wholesaler or manufacturer. Take an article like rhubarb; we have Canadian rhubarb and Indian rhubarb, one being high priced and the other low priced, and the Bill draws no distinction between the two. We should have a more elaborate Bill which would define the different grades of a specified article. In the case of compounds, the label should describe the different ingredients in the compound.

Mr. ARMSTRONG. Is it the intention of the minister to send officers into wholesale houses and manufacturing establishments?

Mr. FISHER. I think there is a little misunderstanding about this Bill. It does not in any way change the existing law which provides for all the cases that have been mentioned by hon. gentlemen. This Bill simply provides that the work and certificates of the analysts who have been working under the chief analyst in Ottawa, shall be valid in the courts of law. The chief analyst has a number of assistants at Ottawa who now perform a great deal of the work which was formerly done by analysts in different parts of the country. The certificates of these analysts are not at present valid in a court of law, and several cases have recently been lost on that technicality. This Bill is intended to remedy that.

Mr. BARR. Must the assistant analysts be graduates?

Mr. FISHER. Yes; they must be good men in every respect and as a matter of fact they have been doing the work.

Mr. ARMSTRONG. The minister has not answered my question. At present the officers take samples in retail stores, and I am anxious to know whether they will be permitted to take samples from manufacturing establishments and wholesale houses?

Mr. TEMPLEMAN. The officers of the department always receive instructions to go into wholesale houses.

Mr. ARMSTRONG. How often do they do so?

Mr. TEMPLEMAN. As frequently as they go to retail places, but of necessity there are more samples collected from retailers. The retail merchant can protect himself by obtaining from the manufacturer who sells him the goods, warranty that the goods are pure. If they are found to be impure the retailer is held harmless and the expenses incurred are paid by the manufacturer.

Mr. GUNN. If there is a label on the package saying that the goods are pure, would that protect a retail merchant without an additional warranty?

Mr. TEMPLEMAN. If they are labelled pure when they are not pure, it would make the case all the worse and the manufacturer would be held responsible. As a matter of fact, the wholesale merchants and manufacturers protect their customers whether there is a warranty or not.

Mr. BARR. Would the label be a sufficient guarantee?

Mr. TEMPLEMAN. Why should the label be any protection to the vendor if the goods are impure?

Mr. LALOR. When the label is marked 'compound' does that remove all responsibility?

Mr. TEMPLEMAN. Certainly not; but of course the component parts may not be injurious to health.

Mr. LALOR. The only requirement is that they must not be injurious to health?

Mr. TEMPLEMAN. Yes.

Mr. ARMSTRONG. The retailer would be protected by his guarantee from the wholesaler, but what about the jobbers? Does this Bill conflict in any way with the Canned Goods Bill passed this year?

Mr. TEMPLEMAN. Clauses 33 and 34 of the Inland Revenue Act provide for all this. The third schedule of the Act gives the form of the warranty which the purchaser or retailer can procure from the manufacturer.

Mr. GUNN. What constitutes a contravention of the Act? If I buy a pound of mustard which is analysed, and is discovered to contain only cornmeal or Indian flour would that constitute a contravention of the Act?

Mr. TEMPLEMAN. If it were not marked compound, it would undoubtedly be an adulteration. Why should it not be?

Mr. GUNN. There is nothing injurious about cornmeal or flour.

Mr. FISHER. If I pay for mustard, I do not want to buy cornmeal.

Mr. GUNN. The merchant would sell it only on the basis of a fair advance.

Mr. FISHER. That does not matter. If he does not sell it as pure mustard, he should mark it compound. If he does that, he is protected. If he does not, he is contravening the law.

Mr. GUNN. That mustard is used for plasters, for which purpose you could not use pure mustard.

Mr. FISHER. It does not matter what it is used for. If I pay for pure mustard, I expect to get it.

Mr. GUNN. People going into a store do not ask whether it is pure or inpure. They ask for a pound of mustard.

Mr. FISHER. And when they ask for a pound of mustard, the law presumes that they want mustard, and not meal.

Mr. COCKSHUTT. I notice in the bulletins of the department that the article which is found most defective and in regard to which there are more fines than with regard to any other in recent years is maple sugar or maple syrup. For that the retail dealer is not responsible in any degree. This article is manufactured by the farmer or the woodman, who brings it in and sells it on the open market as maple sugar or maple syrup. The dealer buys it, not knowing what degree of purity or impurity it contains. Then the inspector comes round and gathers up samples of the article and finds defects in it. I have been amazed, in reading the bulletins of the department, to learn that it is the great exception to find the pure article. Here is an article made by the class who are commonly spoken of as the consumers, the farmers, and of all the articles on which the minister issues bulletins, it shows the most numerous infractions of the law. Now, is there any inspection of the manufacturers of maple sugar or maple syrup ? Are they allowed to bring in and sell as maple sugar or maple syrup something that is made from boiled maple chips and brown sugar ? I am not in the secrets of the trade, but I ask the minister if it is fair to hold responsible the retail dealer, who has no control over the manufacture of this article ? The farmer usually brings in only five or ten gallons of maple syrup or a few pounds of maple sugar, and it would not pay the retailer to go to the expense of $5 for an analysis of this, and throw away more than all the profits he makes in selling it. It is necessary in these cases to be practical, and I think it is unfair to hold the retail dealer responsible when he believes that he is doing what is right and for the best, while at the same time there is no supervision over the man who made the article, who knows what is in it, and who offered it to the trade as a pure article. I would like to hear from the minister whether any particular precautions are taken with regard to the manufacture of maple syrup or maple sugar to ensure its purity. The Minister of Agriculture comes from a district where a great deal of it is produced, and perhaps he would tell us what course is pursued to secure its purity in that district.

Mr. FISHER. I may say to my hon. friend that the farmers themselves have been crying out about the adulteration of maple sugar and maple syrup. They are the people who are hurt by this adulteration, and they have appealed to the Department of Inland Revenue to have samples taken and analyses made so that those who adulterate this prime article of food, the product of Canada, should be punished. My hon. friend seems to be very careful about the retailer. The retailer certainly ought to be protected, and in the law he has an engine for his own protection if he chooses to use it ; and if he does not choose to use it, he ought to be amenable to the law, like anybody else. He can get a warranty from any farmer or maker of maple sugar or maple syrup just as he can from the maker of pepper or anything else he buys. Then, if he is prosecuted for selling an impure article, that at once protects him and throws the penalty upon the person from whom he bought. I may say, however, that the department has been getting samples not only from retailers, but from farmers, and from those large concerns in the country which have been chiefly guilty of the adulteration of maple sugar and maple syrup. The farmers as a rule do not adulterate ; but the sugar made by them is bought by the larger concerns, not only in the country district but in the cities, and is reboiled or worked over with brown or muscovado sugar and then put on the market as pure maple sugar. If they put the word 'compound' conspicuously on the article, the purchaser knows that he is buying a compound and not pure maple sugar. He does that with his eyes open, and the seller does not violate the law ; but if the article is sold without the word 'compound' upon it, the seller is amenable to the law and ought to be.

Mr. DANIEL. I can endorse the remarks made by the hon. member for Brantford (Mr. Cockshutt). A case was brought to my attention where a dealer in the city of St. John was penalyzed for selling maple sugar, a sample of which had been taken by one of the public analysts and found to be impure. The provision merchant bought the article on the market for pure maple sugar and sold it for pure maple sugar. He did not know at the time that it was necessary for him to get any warranty. The minister will probably remember the occurrence, as some correspondence was had with him in reference to it. The retailer, whose name is Vanwart, was ready and willing to give to the department the name of the farmer who made the sugar. But the department did not consider that that would be of any avail and the retailer was penalyzed. I do not know how much he was fined but he was held in a penalty because he sold sugar as pure which he had bought as such and had not taken the warranty which the Minister of Agriculture (Mr. Fisher) speaks of. He did not take it because he did not know anything about any necessity under the law for his obtaining it. So that there is a good deal in what the hon. member has said with regard to the injustice of holding the retailer under a penalty. At all events

the least that should be done is to make all the retailers thoroughly aware of the different sections of the Act, so that they may know it is absolutely necessary they should provide themselves with a warranty before putting on the market anything they buy as pure but which may turn out to be adulterated.

Mr. GUNN. Are there any cases on record of farmers selling maple syrup adulterated ? I should think that that would occur chiefly among the traders in the larger cities who mix muscovado or granulated sugar with the maple. We have no such trouble in Ontario. There I think the sugar is practically pure. It is quite evident the Minister of Agriculture (Mr. Fisher) has never been in the retail business or he would know that if he were to ask a customer who was supplying him with some gallons of syrup, supposed to be pure, for a warranty, he might as well order him out of the store. He would not retain many customers who were selling his maple syrup. I do not see that there can be much trouble regarding the purity of the article as far as the supplies obtained from the farmers are concerned. They are not the parties who resort to adulteration.

Mr. FISHER. I do not think there are many instances where the purchaser bought straight from the farmer and found the syrup adulterated. The adulteration takes place where commercial concerns buy large supplies of the sugar and syrup from the farmer and then adulterate and increase the quantities very largely. I must admit that in one way they purify and clarify it and perhaps make it more attractive in appearance to the ordinary purchaser, but it is not the pure article. Samples have been taken of their goods and they have been dealt with. To the hon. member for St. John (Mr. Daniel) I would say that the department has been extremely lenient to the retailer. Until he is proved guilty twice, he is never fined. He has been asked to pay the costs of the analysis which proved him guilty, but nothing further on the first offence. But that leniency has not been exercised towards the manufacturer and should not be. My hon. friend must see the danger of pleading, on behalf of any people, ignorance of the law. If we were to allow that to prevail, there would be no means of improving conditions. The condition of the trade last year was largely due to the fact that nobody has ever held the retailer responsible. Consequently you cannot get at who are behind them until the retailers take care from whom they buy ; and if they do not know the reputation and character of the seller it is not too much to ask them to obtain a warranty. Under the Act provision is made for getting a warranty, and if they do not know the character of the seller sufficiently to trust his honour and sincerity, they should get a warranty.

Mr. DANIEL. No doubt the Act will become known, but at the outset it is rather hard that the retailers who are honestly buying what they suppose to be the pure article and are selling it as such, and who do not know the law, should be penalyzed. This retailer to whom I refer would not have anything in his store except what is of the very highest character, even if he got it for nothing, because he has always prided himself on keeping nothing but first-class articles ; and if he had had the slightest idea that this maple sugar was not of the very best quality, he would not have taken it under any circumstances or at any price. But he bought it for pure sugar from a farmer whom he knew and trusted but who proved himself not worthy of confidence on that occasion. And although we do hear a great deal about the farmer as being the salt of the earth and all that, I think they require a little watching the same as other people.

Mr. GANONG. I certainly can confirm what the hon. member for St. John (Mr. Daniel) has said with regard to Van Wart Brothers. They are men of the highest reputation and cater only to a first-class trade. The hon. minister may know a good deal about the maple sugar business but there is a good deal he does not know. I have a carload in my warehouse of maple sugar and I would like him to tell me, if any part is adulterated, how I am going to find out who adulterated it. We have not sent a pound out of our factory this year simply because we have marked it 'compound' and the retailer will not take it. That sugar in that car was picked up in Compton or Brome from a merchant who bought it from fifty of his customers. It would be very interesting to trace who adulterated that sugar, if any of it is adulterated. Seventy-five per cent to ninety per cent of the maple sugar is not sold as it comes originally from the farmers themselves. Just while the season is on and the sugar is coming in after the first run of the sap and it has not had a chance to harden, people buy it as a luxury, but the great bulk of it is not sold within that time ; and were it not for the confectioners of the country, the sugar would never be sold, and the restrictions are such to-day that there is scarcely a confectioner who will touch it at all. This thing reacts on the people who produce the sugar, and I question whether after this year there will be as big a demand for maple sugar as in the past. Sugar that comes to us by the carload, cannot be sold in that form. If you liquify it in order to get it a uniform colour you immediately lose the colour. Every time sugar is boiled it darkens. The confectioners have been in the habit of adding ten to twenty

per cent granulated sugar in order to keep it to the standard of colour so that it can be sold at all, but if you put that in the market and label it compound, you will not sell it. The retailers will not handle it. If the minister knows of any possible way by which he can tell that a carload is pure or if he will tell me to whom I should look to have it guaranteed pure, I should like him to do it.

Mr. FISHER. The hon. gentleman has mentioned a couple of counties in the eastern townships. I can tell him, that there is a combination of farmers in the eastern townships who guarantee that what they sell is the pure maple sugar, and if he will buy from them he will get a guarantee.

Mr. GANONG. Is there any farmer who will furnish a carload of sugar?

Mr. FISHER. Yes, I have one farmer in my county who has furnished five carloads.

Mr. GANONG. With a guarantee?

Mr. FISHER. Yes—give a guarantee any day.

Mr. GANONG. What about the sugar when it gets into the hands of the general retailer? There is very little sold by the carload.

Mr. FISHER. That is quite true. But the result of the agitation of this very law has been to create a condition of affairs that is met by the farmers combining as in the counties of Shefford and Brome, and making an arrangement by which they will give a guarantee and sell their sugar or syrup by the carload or by the five carloads.

Mr. GANONG. But when you get a carload of sugar, what are you going to do with it?

Mr. FISHER. That is for the hon. gentleman (Mr. Ganong) to say.

Mr. GANONG. There will be no sale for it, and so it all reacts upon the farmer.

Mr. FISHER. Give a guarantee that it is pure, and you will sell it.

Mr. GANONG. No one who knows anything about the sugar business would say that. I have been in the business for twenty-five years, and have covered the whole country from the Atlantic to the Pacific. The man who says that you can sell sugar after it has been stored for three or four months, knows nothing about it.

Mr. FISHER. I can tell the hon. gentleman (Mr. Ganong) that there are farmers in the eastern townships who store maple syrup from one season to the other and sell it right along. And, neither the hon. gentleman nor anybody else using that syrup after it had been stored for eight or nine months, would know that it had not been made the previous day.

Mr. GANONG. I am not talking about syrup, but sugar.

Mr. A. A. WRIGHT. I have been in the maple sugar business for a good many years, and my experience is not that of the hon. member for Charlotte (Mr. Ganong). It is true that when the new sugar comes in we sell more of it than at any other season; still, we keep it on the counter continually and we sell it every day in the year. We buy from reliable farmers and know what we are selling. If my hon. friend (Mr. Ganong) will put it on the counter so that the people can see it, I think he will have no trouble in selling it.

Mr. DANIEL. Do you give a guarantee?

Mr. A. A. WRIGHT. No.

Mr. DANIEL. Do you have the sugar analysed?

Mr. A. A. WRIGHT. We have never had it analysed ?

Mr. DANIEL. That accounts for it.

Mr. A. A. WRIGHT. The law on the subject is a new law. It is only recently that they have been able to tell whether sugar was pure or not. But now that they have the law, we can get it analysed. There is no trouble in selling sugar the year round, for we are doing it every day.

Mr. SPROULE. One thing we must admire about the hon. member for South Renfrew (Mr. A. A. Wright) is his perfect frankness. One thing he has told us was that he sold quite regardless of the Adulteration of Food Act, in not having these products analysed. He has told us also that he sells every day in the year. This is an open and flagrant violation of the Sabbath Observance Law. Where is the Minister of Justice? It seems to me that the hon. gentleman (Mr. A. A. Wright) has said either too much or too little, and in either case, has given himself away. The Minister of Inland Revenue (Mr. Templeman) must be grateful to the Minister of Agriculture (Mr. Fisher) for helping him out of his difficulty. It is quite evident that the Minister of Agriculture thinks his colleague is not able to attend to the affairs of his department, and so feels called upon to make explanations for him. The Minister of Inland Revenue was frank enough to tell us that this Act was made necessary by failure of prosecutions for the adulteration of food. When the regulations were changed to their present form, I remember warning the then Minister of Inland Revenue, and the Minister of Justice that they would be unable to secure convictions. But they persisted in what they had in view, so far as I could judge, one object, and one object only. At that time we had local analysts whose duty it was to analyse foods. In case adulteration existed, any one could lodge complaint and the certificate of the analyst would be accepted in court as

satisfactory evidence towards securing a conviction. If, afterwards, the individual complained against desired to do so, he could appeal from the finding of the court to the department here. In that case, the chief analyst would analyse a sample of the same food, and his evidence would be received in court. Now, in order to take work out of the hands of the local analyst, the regulations or law was changed, and it was provided that the sample taken must be sent to Ottawa to be analysed. But, as the Act provided that you could only reach the Department of Inland Revenue by way of appeal, of course, the court would not accept the certificate of the analyst here, as evidence and so conviction could not be secured. I stated then that that would be the result. I had it on the authority of an eminent lawyer who had looked into the matter. But it was positively asserted on behalf of the government that nothing of that kind could possibly follow. This proposed change in the law is complete proof of the soundness of my contention at that time. It is now proposed to provide that the analyses made by the department here, whether by the chief analyst or his assistant, shall be accepted as evidence in court.

Mr. TEMPLEMAN. I think my hon. friend (Mr. Sproule) has fairly explained the object of these amendments, just as I tried to explain them in the start. The whole object, as the hon. gentleman has stated is to give the analysts employed in the laboratory at Ottawa their proper status as public analysts. That is the whole scope of the Bill and the reason for presenting it is that difficulty has been found in carrying out the present law.

Mr. R. L. BORDEN. What change in administration will this new Act make?

Mr. TEMPLEMAN. None.

Mr. R. L. BORDEN. You have officers who are called public analysts in different cities. Does this make no difference in their status?

Mr. TEMPLEMAN. This law makes no change in the status of the public or district analysts.

Mr. R. L. BORDEN. What is their status?

Mr. TEMPLEMAN. There are five of these public analysts, and they have their offices respectively in Halifax, Montreal, Ottawa, Toronto and Victoria. They receive from the department a retaining fee of $400 a year, which is supposed to pay their office expenses; and, when they are required to do work for the department, there are additional fees.

Mr. R. L. BORDEN. I gather, either from discussion in this House or otherwise, that the policy of the department has practically left these men without remuneration other than the $400 which is to cover their office expenses. Instead of having samples analysed by these district analysts, the department has procured samples to be sent to Ottawa and analysed here, and so these men have been deprived of the remuneration they formerly had. Would the minister please inform us what is the state of affairs in that regard?

Mr. TEMPLEMAN. I understand that the amount of money paid by the department to the district analysts, for special work is about $7,000 or $8,000. It may vary in amount a few hundred dollars. I am speaking approximately. There is no doubt that in the carrying on of the work of the department it would cost probably five or ten times as much to have the work done by the district analysts as to have it done in the department. The assistant analyst, now the acting chief analyst, Mr. McGill, has performed work in some cases for a few cents that might have cost $5 or $10 if referred to the district analyst. Hundreds of samples of many articles are analysed and often the analysis is a simple matter not taking much time, and it is believed by the department that it would be much less expensive to have the work done in the department.

Mr. TAYLOR. I understood the minister to say that there are only five of these analysts. I see by the report of the Inland Revenue Department, 1906, part III, the names of Fagan, Bowman, Donald, Ellis, Valade and Vallée. That makes six. I think the title of this Bill should be changed from 'An Act to amend the Adulteration Act' to an Act to repeal that Act. We have had an Adulteration of Foods Act for a great many years, we have had a staff of officials travelling through the country collecting samples, another staff analysing them, the results of the analyses have been published in bulletin form and sent through the country giving the names of the parties from whom the samples were purchased and reporting the results, showing that a great proportion of the samples were adulterated, but there the matter ends. If this matter were properly dealt with, the manufacturers would be punished. I see in this report that one of these purchasing agents went into a store in Belleville, in the district of Kingston, and purchased some black pepper from John Panter & Son. The analyst reported on this that it is composed of wheat starch and stone cells, adulterated. That is the end of it, that fellow goes on selling that stuff and the department does not enforce the law. If we cannot have the law enforced with all this expenditure we had better abolish the Act. I have here a letter from a party which heads:

Dear Mr. Taylor,—This life is a struggle enough against disease without being helped by wholesale poisoners. The inclosed printed

admission ought to help some one get forty years.

The printed matter reads :

Dear Madam,—The law allows cream of tartar to be adulterated and sold provided it is marked cream of tartar compound. These compounds contain about twenty-five per cent cream of tartar and the balance chalk, and sometimes a little acid and sometimes phosphates. These adulterants cost from one to three cents per pound. You, therefore, pay good money for stuff that can be bought for a fraction of the amount you spend. There is another kind of cream of tartar for sale in nearly all drug stores, and allowed by law to be sold for cream of tartar, but contains from thirteen per cent to fifteen per cent of impurities.

If the minister will read this blue-book of his, and look up the report on cream of tartar, he will find that many of the samples marked adulterated, some reported genuine and some reported doubtful. In the report on fruit preserves he will find many cases of adulteration. The report gives the analysis under numbers which refer to a page in the book where the names of the parties from whom the sample was purchased are given. The first sample I see contains glucose and preservatives but is marked 'compound.' The next contains glucose and a preservative and is dyed, very little fruit. So it goes on, page after page of this report. But what good does this do to the country ? You know the men who made the sales, yet nothing is done although we are paying a staff of officials for the collection and analyses and the printing of these reports. There are no prosecutions.

Earlier in the session I brought to the attention of the Minister of Agriculture another fraud perpetrated on the farmers of this country in the selling of adulterated cattle foods. Although we have a law against the sale of adulterated food for men or cattle, there is no enforcement of the law, people are allowed to sell these foods if they mark them 'compound,' and I see here that the word 'compound' is sometimes put on with a stencil that no one can read. The name of the article is in big letters, Cream of Tartar, or Black Pepper, or White Pepper, and then in a little bit of a stencil that the department have deciphered by means of a magnifying glass it is marked 'compound.' The law is practically a dead letter, whereas it should be strictly enforced. We have had enough of the way in which this thing has been played with by the Department of Agriculture and Inland Revenue.

Mr. TEMPLEMAN. My hon. friend (Mr. Taylor) read from the report the names of six or seven analysts. Two or three of the names he mentioned are members of the laboratory corps at Ottawa, not district analysts. There are but five district analysts all over the country. My hon. friend says that we are not enforcing the law stringently or rigidly enough. The hon. member for Brantford (Mr. Cockshutt) thought we were enforcing it with too great stringency. It is difficult to please all parties ; it is difficult to enforce this law anyway, because it is of a somewhat inquisitorial character. The department is doing the best it can and whilst not wishing to be too drastic or arbitrary, the law has been enforced in the last few years to the great advantage of this country. A great many samples have been collected, analyses have taken place, the results have been published in bulletins, and that of itself has the effect of reducing the amount of adulteration even if we have not prosecuted the guilty parties. I think that in most of these instances where adulteration was found the retailer was required to pay the cost of analysis, averaging about $9. In the case of the manufacturers or the adulterators of maple sugar or maple syrup proceedings were taken in the courts against them and in most cases the proceedings are still pending. The policy of the department has been to proceed more stringently against those responsible for the adulteration than against what might be considered the innocent retailer.

Mr. ARMSTRONG. How many convictions of firms and men were made in 1906?

Mr. TEMPLEMAN. I cannot remember them.

Mr. ARMSTRONG. Would the minister be good enough to tell us whether this law would in any way conflict with the Act the hon. Minister of Agriculture (Mr. Fisher) brought down referring to pure foods, such as meats, &c. ?

Mr. TEMPLEMAN. I do not think so.

Mr. DANIEL. What qualification does the minister require from gentlemen before he appoints them as public analysts? What examination do they undergo, and how does the minister obtain a knowledge of the fitness of these gentlemen who are to perform the duties for which they are appointed?

Mr. TEMPLEMAN. They have to pass an examination before the board of examiners.

Mr. DANIEL. Before a board of the minister's own departmental officials?

Mr. TEMPLEMAN. Before a board appointed by order in council, which consists of the chief analyst of the department, Mr. Macfarlane ; Dr. Girdwood, of Montreal ; and Abbé Choquette, of St. Hyacinthe.

Mr. COCKSHUTT. The minister attributes to myself the idea that the law should not be too strictly enforced. I did not say that. He misunderstood me if he takes it in that way. My remarks were directed entirely to shielding the innocent and not defending the guilty. I took occa-

sion to criticise the way in which the inspectors take packages from the retailer. It was not that I wished to defend the man who wilfully puts on the market an impure article, sells it under a false name and misrepresents it; but I desired to point out that in the enforcing of the Act it was desirable that where tradesmen were absolutely innocent they should not be punished for the sins of other parties. I do not wish to be put down as saying that the minister was enforcing the Act too severely. All I want him to do is to see first that he is proceeding against the right party and not against the one who is innocent.

Bill reported, read the third time, and passed.

At one o'clock, House took recess.

House resumed at three o'clock.

SUPPLY—WARSHIPS ON THE GREAT LAKES.

Hon. W. S. FIELDING (Minister of Finance) moved that the House go into Committee of Supply.

Mr. R. L. BORDEN (Carleton, Ont.). Before you leave the Chair, Mr. Speaker, there is a matter as to which I would like to ask information from the government. Recently an item has appeared in the United States papers, which has been copied into the journals of this country, and which reads:

> The protected cruiser 'Detroit' is to be brought to the great lakes from the Atlantic for the use of the Michigan Naval Brigade. Estimates have been called for by the Navy Department for cutting off a section of the warship and preparing the vessel for passage through the canals. The "Detroit' is now out of commission and tied up at the Charleston navy yard at Boston. The section to be removed will be taken aboard the ship and upon arrival at Detroit the severed section will be again set in place and the vessel will be made whole once more. The 'Detroit' will be the first warship of her class ever located upon the great lakes.

I ask the leader of the House whether it has been brought to his attention officially or otherwise, that any application has been made for the passage of this warship through our canals, and whether or not such a proposal is understood by this government to be in accordance with the convention of 1818, under which warships of either country are not allowed upon the great lakes, with certain minor exceptions.

Hon. W. S. FIELDING (Minister of Finance). This matter being of international character and importance, although I have some impression concerning it, I would prefer to have the question stand by way of notice, and to-morrow I will give some definite statement.

Mr. COCKSHUTT.

Mr. R. L. BORDEN. I think that is quite proper under the circumstances.

Motion agreed to, and the House went into Committee of Supply.

Further amount required to provide for expenses in connection with the Royal Commission on Life Insurance, including a sum not exceeding $550 to be paid to members of the Civil Service, notwithstanding anything in the Civil Service Act, $75,000.

Mr. FIELDING. This appropriation of $75,000 is to cover the expenses still remaining to be provided for in connection with the Royal Insurance Commission. The accounts are not yet made up, but my information enables me to give an approximate statement of the cost of the service. The estimate is that the total cost of the Insurance Commission will be about $100,000. I have at present placed it at $105,000. It may be that there are some accounts we have not taken into consideration, but roughly stated that may be regarded as the probable cost. We have already paid to date $47,153.57, which, of course, implies that there are very considerable sums yet to be paid. We have taken two previous appropriations; for the year 1905-6 an appropriation of $20,000, and for the year 1906-7 an appropriation of $10,000. We are now asking for $75,000, which covers and includes $30,000 which was obtained by way of Governor General's warrant. Taking the $20,000 and the $10,000 already voted, the supplementary estimate of $75,000 now asked would make the total appropriations $105,000. The allowance to the commissioners has not yet been fixed by order in council, but the committee would desire to know what the view of the government is, and so I can state that it is proposed that the commissioners be allowed $30 per day in addition to their moving expenses; that the secretary be allowed $15 per day and his moving expenses. The expenses of the legal gentlemen connected with the commission were arranged with the Department of Justice under the late minister. The arangement with Mr. Shepley was that he was to receive an allowance of $100 per day, and moving expenses, for each day in which he might be actually engaged, and that he would expect to receive in addition to that a general fee in proportion to the extent and responsibility of the work. That general fee has not yet been determined. Mr. Tilley, who was the junior counsel, was allowed by the Department of Justice $50 per day and moving expenses. The commissioners have received various sums on account as follows: Judge MacTavish, $2,500; J. W. Langmuir, $2,000; A. L. Kent, $2,000. They have also received some small sums for expenses The legal gentlemen have received on account: Mr. Shepley, $8,000; Mr. Tilley, $4,000. The chief items other than these

will be the expenses of actuaries and stenographers and so forth. Mr. M. M. Dawson, the principal actuary, received $50 per day and expenses, as arranged with the commission, and the two actuaries who were assistants received $20 per day and expenses. The actuaries have been paid altogether for their services $7,041.55 and for their expenses $702.35. This, I understand, completes the payment of the actuaries. The stenographers have received $8,955. As I have already said, the total payments to date represent $47,152.57, but when the accounts are finally made up on the basis I have now mentioned, I estimate that the total sum required will be $105,000.

Mr. FOSTER. Mr. Chairman, I regret on one account that I am obliged to ask the attention of this House for any considerable time to matters in regard to which the House has no conceivable legitimate business, and which ought not under any ordinary circumstances to be brought before the House, being as they are matters entirely personal, either with reference to personal conduct or with reference to personal and private business, and which would never have become the subject of comment in this House unless for circumstances over which I had no control. I am, therefore, not apologizing to the members of the House for bringing this matter to their attention; the apology, if any, is due by others than myself. But I, at the same time, none the less regret that a man is called to stand up in this parliament and take any considerable portion of its time in reference to what are entirely his own personal and private affairs. The impression seems to have been created —and there are persons who are not at all laggard in attempting to strengthen that impression—that in some way or other the member for North Toronto has brought himself into a position in which it becomes the duty of the House of Commons to either prefer a charge against or pass a censure upon the same member, and if possible send him about his private business.

Sometimes that is varied by the advice of good friends who think that that matter ought to be relegated to the constituents of the hon. member, and that he should at once take the opportunity of placing his case before his constituents. That impression is also tinged with another, that it is a question of some public malfeasance, some disregard or active violation of some of the public duties of a member of parliament. Now, it might be well briefly to state just why this statement is being made; and perhaps one of the best ways of doing that is in the first place to say why it is not being made. It is not being made owing to any possibility of any member of this House of Commons laying any charge against the member for North Toronto touching any part of his public and official duties, extending now over a period of some twenty-one years as a member of the House and some eleven years as a minister of the government in charge of the work of the country. Although as careful inquisition has been made into my case as I suppose has been made into the case of any other public man, I stand at this time in this House of Commons in a position to state that from no official quarter and from no responsible party has there emanated or is there likely to emanate any charge against the member for North Toronto which may be brought into this House and pressed against him in regard to his public duties.

That being, I think, the case—as I state it modestly, and not in any boasting manner—an attempt was made last year to attack the member for North Toronto on the race-and-religion cry. The member for North Toronto was not born, has not been bred, and is not to-day, a bigot. He believes in his own religious principles, he adheres to that portion of the Christian community in which he was born and to which he remains attached, he asks the right to worship his own God in his own way, and he carefully and generously gives the same right to every other man. On the records of the public press or of the 'Hansard' of this parliament there cannot be found one single expression which can be tortured into a bigotted or ungenerous expression of feeling towards the co-religionists of hon. gentlemen who are not my co-religionists or towards any race or any creed in this country. But last year an attempt was made to drive it home to the people of the province of Quebec that I was an eater and a hater of Frenchmen—that I had chewed them up in various ways in this House and on the platforms of the country; and a young gentleman undertook to publish that propaganda in the province of Quebec. As I said last year, I am not at all thin-skinned with reference to things said about me in the public press; but I did consider it my duty, when a charge of that kind was made against me, to make an example and if possible vindicate my rights in that respect. I did so, and notwithstanding the distinguished protection and patronage of the present Minister of Justice, who endeavoured to laugh me out of court for the assumption of the position that I took, the good sense of parliament prevailed, and two things were demonstrated—one, that after all the assiduity that could be put into the question, no single justification of the statement made was presented at the bar of the House; and the other, that parliament, though largely composed of one party, dropped its partisanship to a large extent for the time being, and affirmed the well-understood rights of a member of parliament and the well-understood dignity of parliament itself.

Some other way had to be found. An insurance commission was appointed by the government of this country a year ago or more. That insurance commission was given certain powers. By order in council and in the King's name they were sent to do a certain work. Let me be absolutely well understood: I do not think it entered into the mind of any person, when that commission was being instituted, that it was to be used for any other purpose than the subject matter to which its powers were confined. But, whilst I state that and hold to that, I am equally strongly of opinion, and I have found no reason to give up that opinion, that it was not long in operation before some people thought that it afforded a piece of machinery by which political opponents, or at least a political opponent, might be broken and a party advantage might be gained. That belief may be simply confined to myself. I state it because I hold it, and I shall have to have good reason for giving it up.

Well, Sir, that commission went to work, and although its powers were absolutely confined to insurance business and insurance systems, and what was germane and closely connected thereto, in some way or other that commission decided it within its province, or within its power, one or the other, to make inquisition into businesses in no way related to or concerned with insurance—into matters of private parties in no way connected with or related to insurance or insurance systems; and in that way, through the press, which diligently headlined all the striking parts that might inure to the injury of a party opponent and followed it up during the time of the commission's work up to and including the report of the commission itself, which we have been able to study during the last three weeks. In connection therewith and as a result thereof, the private businesses of private parties and of private companies have been brought in and made a part of the record, and my own name and my own work have been so brought in and made a part of the record, that I have been in the first place challenged to clear my skirts in this House—challenged to make this House a tribunal and present my case to it; and, by reason of the arbitrary and un-British manner of proceeding adopted by the commission, I was obliged to state before the commission itself that, being denied the rights of a free man inside of that commission, I would be obliged to appeal to a higher tribunal; and here I am to-day. The tribunal is not quite as full as I would like it to be; the tribunal is not quite as wide as I would like it to be; but it is the best I have. I have been challenged to appear before it and I feel it my duty in some respects to make my statement here.

Now, Sir, I do not expect that the statement that I make to-day will go as widely as the precious headlines went in the party papers; I do not expect that all the gentlemen sitting opposite to me or about me will be quite unprejudiced in this matter. I do not know why they should not be. Might I appeal to the fair minded both of the public and the press to take my statement and weigh it, and come if possible to as nearly an unprejudiced conclusion as they can? And if I might appeal to the party press opposed to me, I might venture the wish that they would give as much publicity to the statement I now make in the place in which I am driven to make it as they did to the headlines and reports which came out from day to day whilst the commission was going on. They may be inclined to do that or they may not. That rests with themselves. If they do not, I cannot reach that portion of the public which they have prejudiced against me. That is one of the disabilities of not being ubiquitous or having your hand upon a general distributing machinery for information which shall reach the whole people of this country. That is all I have to state with reference to why I am about here to make the statement that I wish to make.

The work of the commission it is not my intention to take up in full this afternoon. That can be dealt with at another time and probably more effectively. But there is one statement I must make with reference to that commission, and it is this. That commission itself, in my opinion and as I ventured to state before it, overstepped the bounds of the powers that were conferred upon it and overstepped them to the prejudice and injury of private parties and private companies. That is my opinion. Let the House remember that in all the giving of evidence, in all the arrangements of documents, in all the ingenious questioning of witnesses, in all the pressure of charges—not declared but none the less charges—on which a conviction before that commission was sought—in all these neither I myself nor any other man who appeared before that commission had the right of a Canadian or British citizen to ask on what charge he was accused. A specification of the accusation that was brought against me, the protection of a court which always looks impartially on the two sides to a contest, or that greatest of all aid and protection, a counsel who is able to cross-examine and to bring rebuttal evidence—not one of those rights during that whole commission's work was accorded to myself or to any other man brought before it. The Montreal 'Witness' is not a paper particularly favourable to myself or the party to which I belong. Let me read an article from the Montreal 'Witness' which appeared just a day or two ago:

Sir Wilfrid Laurier's very eloquent presentation of the degradation it would be to the House of Commons to resolve it into an inquisition

into rumours which no one had had the manhood to formulate into charges amount, as the opposition leader pointed out, to a scathing denunciation of the recent insurance commission, with which the rumours in question had some connection. That commission was far worse than an inquest into unfounded rumours. It resolved itself from the first into a prosecution for undeclared charges. It engaged an inquisitor of the greatest ability as such, though before giving him credit for constructive wisdom, we should need to have assurance that he had no connection, as adviser, with certain preposterous recommendations in the commission's report, and its draft Act of parliament. This prosecutor seemed to regard it as his function to find every manager and director of every insurance company guilty of wrong-doing of some kind. He gave himself, and in the King's name, the commission gave him, every latitude for insinuating crime. He had his brief from a notebook of the faithful government inspectors and auditors, containing every point, however pedantic, raised in their private counsels, in the course of their very thorough audit and inspection for a score of years back, whether as to bookkeeping methods or as to investment. Wilful wrong was assumed in every case by the prosecutor, and, what is worse, wilful wrong is alleged in every case in the report of the commission. Had the gentlemen prosecuted been indicted for the errors with which they are charged in this report, they would have been tried in open court. They would have been assumed to be innocent until proved guilty. They would have been defended by counsel. They would have had the court on their side to see that there was no one-sided presentation of their case. Before this commission no charges were formulated, though criminal charges were present by innuendo all the time. No cross-examination was permitted, no defence was permitted. To a certain extent volunteered evidence was admitted, but was unheeded. The examination showed a determination to incriminate. The usual traps were laid to catch witnesses unaware. In fact every device was used in which a brilliant prosecutor might pride himself. Then at the close each and every one of these unformulated charges is formulated in a public report as a wilful departure from rectitude on the part of men, most of them of hitherto unimpeached reputation, and concerning whom the evidence had revealed nothing that was not consonant with the highest probity.

In other words, from the beginning to the end of that investigation, in so far as it referred to the Independent Order of Foresters, the Union Trust Company and myself, a very determined, most ingenious and skilful attempt was made—which has proved to a large extent successful—to shift the onus of responsibility from the shoulders on which it should rest and place it upon my devoted shoulders. That will come out more particularly as I progress with my statement. I make the assertion here in order that it may be kept in mind.

As the result of all this, certain impressions have been produced, and I propose to take them up in order. They are in most cases more than impressions. They are charges, insinuated if not openly declared. They are findings and judgments given in the report itself. The first of these is that Mr. Foster has imperilled, diverted and squandered the trust money of that organization in his investment of the same through the Union Trust Company and in other ways. Now, Sir, there are gentlemen present who have passed through the period of this controversy. Am I stating too much when I make that statement as one of the impressions created and one of the findings actually given ?

The hon. member for Carleton, N.B. (Mr. Carvell) the other day, in an address brought in out of place, but not without design, made the statement in about so many words: Mr. Foster was the Union Trust Company ; Mr. Foster had to do with the Forresters' funds ; I, and other Foresters have the right to ask him in this House, what became of the funds of the Foresters. Sir, I am here to make a partial answer to that demand. I assume that the hon. member, when he wanted to know what had become of the Foresters' funds wanted to know what had become of all of those funds. I would not willingly charge him with wanting to know only what became of those funds of the Foresters that had been entrusted to my hands and not wanting to know also what had become of those that never entered into my hands, for he put it on the ground that the Foresters had the right to know what had become of their money.

Well, Sir : In 1901, when I took charge of the Union Trust Company, the Foresters had a surplus of $5,250,000 in round numbers. Even the most rabid opponent of mine will not venture to say that I had anything to do with the investment of that money. In 1906, when I went out of the Trust Company work, the surplus of the Foresters was $10,000,000 or thereabouts. That is to say, of the total surplus of the Foresters about five and a quarter millions was handled and invested before I came upon the scene, and less than five millions had to be invested after I came upon the scene. If the hon. member for Carleton, N.B., wants to know, in the name of the Foresters, what became of their surplus, let him read pages 123 to 132 of the report of the Royal Commission on Life Insurance. He will find there what became of part of the surplus, but he will not find there what became of it all. If he does not find it there—if he assumes, as we all must, that the duty of the commission was to look into the investments of this insurance company—he will naturally turn to the evidence taken before that insurance commission to find out what became of that part of the surplus other than that which is accounted for in the pages to which I have directed him. But, when he looks in the report and looks in the evidence, he will not find it. What does that mean ? It means that this commission, which was appointed specifically to look after the in-

vestments of insurance companies, looked after the investments of this insurance company quoad, Hon. George E. Foster, but was very careful not to look after the investment of a large proportion of that surplus which was invested before Hon. George E. Foster came into the Union Trust Company.

If the hon. gentleman (Mr. Carvell) wants to know what became of the surplus and trust funds of the Foresters after I came upon the scene, I shall be glad to give him, and this House, and the Foresters who are interested, the exact facts of the case. In 1901, as manager of the Union Trust Company, I took charge of the investment of a large surplus of the Foresters, under two heads—one part by contract on certain lines and the other part as the investment of the Foresters in the capital stock of the Union Trust Company. The profits of the Union Trust Company under my management were as follows :

Profits made by Union Trust Company under management of George E. Foster :

1901 (four months)	$ 18,787
1902	39,067
1903	68,727
1904	94,057
1905	122,338
1906	183,898
Total	$526,874

These are the profits made by me—for I am now accepting as the basis of my argument the statement of the hon. member for Carleton, N.B. (Mr. Carvell) that I was the whole of the Union Trust Company. I am answering the hon. gentleman on his own ground. The figures show that, in the five years during which I had charge of the work of the Union Trust Company, I made a profit for that company and for the Foresters of $526,874. At the end of that time, the reserve fund of the Union Trust Company—which, of course, was nothing at the commencement—amounted to $400,000 ; the assets—nothing, of course, at the beginning—amounted to a little over $8,000,000. That, Sir, is what became of the funds entrusted to the Union Trust Company and placed under my management for these five years.

Comparisons are odious ; but they are sometimes necessary. I make this challenge : That the history of no trust company in the Dominion of Canada shows in its first five years anything approaching to the profits shown by the Union Trust Company. For example, I take the Toronto General Trusts Corporation. That institution has been in operation for twenty-five years in this country. It is one of the strongest as well as one of the oldest trust companies in the country. It holds its head even with the great trust companies in other countries. That company, during the first five years of its existence—with a most influential body of directors and great avenues of business opened up to it thereby—made as profits $72,500, as against $526,874 made in its first five years by the Union Trust Company. The Toronto General Trust Corporation has been going on for twenty-five years, adding to its influential directorate, adding to its business. Take the last five years of its operation : What have been its profits for the last five years ? $545,500. After twenty years of consecutive work it went into its last quinquennial term and in that time of its operation it made $545,000, whilst the Union Trust Company, in the first five years of its operation, made $526,000, or nearly as much in the first five years as the other company made in its last five years. The reserve of that company to-day, after twenty-five years' work, is $375,000 ; the reserve of the Union Trust Company, after five years' work, is $400,000. The assets of that company, after twenty-five years work are $31,000,000 ; the assets of the Union Trust Company, after five years, is over $8,000,000.

Sir, without attempting to be invidious, I make the comparison with one of the best and strongest of our trust companies, and I do it in order to answer these honestly held qualms and doubts of the hon. member for Carleton, N.B., (Mr. Carvell) as to what has become of the Foresters' money which was entrusted to the Union Trust Company. Let me say in finishing that part of my statement that I challenge the commission, the prosecutors under the commission or the friends of the commission or any other man to show one single illegal investment made by the Union Trust Company of the funds, capital or otherwise, of the Foresters, during that five years. Let me say that every investment was made on the securities allowed by the law and on sufficient securities and the figures that I have read to you indicate whether the securities and their sufficiency have been proved by the results in profits of over half a million of dollars in five years.

The next assumption which has been made—it is more than an assumption it is a finding—is that Mr. Foster was the Trust Company, responsible for the investments.

In the statement I have just made I assumed that that was true, because I wished to give my hon. friend a statement on his own basis. Let me now go on to state, what was acutally true, that Mr. Foster as manager of the Union Trust Company was not the whole Union Trust Company, was not by any means the whole Union Trust Company. Let me say in short that there is not an investment which can be pointed out of any considerable amount which was made by the manager of the Union Trust until it had been discussed and ordered by the Board of Directors of the Union Trust Company. Early in the formation of that company I put my views before those who were forming it. The proposition was to have a large and extended board of directors. I opposed that idea; I said I did not believe in that, for when you have that you

get directors who cannot fill the daily responsibility of the work, you then leave it over to a committee of those directors and the responsibility is gone from the directorate almost entirely. I was of opinion that a small board of not more than seven directors living so near to each other that they could be easily brought together for the transaction of business should constitute the managing directorate, and should be held responsible for the investments made. That was carried out and we began and continued almost up to the end of my term with seven directors. These directors were good men. I have had a good deal of experience with boards and I have never dealt with a board where I found the men more capable, more assiduous, or taking greater daily and weekly and monthly interest in the affairs they were supposed to direct. No investment was made unless it was first authorized by the directorate, and in the way of mortgage investments every one of them before the investment was made went before an executive committee composed of three directors, was looked into and reported upon by that executive committee, and if the report to the directorate was approved the manager then put the investment into train. I want that to be understood whilst I am making my statement before this committee. The directors as well as the manager were also governed by the law of investments. A trust company is under law and charter and its investments are absolutely conditioned by the laws in respect thereto and the charter powers given; neither manager nor director can go lawfully beyond what the law and the charter allows him and the directors to go. I made a statement a while ago as to what took place with reference to that charter and these laws in the matter of investments. Thus when the attempt is made to shift the responsibility from the directors to myself and make me absolutely responsible it is unfair as well as being untrue. I propose to take my lawful and proper responsibility ; I refuse to allow anybody to put upon me more than what properly belongs to me. I never shirk, I never have shirked the action of any board to which I belong and to whose investments I assented. Neither do I propose to allow any responsibility which does not properly rest upon me to be shifted upon me by any commission or by any prosecutor in that commission.

The third finding or statement is that Mr. Foster was investing Foresters' trust funds unrestrained by legal conditions. Now, Sir, what are the facts of the case in respect to that ? I want to make as clear as I possibly can these two facts, first that the Union Trust Company was an entity formed under charter by the Ontario government with certain rights and certain powers. I was not responsible for forming the Union Trust Company, I had nothing to do in conceiving the plan, I had nothing to do with putting the idea into its first form. After certain persons had decided to form a trust company and had decided as to what kind of a trust company was to be formed, I was asked to take charge of it. I did take charge of it and, to a certain extent, I gave my advice and my suggestions as to its directorate and as to the way it should be carried out. But this is the point, that, with the formation of the trust company, or with the investments therein of the Foresters I had no responsibility, I was not at the inception of the company and I was simply called in afterwards to manage the company which had been determined on before I was asked to manage it.

Now, the commission and the party press, following the lead of the commission, and my assailants, following the lead of both, are fond of constantly saying that Mr. Foster, as manager of the Union Trust Company, was administering the trust funds of the Foresters insurance organization. Mr. Foster had no part or lot, no power nor influence in the slightest degree in making the investments of the trust funds of the Foresters. Who were the trustees of the Foresters ? Who held their surplus ? Who made their investments ? The Supreme Court of the Foresters and no one else. Who formed the Union Trust Company, who took stock in the Union Trust Company, who called it into being and made it vital by buying its stock ? The Supreme Court of the Independent Order of Foresters and no one else. Does the quality of the trust inhere in the coin itself or does it attach itself to the trustees who administer the trust ? Is it necessary to repeat that question ? I have paused to give it emphasis. There is your gold dollar in the hands of the trustee for that. It is a gold dollar of a certain degree of fineness and weight. When the trustee has exercised his right of trusteeship and has put it into an investment it is a gold dollar of exactly the same fineness and weight, but the man who has it then is bound by no trust. It is his own money ; he uses it as he pleases. Have I made that clear ? Let me try to make it even more clear ? What I want to say is exactly this, that the trustee funds of the Foresters were in the hands of the trustees for the Foresters, namely, the supreme court of the foresters organization. When they looked at those trust funds and made up their minds to invest them, as they had a perfect legal right to do in the stock of a trust company, that is when the trust responsibility was decided. There is where the responsibility lay and there is where it lies to this day. It was up to them to say whether the stock of a trust company was a proper investment for trust funds. They took that into consideration, they decided that it was, they made the investment, their's is the responsibility and not mine. After they made that investment I was handling Union Trust Company funds

under the charter and the laws governing trust companies in Ontario and nothing more. The hon. member for Carleton, N.B. (Mr. Carvell) argued on this assumption that if a man had a trust fund and was responsible for its investment, if he loaned $5,000 of that trust fund to John Jones and John Jones put it into a general produce business, having given his security therefor, to the trustee who loaned him the money, if John Jones undertook to buy cattle or groceries and to sell and buy in these respects, the hon. member for Carleton, N.B., would come to thim and say: 'Mr. Jones, let me have a word with you.' 'Yes.' 'I believe you are buying cattle and produce?' 'I am.' 'Where did you get the money for that?' I borrowed it from so and so.' Ah, but, says the hon. member for Carleton, N.B., don't you know that it is trust money and that by the laws of investment you cannot buy cattle and produce and buy and sell indiscriminately with trust funds; I will have you up before parliament, sir; I will have you impeached for using trust funds that could not be so invested. Am I wrong or right in that parallel? Again, I bought for the Foresters, under instructions, 3,500 shares of bank stock paying for them at a certain rate, the investment running up to about half a million dollars. The Foresters put their money into bank stock, the bank took their money and delivered to the Foresters their certificates. Did the Foresters ever think of going to the bank and saying, or would the hon. member for Carleton, N.B., go to the bank and say: What money is this you are using? The money that we got from the Foresters and for which we delivered our bank stock. Ah, says the member, that will not save you; you must remember that this is trust money and that I have the right to go into your bank and follow that trust money up to its latest distribution in the interests of the Foresters. But, my dear man, says the bank manager, a lot of that money has gone to England and is being used there; a lot of that has gone to Australia and is being used there. Never mind, says Mr. Carvell, it is all trust money; I want your bank books; I want all your documents; I want to hale you before the commission; I want to know to the last cent where that money has gone and how it has been used. Could anything be more absurd than that? Mr. Chairman, that is absolutely the position that the commission took and that the prosecutor of the commission took. It was in vain that I raised my feeble voice to point out to them that that was a principle that could not be admitted. One looked at the other, the stronger gained and I was told that it was none of my business, and that they would follow it to the last item of distribution. Therefore, what I said at first I repeat again that it is absolutely a misrepresentation to represent me as investing the trust funds of the Foresters quoad the amount of money they put into the stock of the Union Trust Company and it makes no difference whether they put all of it in or a quarter of it in or any proportion of it in—absolutely makes no difference at all. Is it legal for the Foresters to invest their money in stock of a loan company? The law gives them that right. They have a perfect right to do it. They did do it, but the moments it got thus into the trust company it becomes money which is under the laws of the loan and trust companies, and which is to be administered under those laws.

Now, there has been a great deal said about my powers of leading people on—a sort of slick deception that I sometimes practice. Don't let the member for Carleton (Mr. Carvell) try to get back from his position, on the ground that I led the Foresters to believe that the money they so invested in this trust company would be invested as trust funds of the Foresters, and not as capital money of the Union Trust Company. The two representatives of the Supreme Council of the Foresters who had much to do, and in one way most to do, with the inception of the Union Trust Company, were the supreme chief ranger, and Mr. Stevenson, who was the supreme chief councillor. When I was called to take charge of the trust company, was it supposed by these gentlemen that the moneys they invested in the Union Trust Company on capital account were to be invested by me or the directors as trust funds of the Foresters? Not at all. Their evidence is plain. They made their sworn statement, and the sworn statement of these gentlemen is that they knew well; they contemplated it from the first; it was their purpose in forming the Union Trust Company, that the investments should be of two kinds. The capital they put into it should be invested under the laws of the Trust and Loan Companies of the country for general investment; whilst their own surplus funds that they gave to us under a different category should be invested according to the investment conditions of the Independent Order of Foresters themselves. Doctor Oronhyatekha at page 2318 says:

Q. Was it in contemplation then that the public should come in and be owners of capital stock in the Union Trust Company?—A. Surely, it was a regular commercial company.

Q. When did that idea die out, because that never happened, did it?—A. No, when we got hold of the company and found it was a big thing there would be no sense to hand it to you or anybody else.

Then at page 2325:

Q. Unless the Union Trust Company are precisely the same as the Foresters in their powers—and you do not suggest that they are?—A. Or rather the Union Trust Company powers were not limited as the powers of the Foresters.

Q. That is what I mean ?—A. That is correct.

By Mr. Shepley :

Q. And when you have been discussing investments to be made by the Union Trust Company out of its own moneys, you have never made the Insurance Act the basis of your discussion ?—A. Oh, no, just the laws and the laws which created the Union Trust Company were the laws, I should think to be consulted when we were about to make an investment. Is it in accordance with these powers.

Then the question goes on :

Well, then, of course you see, speaking broadly and not wanting to carry the question beyond just a broad statement ; you see, of course, that you have put your money into the Union Trust Company where it may go into channels of investment not authorized by your own statute ?—A. (By Doctor Oronhyatekha). Oh, surely.

And so it goes on, and that indicates the position with refernce to this matter taken by the then head of the Order, Doctor Oronhyatekha. Now, as to Mr. Stevenson, I quote from page 2358 :

By Mr. Shepley :

Q. What class or classes of investment would be in your mind as the probable investments the Union Trust Company would be expected to make of all these funds ?—A. Of course the funds of the order entrusted to them for investment had to be either in mortgage securities, deposits in bank, or a certain class of stocks that are authorized by the Insurance Act as I understand it.

This is to be for the surplus outside of what they put into capital. Then he goes on :

As to the capital of the Union Trust Company we were advised that that might have a broader scope of investment. For instance, the Foresters, could not invest in real estate except to a certain amount, which amount had already been invested. We were advised under the charter of the Union Trust Company that it was legal and proper to invest in or upon security of real estate ; in other words, that the powers of the Trust Company with regard to investments were broader than the powers of the Foresters or of any insurance society.

By Mr. Shepley :

Q. Well, was the fact that in that way a very large sum of money belonging to the Foresters would be able to get into a broader current of investments—was that fact at all an element in the consideration of the formation of the company ?—A. It was not in my mind. I was aware that subsequently it did take a broader form, but at the outset I gave that no consideration and attached no importance to it.

Q. Do you suppose that, having a right to invest in the stock of the Union Trust Company, that what the Union Trust Company might do with that capital stock, after they got it, was a matter that did not concern you ?—A. No, it did concern me, but I understand that they would have the same powers of investment that any trust company would have, and that its capital contributed by the Foresters could be invested the same as the capital of the National Trust Company or any of the other trust companies of the city.

Now, I have thought it necessary in order to be clear upon that, that I should read not only what was the law itself, but what was the express and well understood meaning that the Foresters themselves attached to it when they undertook to form the Union Trust Company.

Now, here is the charter of the Union Trust Company, and among other things the charter gives that company the right :

To invest any moneys forming part of the company's capital, or reserve, or accumulated profits, in, or on the security of, such real or personal property as the directors may from time to time deem expedient, and also to accept covenants, bonds or guarantees by way of collateral security for any such investment.

Now, so much with reference to the money that the Foresters invested in the capital of the trust company, and which was invested as I have stated.

There was another branch of the investment business. The Foresters, as they had a perfect right to do, entered into a contract (I hold a copy of that contract in my hands) by which over and above their investment in the capital of the trust company, they proposed to make the Union Trust Company the machinery of the investment of its surplus funds, such as it wished to invest. Now, that whole document in a few words is simply this. They bind themselves by this agreement with the Union Trust Company to allow the Union Trust Company to invest such surplus as they put into their hands in such securities as are allowable to Foresters' investments and to Foresters' investments only, for which we are to pay them four per cent, and we—that is, the trust company—are to have all the profits over and above the four per cent. That is the guaranteed investment.

Now, Sir, I make again the challenge which I made before. There are the two kinds of investments that the Trust Company made—one, of the Foresters' surplus upon Foresters' securities ; the other, of the capital stock upon such securities as are permitted to loan and trust companies ; and I again make the challenge for any man to point out any investment in any security which contravened the conditions of either the one or the other. Now, Sir, let me once more ask the question : If the Union Trust Company directors and their manager went on and invested their capital and other moneys as they were authorized to do by the laws of the land, who is responsible? The directors of the Union Trust Company or the manager? No, Sir. If there was anything wrong about it, if any trust has been violated, the wrong was done and the trust violated by the men who held the Foresters' securities and who invested them in the capital of the Union Trust Company. But, Sir, they had a perfect legal right to do it. There is a law that governs them and allows them to do

it. They did not step one iota beyond the powers which the laws of the country gave them. Theirs was a legal investment. Now, let no man hereafter, within the sound of my voice, arraign me before the bar of public opinion, or before this House, for investing the capital moneys of the Union Trust Company in securities allowed by the law, on the plea that they were trust funds, and that I had no right to invest them in such securities.

Again, the whole gist of the report, the whole inferential impetus of the prosecutor before the commission, goes to establish against me this charge, which was formulated so baldly, not to say boldly, by the member for Labelle (Mr. Bourassa) the other day. I do not accuse the member for Labelle of having any design to injure me in the matter; he was making his case for the passage of his resolution, and he went to what he considered was the authority, namely, the findings in the commissioners' report, and he read them as an unprejudiced man; for I do not for a moment imagine that the member for Labelle had the least prejudice against myself in that whole matter. He went there for information, he read it, he came to his conclusion, and he translated that conclusion here in parliament. I took the liberty of calling his attention to the fact that that was a wrong conclusion—not that he had misinterpreted the commission, but that the commission's report was a misrepresentation of the facts. Now, let me read what the member for Labelle said, which you will find at page 5539 of 'Hansard'—a pretty rough charge to be thrown at a man in the House of Commons or anywhere else; all the rougher when a man can say: I do not make this charge, it is the government commission's report that makes it. This is what the member for Labelle said:

> Is the Prime Minister, in order apparently to avoid an investigation into the conduct of some of his own colleagues, ready to say that these words from the Insurance Commission are not some of the most damaging words that were ever uttered by a tribunal to any man standing before that tribunal?

That is the way it strikes the member for Labelle; that is the way it strikes the man on the street; that is the way it strikes any man who, not knowing the circumstances, reads that report. The member for Labelle continues:

> On the one hand, the hon. gentleman is accused by the commissioners of having formed this syndicate in order to take the trust funds of which he was manager and loan them to himself as a member of the syndicate; secondly, that he has received a commission either from the party that gave him the money to be held in trust, or from the syndicate of which he was a member. This is the summing up by the commission.

Now, put in my own words, the finding of the commission is this: That Mr. Foster violated a trust in the Montague lands transaction, and diverted certain sums of money from the Union Trust funds, he being manager of the same, into his own pocket and for his own advantage. The member for Labelle puts it in other words, but it is about to the same effect.

Now, will the House listen to me while I give a plain statement of that transaction? In March, 1902, the Supreme Court of the Order of Foresters, Dr. Oronhyatekha, its Supreme Chief Ranger, and Mr. McGillivray, its Chief Secretary, who were the custodians of the trust funds of the Foresters, loaned out of the trust funds of the Foresters to themselves and Dr. Montague, Deputy Supreme Chief Ranger, the sum of $133,000, on interest at 6 per cent, on certain lands bought or to be bought by Dr. Montague, to be carried and afterwards sold, for the benefit of the three persons named and myself, whom they invited to come in and be one of the four. Now, as I said before, I will take my own responsibilities, but before God I will take no other man's, if it is to my hurt. I was not a member of the Foresters' Supreme Court; I was not a member of the Foresters in any way—had nothing to do with their moneys, nothing to do with their investments. In that matter I was simply invited to form one of four to borrow $133,000 from the Foresters' funds, and it was loaned on the conditions of the mortgage upon the land. I again do not want to take from myself any blame that might attach; I want simply to state the case. So far as that money was concerned. I had a perfect right to borrow it if I could. I was not a Forester; I was not a member of their court; I had nothing to do with the loaning of the money; I had nothing to do with their trust funds. As an individual outside of them entirely, I went in with the other three, and the loan was made by those gentlemen to that syndicate of four. So that when the member for Labelle translates the finding of the commission into the words that I took Union Trust Company moneys and formed a syndicate, of which I was one, and loaned moneys to that syndicate, and took a commission therefrom, that is a statement of the case as foreign to the reality as it could possibly well be.

Note this. From March, 1902, down to May 1, 1903, that business went on entirely outside the Trust Company. Land was being managed; Dr. Montague was the trustee—a trustee to hold the conveyances, hold the titles and securities and make reconveyances as the lands were sold. About that time, owing to Dr. Montague being around and about the country, away often from where we could all get together, I myself made the proposal that instead of having Dr. Montague hold these lands and their titles, there should be substituted the

Union Trust Company, which should take his place in that respect, and in that respect alone, namely as a holding trust to hold the securities and the lands and make reconveyances according as we sold them out. That was done, and what has been cited as a trust, a trust which covered a multiplicity of duties or obligations, was a trust in one particular, and one alone, namely to hold the security and the titles and to convey the lands as the syndicate sold them out. The Union Trust Company was the depository of no money. It had no right to buy or to sell. It had no duty to keep accounts. It had nothing to do except simply to take the place of Dr. Montague and hold the titles to these lands and reconvey them to persons who bought them, according to the instructions of the syndicate and not of the Union Trust Company. Therefore, if hon. gentlemen have followed me, they will see that this was not a complete trust, not a trust involving money transactions, buying and selling or anything of the kind. It was simply a holding trust. That document is here. It was in Mr. Shepley's hands. It was read in evidence. It was placed before Judge MacTavish and is in the exhibits to-day, and I challenge the attention of hon. gentlemen to it. From March, 1902, up to May and after May, 1903, when this change took place, that syndicate of four were still buying lands, and I became to a certain extent the mouthpiece or the negotiator for that syndicate in negotiating for the purchase of lands. The Union Trust Company had nothing under the sun to do with it. The Union Trust Company had no power at all over it. That syndicate managed its own business and managed these later negotiations through myself. We were in contact, the one with the other, looking over the land, deciding what we would give and the terms, and coming to our own conclusions. So what happened? Forty-four thousand acres were bought before the Union Trust Company, even in that capacity, had anything to do with that syndicate. Some 60,000 or 70,000 were bought after that. The Union Trust Company became the holding trust in the place of Dr. Montague for the first 44,000 acres. The others that we bought were destined to be put in the same holding trust. Instead of myself or Dr. Montague buying those lands and having the titles made out to us and we then reassigning to the Union Trust Company, both operations were done in one and the Union Trust Company bought in trust for that syndicate and at the direction of that syndicate. That is the whole case as regards that trust. That syndicate had the right to carry on its business as it pleased. High and mighty though Mr. Shepley may be, and up on a pedestal as that commission may be, and with due deference to both of them, that syndicate of four had the right to carry on its business as it pleased. It did carry on its business, and in the course of its operations on two occasions, in the negotiation for land, came to the point where the vendor and the syndicate were at points or nearly so with reference to the price. But we did not take the lands until the agent of the vendor said to us. Take them at the price at which I am authorized to sell them, but I get a commission of so much and I will give you one-half of that commission if you take the lands. We, the syndicate, came together, discussed the matter, and decided to take the lands under that condition. On the first transaction $10,000 was the agent's commission. He offered the half and we took the $5,000. I took it, said the hon. member for Carleton (Mr. Carvell). I put it, he says, into my own pocket. I took it, say the commission in certain parts of its evidence and report. Why could they not be honest and fair, both of them, and say that the commission was taken by the syndicate managing its own affairs. Now, note this. Who were that syndicate? They were Dr. Oronhyatekha, Mr. McGillivray, Dr. Montague and myself. The lenders were in that syndicate and so were the borrowers. Both agreed to the taking of half the commission from the agent. Say it was taking profits prospectively. You may say whatever you like. I have given the facts, and the whole facts of the case. But with a devilish ingenuity, just as skilful as it is devilish, that commission put on the records of this House, to stay there for ever, that I took that commission, and then follows it up with these words: 'He says he divided it among the members of the syndicate.' That is the statement of these unprejudiced and manly men who had the books before them, who knew that the other three members of the syndicate got their share, and yet the best they dare, consonant with instructions, and the worst they dare —brave men that they are—is to say practically that I pocketed it and that I said I divided it with the others.

Now, look at another thing. That syndicate had earned money and had turned it into the funds—$10,000 at one time. They had paid their interest up to that day; they had received nothing for their management or anything of that kind; they proposed to take, and they did take, that reduction of the agent's commission as prospective profits. Characterize it as you like, that is all there was to it.

The second transaction—for I am not going behind anything—was a transaction on exactly the same basis and agreed to exactly in the same way. Other transactions had taken place between the members of the syndicate, which it is no man's business to know. Payments had been made to some members of the syndicate, and I, as a receiver of the second commission, refused to distribute it until we had an adjustment

of accounts. My hon. friend from Carleton makes the query: When will this be adjusted? How is it going to be adjusted? Will it ever be adjusted? If it were parliamentary, I would tell him it was none of his business.

Now, what the commission had the right to do—I ask your attention to this, Mr. Chairman, and the attention of every hon. member—was to criticise the officers of the Supreme Court of the Independent Order of Foresters who lent that money to themselves and to me which bought 44,000 acres of land before I knew anything about it. Will you believe it, Mr. Chairman, and will the members of this House believe it?—You may look through the whole record of the evidence and you will not find that the virtuous Mr. Shepley and the highly honourable commission made one single inquiry into the purchase of that 44,000 acres of land—whom it was bought from, how much was paid for it—whether it was bought from the Canadian Pacific Railway, from the Great Northern or from what other source—what letters passed or whether there were any commissions paid—and all the rest of it. Why, they were perfectly agreed that there should not be a word of investigation, not a syllable of censure with reference to that. But, when it came to the point that the name of the Union Trust Company came in—in a document which, as Mr. Shepley knew perfectly, simply substituted the trust company for Dr. Montague—and so my name could be got at, there was no ingenuity too great, no sleuth-like proceedings too keen to follow up to its remotest contingency, to its furthest point of possibility how these lands were got, from whom they were got—whether from political friends of mine or from others—had Mr. Roblin any hand in it? —was Mr. Colin Campbell into it—was this, that or the other friend of mine concerned? All these questions were asked. Now, query: Was the first avoided because Mr. Foster could not be implicated through the trusteeship of the Trust Co. as holder of titles—Was the second brought upon the boards because Mr. Foster could be so represented?. I ask Judge MacTavish to answer that question as a man.

Another finding of this commission is that I accepted a bribe in the shape of a commission in the transaction of the Kamloops properties. You will find that at page 149 of the report. Now, Mr. Chairman, let me ask your attention for a moment to this matter. In the course of human events the time came when in the opinion of Mr. Shepley it was proper that I should be questioned. Let me explain that I was subpœnaed on the last of August. I went to that inquiry and remained from the 5th of September until the 3rd of October. All that time these undeclared charges were being pressed against me. I asked to be heard. I was there with the information; I was the man who knew more about these matters than any other man; my oath was just as good as any other man's. I asked that I be relieved from these long hanging, undeclared charges, by being put on the stand and questioned. But Mr. Shepley was not ready. The train was not sufficiently laid; the bomb was not quite ready to explode. And so I could not be put upon the witness stand, and was not put upon the witness stand, until the 3rd day of October. On the 1st of October, I rose before that commission and made a most earnest appeal against the cruelty of being hung up between heaven and earth while these insinuations were being spread abroad, and when the time was hanging on the hands of the commission. Mr. Shepley said: No, we cannot take you this afternoon. I pleaded with the chairman of the commission. Mr. Shepley looked up at the chairman of the commission and said: 'You know, judge, we have not been able to get those bank books yet.' And Judge MacTavish nodded willing assent, and solaced me by saying: 'You know, Mr. Foster, now that you have made this protest, the public will think there are two sides to the question.' That was indeed a great solace and comfort to me. What were the bank books that were necessary?—What had I to do, what had my oath, my evidence to do with bank books?—Let them call me—I was there to be called. I was there to give them, on my oath, the facts of the case—as I did after the bomb had been prepared and the train had been fairly well laid. I was put on my oath, and, in course of my evidence I was asked this question: Did you receive any commission from Mr. Fowler in the Kamloops transaction which induced you in any way to put that transaction through? Was there any commission? I gave them my word. Meanwhile, Mr. Fowler's bank book had been stripped by that commission out of the guardianship of the bank, and every one of his private disbursements, even to that for a present he had made to his wife, was paraded before that commission and paraded before the country. And all this was done in the absence of Mr. Fowler and without asking his leave; without saying to him, even: Mr. Fowler, the commission would like to see your bank book—have you any objection? Mr. Fowler, if asked that question, would at once have said: Gentlemen, you may see my bank book, but I have private business there as well as other business, and you will please not communicate my private business to the public. That is the way they do these things in England. Will any man say they ever go beyond that in England? Is a man's business to be ruthlessly torn up and his bank accounts publicly paraded because three men are given the name of a Royal Commission and given certain powers which they speedily prepare to overstep in this star-chamber way? Well, Sir, when they got that bank book there was great rejoicing in the camp on two accounts. I cannot divulge the source of my informa-

tion, but I know a correct and well modulated yell of triumph went up from the prosecutor and his associates, when two items in that bank book met their eyes: One a check from Mr. Fowler to myself for $2,500 and the other a check from Mr. Fowler to the leader of the opposition (Mr. R. L. Borden) for $100 or something like that. They were all cock-a-whoop!—Now we have got them! And my council was telephoned to in a flustered voice: Something of great importance has happened, come down at once. We went down. I was asked the question: Did you receive that cheque for $2,500 from Mr. Fowler? I did. I explained it, I explained it to the commissioners I explained it as a part of my private business. I was stripped Sir. Will you believe it? I was stripped absolutely bare as to my financial standing by Mr. Shepley in the eyes of Canada and before that commission. I have been 22 years in public life in this country. I have stolen nothing; I have made no use of my opportunities to amass a fortune. To-day I stand before this parliament and this country under bare poles. I am not ashamed to say so, but God forbid that any prosecuting attorney, in the King's name, should make me a financial spectacle before this country through a commission appointed to ask some questions with reference to insurance. Some one in the reporters' gallery said that my voice grew tense when I approached this subject. I do not wish to conceal that it does. I never had an experience like this before in my life. All that I have is the ability that God gave me, my power to work, my character and my reputation, and Sir, I will fight to the last ditch before I will let anybody rob me of those. Pressed by Mr. Shepley I gave a portion of my private business, and then said, when he pressed still further; Your Honour, this is private business, I do not think I ought to be asked this question here, I have given you my oath, but if you commissioners want to know the ins and outs of this whole thing I will spread it before you. Judge MacTavish said: That will be quite satisfactory. From that day to this they never asked me to spread anything before them. There was my oath denial, there was my testimony, there was that action. Do you believe it, Sir, that commission never called another witness as to whether I took a bribe by way of commission or not, and yet let me read from page 149 of the report:

> On February 8, 1904, the dealing with the Union Trust Company was reduced into conveyancing. The main agreement of that date, by which Fowler conveys the property to Foster in trust, and which declares the trust to be, to the extent of forty-nine per cent for Fowler, Irwin and McCormick, and to the extent of fifty-one per cent for the Trust Company, recites most carefully that Fowler, Irwin and McCormick contemplate purchasing and desire to negotiate for the property, and have applied to the Trust Company to join them in the purchase; that in pursuance thereof the agreement of January 26, with Ryan, was entered into by Fowler; and that it is now necessary to procure and pay to Ryan his purchase money accordingly.

Now mark this:

> Following this, $225,000 was paid to Ryan by the Trust Company. By the real arrangement between him and Fowler he was only entitled to retain $170,000, and he paid over the remaining $55,000, or the greater part of it, to Fowler.

Now comes the judgment of the commissioners, the finding of a Royal Commission with the King's name stamped on it:

> Out of these moneys Fowler paid Foster at least $2,500 and probably about $7,000. Mr. Fowler's evidence, pages 3102, 3103, 3104. Mr. Foster's evidence, pages 2536, 2537.

That is all there is to it. What do you get? We get what is there. Has one of you seen the evidence and read it? No, Sir, Now if the members of parliament have not seen that evidence and have not read it, what will be thought of it by the man in London, a friend of mine, knowing me as the former finance minister of this country, who gets that report sent to him and reads that I took from $2,500 to $7,000 out of a commission? Will he ever see the evidence? It might as well be hidden in Hades so far as he is concerned. The man on the street does not dig into the evidence. Look at the abandoned maliciousness of a finding like that. In that judgment I am condemned before the country and the world for taking a commission upon business I was transacting for the Union Trust Company; it is stated that I did it. and the evidence given in contradiction is carefully kept out of the report and hidden away in the archives of this country. Twenty-five years from this when my dust has mingled with mother earth, some political slanderer arises in this House and in reply to a member from the opposition says to him: You vaunt yourselves about your men and your leaders, your coadjutors; read the report of the Royal Commission. There was one of your trusted men reported by a Royal Commission as taking a bribe in carrying on his trust company business. I am not near to meet my traducer, and 50 years afterwards it is the same, and for ever down the rolling years of the history of Canada, that damnable record is there, full of falsity, to the utter abandonment of all sense of honour and all truth and all manly conduct, man to man. I ask Judge MacTavish how he dared put such a malicious finding in this report.

Take page 133 of this report. Page 133 in one sentence sums up what is the designed effort of the prosecutor and the designed object of the commission. It had been declared that the Union Trust Company was formed for speculative purposes and after having

iterated that and reiterated it, the commission says :

> The purpose was then undoubtedly to embark in active speculation.

What did Judge MacTavish mean by that ? What did the man who wrote that report mean by that ? What did the prosecutor before that commission mean by that ? Again I throw out my challenge in his teeth ; show me the investment that was made by the Union Trust Company of its capital funds in anything else than what was authorized by the laws of the land. What right have you to call it a speculation ? It is the same as every trust company invests in, the same as every loan company invests in ; only that and nothing more. Yet, it is paraded through the pages of that report that it is speculative, that it was meant to be speculative from the first and embarked in because of that ruling idea. Then they go on to say that I speculated or invested in land, invested in timber properties and invested in real estate. In Heaven's name, what do trust companies invest in if they do not invest in these ? What do large banks invest in if they do not invest in these ? Go down to the Bank of Montreal, ask its manager to open to you its page of investments and you will find that nine-tenths of the investments of the bank are investments in land, in business, in lumbering orperations, in milling operations and in company operations. Yet, that is all speculation. Ours was speculation. Loan a thousand dollars on a farm in the Northwest, taking 50 per cent of the valuation, it is a speculation. The risk may prove to be a bad moral risk, there may be three or four bad seasons in the west, the man may neglect his business, you may lose your whole investment ; it is a speculation and nothing more. So, Sir, Mr. Shepley shapes the report to brand me and to brand the Union Trust Company with speculation, whilst the evidence before his own commission shows that we are making exactly the same investments as other trust companies and that they are legal investments.

Now, Sir, I come to one of the most talked about charges and that is that Mr. Foster took trust funds, diverted them to loans to himself, or in his own interests in the case of the Great West Lands Company without disclosing the facts to his directors. That statement was made by the hon. member for Labelle (Mr. Bourassa) not on his own responsibility, but collated or read from the report of this commission. What are the facts in reference to that ? I will give them to you just as briefly as I possibly can. Messrs. Pope and Fowler and some friends of theirs, some time or other, became possessed of an option on lands in the Northwest. They purchased those at $3.50 per acre. Let me here say

that one of the undeclared charges against me which Mr. Shepley followed up like a sleuth hound was that I had an anterior interest in these lands of Messrs. Pope and Fowler and others which were sold to me. I denied that on oath. There is no truth in it. I knew nothing of it, never knew that they were buying lands, never knew that they were buying other lands, knew nothing about it at all until the proposition was brought to some of us in Toronto. That was an undeclared charge. If Mr. Shepley had been proceeding in a court of law he would have had to specify and declare that charge and he would have sought his conviction by proper legal methods, but he sought it in an underhand way. I gave my denial to it on oath. I repeat that denial here to-day. They brought this option to the city of Toronto and after certain negotiations had taken place with others they came down to a negotiation with a number of gentlemen with whom I, myself Mr. McGillivray and Mr. Matthew Wilson were associated. To make a long story short, Mr. Wilson, Mr. McGillivray and myself bought an option from these gentlemen paying them $4.50 per acre an advance to them of $1 per acre. When we had secured that option. Mr. McGillivray, Mr. Wilson and myself turned around and sold it to the Great West Lands Company for an advance of 50 cents per acre payable in stock. Please keep that in mind. Not one dollar of profit went into the hands of Mr. McGillivray, Mr. Wilson and myself. Our advance was all paid in stock and we would get it or would be paid it after every other obligation of the company was absolved and paid off. Although the finding of the commission misrepresents it, the evidence shows conclusively that at the time Mr. McGillivray, Mr. Wilson and myself bought that option and made a sale of it to the Great West Lands Company, there was no thought of taking that to the Union Trust Company of which we three were directors. Our advance in stock amounted to $95,000. We said : We have to take about half of that to help us to finance this transaction through ; we believe it is a good transaction ; we believe that money will be made out of it and we believe that by giving a bonus of stock we can get capitalists to advance us money for three years. That is all we need. In the course of the thinkings and negotiations and the like of that I simply took this position : Let us take this to the Union Trust Company of which I am the managing director and you two gentlemen are directors. Let us allow the Union Trust Company to have this proposition if they chose to take it before we offer it to any other company or capitalists. Up to this time who finds fault with me ? Had Mr. Fowler and the others the right to buy property in the Northwest Territories ? Had they the right to sell it

at an advance ? Had Mr. McGillivray, Mr. Wilson and myself the right to buy property ? Had we the right to sell it again at an advance ? Where is the law against it ? Where are the ethics, where is there any objection to a course of that kind ? Now, Sir, having gone that far, we wanted to raise money in order to finance the transaction partly by money raised and partly by the sale of stock until we could get into the sale of land and thereby recoup ourselves and carry the operation along. I proposed that we should take the proposition to the Union Trust Company. We took it to the Union Trust Company and the Union Trust Company directors took it into consideration and thought it all over, these directors being in part Foresters, viz.:—Dr. Oronhyateka, myself, Mr. Wilson, Mr. McGillivray, Judge Boyd, Col. Davidson and Mr. Stevenson. We took that to the directors of the Union Trust Company and they talked it all over time after time. At last the conclusion come to by the directors was this: if we can legally do it we will go into this transaction and loan your company the money that you require. What were the terms ? We were to pay six per cent for the money, we were to mortgage all our assets as a security, we were to give them a bonus of the 237½ shares of stock. These were the terms. After looking it all over the Foresters representation on the board as well as the board outside of that, agreed to the proposition provided it was within the legal competence of the company to do so. That question was left to Judge Boyd, and Judge Boyd is a careful lawyer and a judge of great reputation. This is the report that Sir John Boyd made as to the legality of the matter. I quote from his evidence before the commission :

> The only opinion I expressed was that it was competent for the Union Trust Company to enter into that in point of law, that being an outside syndicate which had acquired what they thought a valuable asset and presented it for the consideration of the Trust Company as a thing to be gone into jointly. I said there was no objection I could see in point of law, as it was a matter initiated outside the company and brought to them for consideration. That is the sum total of my expression as to the law, and all I think I was asked for.

Now, Sir, when Judge Boyd gave us his opinion as to its legality, then the documents were put through and the loan was arranged for, as I have stated, we, giving the bonus from our stock (that is the three of us) of 237½ shares, and 100 shares were put in Doctor Oronhyatekha's hands, on the Trust Company agreeing to advance us the money at six per cent and to have the option of taking stock for the part or the whole of their advance as and when they deemed fit. Now, Sir, I was told the other night that they had no security from that time until November, 1905. I denied it then. I deny it now. The member for Carleton declared that they had no lien or security from that time until November 28, 1905. The very first document, the basis of the whole where the transaction is set forth, gives the Union Trust Company a lien on every acre of these lands and on every dollar of our assets. When the change was made in 1904 and they took their stock, the instrument drawn up at that time continued that lien upon every acre of our lands and upon every dollar of our assets for any advances they had made, and on November 28, 1905, the last document did the same.

Now, I am not a lawyer; there may be a quibble possible on this—the lands that we had and gave as security in 1903 were lands, the title of which resided in the Canadian Pacific Railway. We gave a lien and an agreement to mortgage. I am told that this is in every respect equal to a mortgage so long as the title is still in the hands of the original vendor, and nobody else can register a claim with reference to it. Now Sir, I will read that, and whilst I am reading it let me dispose of another story. This commission says—and they do it again in an underhand way—that that whole transaction took place and the minutes do not disclose the relations of Mr. Foster, Mr. McGillivray and Mr. Wilson with reference to this transaction. The minutes did not on the face of the minutes, but the document referred to in the minutes and which was the basis of the minutes is the document I hold in my hands ; and I brand as false, I brand as a lie either deliberate or unintentional, the statement, from whomsoever it may come, that that transaction was entered into without a disclosure of the position of Mr. Foster, Mr. McGillivray, and Mr. Wilson with reference to it. That document bears date the 22nd of June, 1903. There it is. All the parties to it are set out in it. Who are the parties ?

> The Hon. George E. Foster, Lieut.-Col. John A. McGillivray, and Mathew Wilson, K.C., hereinafter called the owners—of the first part.

There we are at the very head of that document The owners. The owners of what ? The owners of that property and of that stock as appears in the body of the document.

> The Union Trust Company, hereinafter called the banker, of the second part ; and Doctor Oronhyatekha, Sir John A. Boyd, Hon. Robert Rogers,, George Percival Schofield, and the said Foster, McGillivray and Wilson, hereinafter called the shareholders, of the third part; and the New Ontario Farm and Townsite Syndicate, Limited, hereinafter called the company, of the fourth part.

And this last became the Great West Land Company by a change of name. There are the four parties to this agreement. Every particular with reference to the ownership, and the rights, and the distribution of stock, and the mortgage, to be given, and the in-

terest to be paid is set out in that document. There is a list of the whole thousand shares of stock that belonged to Messrs. Foster, McGillivray, and Wilson, and there is the disposal of it, to whom it is to go, down to the smallest and most minute particular. And yet they tell us that the conditions were not disclosed. I venture to say that no document could be found which so explicitly states the conditions signed by the parties themselves and executed, as that document does. Let us see about this lien business—and this to my hon. friend from Carleton :

First. That the said options and agreements (the dates of which are hereinbefore given), and all the right, title and interest of the owners therein, and in the lands therein mentioned, shall be assigned and conveyed by the owners, and the owners do hereby grant, assign and convey the same, to the company for the consideration to be given as hereinafter set forth.

2. That the company has agreed with each and all of the other parties hereto as a consideration therefor to make all payments required by said options and agreements, and to pay all disbursements and expenses of the owners in respect to the procuring of said options and agreements, and this agreement and to complete the purchase of said lands and to procure title thereto, and to allot or procure to be allotted fully paid-up and non-assessable shares or stock in the company in the amounts or proportions and to the parties, following : That is to say, to the owners (Foster, McGillivray and Wilson), 445 shares of stock——

And yet they say it was not disclosed :

—to Lieut.-Col. John A. McGillivray, 10 shares ; to the Hon. George E. Foster, 17½ shares ; to Mathew Wilson, 10 shares ; to the banker, 237½ shares ; to Dr. Oronhyatekha, 100 shares . to Sir John A. Boyd, 10 shares ; Hon. Robert Rogers, 10 shares ; George P. Schofield, 10 shares ; George Alexander Shaw, James Peter Murray, John Hogg Kydd, Whitford Vandusen, Henry Johnstone Dale and Wilfrid Servington Dinnick, 100 shares ; Rufus Henry Pope and George W. Fowler, 50 shares.

That is all of the stock that belonged to Wilson, McGillivray and Foster, allotted by that document, which was proceeded upon by the Union Trust Company and properly and fully endorsed and executed. Now, listen :

That the bank account of the company shall be kept with the banker (that is, the Union Trust Company) and all moneys required for the purposes aforesaid shall be borrowed from the banker and lent by the banker to the company at such reasonable current rates as the banker may demand, and the company shall give, grant and convey to the banker from time to time as security therefor and for the company's general bank account, the whole assets of the company, including the said options and agreements, and lands or rights therein mentioned, and the unpaid calls on stock now or hereafter issued, and the whole liability to the company of shareholders in the company for amounts unpaid or payable upon shares of stock in the company or otherwise as may be from time to time required by the banker.

Now, Sir, with reference to security, with reference to disclosure, with reference to the openness of the whole transaction, there is the document. Mr. Shepley had it ; the commission had it ; it is in the archives of this parliament to-day—no, this is the very document itself, which I got from the archives ; and in the face of that, the commission publish a finding which conveys to the public the idea that this transaction was surreptitiously gone into, and that the facts were not disclosed. I could go into other particulars with reference to that, but I do not think it is necessary. That is the main point of the transaction. This went on, and after a time the Union Trust Company took its stock. Then it rued taking the stock, because it began to think that it had better have the security on the lands and no partnership. It gave back the stock, and took a mortgage on the whole thing as it stands to-day. In the manipulation of that stock a disagreement arose as to the 237½ shares and the one hundred shares. That was a disagreement between other members of the Union Trust Company, and Messrs. Wilson, McGillivray and myself. It was a family matter; no one had any business with it but ourselves. It did not affect the securities in the least, because the stock was back of the lands, and was of no use or value until all the liabilities for the lands were discharged and the mortgages dissolved. And yet, Sir, will you believe it? that commission made an unpreferred charge against me that I had forged meetings, forged resolutions and forged documents in order to have this matter fixed up, so that certain stock should come to me and Mr. Wilson and Mr. McGillivray, and that certain obligations should be assumed by the Union Trust Company. Do you know, Sir, that in that report the whole of the transactions of the Canada Life Assurance Company, the monster life company of this country, occupies exactly three pages? Will you believe me also when I tell you that the little difference between some directors as to the real and ultimate destination of some shares of stock takes up exactly three pages also in that report.

But they say there was a risk in this matter. Now, I am looking straight at the Minister of the Interior—he knows the Northwest—and I look at the other members from the Northwest provinces ; and I ask them this plain question between man and man : Suppose that you had 200,000 acres of well selected lands, lying in the Saskatchewan valley, along the line of the Canadian Northern Railway, no portion of that land more than fifteen miles from a railway, the large proportion of it being within five or six miles, the railway all plotted out, the survey approved, three-quarters of the railway built, and absolutely no doubt about it be-

ing built through to Edmonton; would you consider that those 200,000 acres would be good value at $4.25 per acre? I make the assertion here, that there is no man who understands the Northwest who would look upon such a block of lands as anything but a prime security for the loan that was placed upon it. Why, there was one easy solution of the matter: Mr. Shepley simply had to call for one document in the Union Trust Company; that was the report of the examiners and valuators who went over every quarter-section of that land, described it, put the price upon it, certified to its correctness, and sent their report down to us as a company. If he had called for that document and brought it before the commission, he would have found that a loan of $4.25 per acre on that valuation was a loan of not more than 50 per cent of the value of the land. I talked the other day to a gentleman from the Northwest, one of our most enterprising farmers in that district. He said to me: I know that country, I know where that land was, and when you bought that for $4.25 an acre you were simply buying a gold dollar for half a dollar.' From all he said, there was not a shadow of doubt as to its being a secure risk, and it has worked out so that to-day not only is almost every acre of it sold, not only is the mortgage more than secured by the amount already sold and the contracts running, but the Union Trust Company will get its 6 per cent without any commission; whereas if we had loaned $100,000 on farm property, one per cent of this would have gone for commission and would have been an expense to the trust company. There was a loan without any commission, at six per cent, perfectly secured, and the trust company will have every dollar of it put back into its funds, and will get besides 237 or 337 shares of stock which will net it probably $40,000. It has had the management of the lands at 25 cents per acre, and it will scoop up probably from $30,000 to $40,000 as a profit on that transaction, and it has had also the management of our books and our funds. In all that transaction, not a dollar of money from the Union Trust Company went to Foster or McGillivray or Wilson. I made this challenge before the commission: You say that there were dual directors there. Will you tell me the law that makes it illegal for men to sit on two boards as directors and have business transaction with each other?

Where is the law? It is legal to do it. It is authorized by the law. It is more than simply not forbidden by the law. The directors have a perfect right to sit on two boards if they choose. But, you say, complications may arise. So they may. But I challenge you to go through that transaction and point out a single lack of economy, a single lack of good management, the single taking of a dollar of money or the misuse of any of the funds or anything of that kind; and if you can point that out, then mulct and punish the directors according to their desserts. But nothing such can be found in all the four years it has been going on. The nine directors of that company have simply received $180 as fees attending the meetings of the board. Not a dollar for travelling expenses, not a dollar of remuneration in any way, the funds have all been handled by the Union Trust Company, the books were kept in the Union Trust Company, the moneys paid in were paid in to the Union Trust Company and the moneys paid out were paid out by that company. In the light of these facts, where is the righteous and proper condemnation of any action we have taken in that respect? If we had surreptitiously carried our point, if we had not disclosed the situation, if we had misused the funds, if we had in any way turned them to our own advantage—but the contrary is the case. The result is that not a dollar of the Union Trust Company's money went into the pockets of those people and that in the end the Union Trust Company makes large profits thereby.

I am pretty tired and I imagine the House is pretty tired as well. I think I have taken up all the charges. If anybody in this House has any other charge to make, will he kindly mention it? Perhaps the hon. member for Wright (Mr. E. B. Devlin) has one.

Mr. E. B. DEVLIN. I think the hon. member for North Toronto (Mr. Foster) had better go on with his speech. If he thinks he has made a strong case, so much the better for him.

Mr. FOSTER. Then I conclude there is no charge coming from my hon. friend and I am thankful for that. Well, if I have not taken them all up, if any kind friend will pick out any more I will take them up at another time and try to dispose of them.

This raises the serious question which I propose to touch before taking my seat. This does not dispose of the commission. This is my statement very largely with some parenthetical observations thrown in. Here is the question that faces this House. Government has formed a commission and given it certain powers. That commission has acted. It has taken its evidence. It has put in its report. If my statement to-day is true, have I not the right to say to this House that it is an outrage that such a report should be put in the permanent records of the country? Have I not the right to ask this House in common honesty to me. If my statement be true, that they order that report back to that commission for amendment—for erasures, where erasures are necessary; for statements in full where partial and concealed statements are given; for a plain statement one way or the other instead of an insinuation. Do hon. members know or think what this means? If you can appoint a Royal Commission and it can

travel absolutely outside of its scope and bring one person or another before it, without giving that person the right to employ counsel or legal protection of any kind ; if it can compel those it summons to declare their affairs and pass judgment upon them without stating a case or giving them the opportunity to cross-examine and bring evidence in rebuttal—if this House by its action, puts the seal of its approval upon such a proceeding, what security is there for any party in a minority in this House ? In common justice Sir, from man to man, have I not the right to ask this House to keep out of its records, where they otherwise will lie until the eternal doom is sounded, lies, misrepresentations, concealments of truth, improper allegations and inferences with reference to my character and standing as a business man ? What right has this House to perpetrate an injustice upon any one of its members. What right has this House to ask that the public money of this country shall be voted to brand me a common grafter for eternity ? I will fight it until I die. I shall protest against it as long as there is breath in my body, and I shall consider it a most damnable wrong against myself and the rights of any common human being that such a course of procedure should be carried out. I protest and I conclude my remarks for the present by this protest.

Mr. AYLESWORTH. The matter under discussion is one in which the hon. gentleman who has just taken his seat (Mr. Foster) is so vitally interested that I am sure no one can have failed to listen to him with feelings of sympathy and of extenuation, even if at times the language in which he clothed his ideas seemed rather to exceed the limits of propriety. He has thought it necessary to give a statement of the case from his standpoint, and in the course of that statement has made repeated reflections regarding the intentions of the commission, especially of the chairman of the commission and the gentleman who conducted the inquiry. These reflections call at least for notice and invite attention to the evidence which came before the commissioners and the facts disclosed in that inquiry. The hon. gentleman (Mr. Foster) took exception, at the outset, to an investigation into what he terms private matters and private business in which only he and his associates were concerned. Now the scope of the inquiry of this commission, it is well we should first of all consider. These gentlemen were by order in council, for reasons of public importance constituted a commission for the purpose of general inquiry into all matters relating to the very important subject of life insurance in Canada. The reasons for their appointment were well known and, I am sure commended themselves to every man in this House, to every business man in this country, to every one interested in the important subject of life insurance throughout the whole Dominion. Their mandate from the Governor in Council was :

1. To inquire into,

(a) The general subject of life insurance and life insurance systems in Canada.

(b) The operations of the various companies chartered by the parliament of Canada, or by any province and licensed under the Insurance Act, transacting life insurance in Canada, including expenses of management, investment of funds, and other allied questions.

Under these circumstances it might very naturally happen—it apparently has happened in the view of the hon. gentleman (Mr. Foster)—that transactions which he had come to regard as private matters of his own, as matters in which no one else had the least interest, were necessarily inquired of by this commission, just as many a similar matter in regard to which he was not interested, but in regard to which other witnesses appearing before the commission had an interest, were similarly inquired of by that body. The hon. gentleman seeks by every word he has uttered to convey the impression to this House and to the country, that the commission, from the moment of its organization, or, at all events, from the moment when it took up the investigation of the affairs of the insurance body with which he was more or less identified, was animated by some desire to secure political advantage and was conducting this inquiry in a manner different from that which previously it had followed. We have, not long since, heard in another place, a gentleman on the other side of politics in this country who thinks he has an equal grievance against the action of this commission and who complains with equal vigour that this commission, in its report upon him and upon his company, has done him a very great injustice. Well, Mr. Chairman, it has been conceded to be the inalienable right of any practising solicitor, if the decision of a case goes against him, to step outside the court room and have twenty-four hours wherein to revile the judge. If that be the privilege of a solicitor who has lost his cause, by so much the more it is to be assumed to be the privilege of the client himself, and much ought to be forgiven the client who, suffering from the result of a decision, abuses it, as unjust, as unfounded and as having been the result simply of prejudice or ill humour. The gentlemen who composed this commission were men of prominence, men of standing, men of reputation in this country. The Chairman who has been singled out especially by the hon. gentleman, (Mr. Foster), and who has been apostrophized by name more than one in the course of the hon. gentleman's remarks this afternoon, is a man born in this country, who has lived his whole life in the county of Carleton or in the city of Ottawa, who is known, perhaps, to the majority of the members of this House personally, and cer-

tainly known well and widely, not merely in this city and throughout this section, but throughout the province of Ontario from end to end.

Mr. BENNETT. West Elgin.

Mr. AYLESWORTH. I hear my hon. friend from East Simcoe (Mr. Bennett) repeating an observation which he made at greater length on a previous occasion with reference to West Elgin. And I have no objection, in that connection, to the interruption, because my hon. friend from East Simcoe, when making the observation, must not forget that the colleague of Judge MacTavish in the very investigation to which he refers,—which colleague agreed entirely with the results to which Judge MacTavish appended his name—was Judge Morgan, of the city of Toronto, whose political predilections, before his appointment to the bench put an end to political activity on his part, were, and were well known to be, perfectly in accord with those of the hon. member for East Simcoe.

Mr. BENNETT. Will the hon. minister (Mr. Aylesworth) allow a question ?

Mr. AYLESWORTH. If the question has any relevancy.

Mr. BENNETT. Why was not Judge Morgan promoted to the senior judgeship of the county of York ?

Mr. AYLESWORTH. But I am not here to discuss the political affinities which judges held before their appointments to the bench. Fortunately, in this country, our judges, with, I think I may safely say, no exception that could be pointed to with propriety, are men of such standing in the communities where they are known, are men of such uprightness and probity of character, that they need no defence at my hands or at the hands of any other persons. The acceptance by a judge of any position such as the chairmanship of this commission necessarily was,—nay, more, the acceptance of any duty of a judicial character in which by possibility any questions of a political nature may come to be involved means the undertaking by the judge of responsibility of a very serious nature. I am old enough to remember, when, as a result of the struggles of the reform party in the province of Ontario and the Dominion of Canada, an end was put to what previously had been the state of things with reference to the trial of controverted elections—when that which previously in the history of the parliaments of Canada had been the work of partisan committees was referred to the courts of the country, and when the outcry was raised by those who opposed the measure that it meant subjecting the judges of Canada to be dragged in the dirt of political warfare and rendering them liable to the censure and attacks of political antagonists whom, it might be said, they had injured or wronged by their decisions.

We have had over thirty years' experience in the trial of controverted elections before judges instead of before committees of parliament, and I think it is a creditable thing, alike to the judiciary and to the people of Canada generally, that with but few exceptions the decisions of the judges in the most intensely critical questions of political warfare have been received by the people of this country as honestly and rightly made. If judges can be entrusted with the important duty of deciding upon the right of a member to sit in this House, and if the people of this country, irrespective of their political inclinations, honestly credit to the judges of the land the intention to do what is right regardless of any political preferences, those judges may have had prior to their appointment to the bench, I should think that we might, and I do think that the people of this country will credit Judge MacTavish, in the matter of this inquiry into insurance affairs in Canada, with the honest intention to do his duty without fear, favour, partiality or affection.

So much has been said with reference to the course of the inquiry, and such an elaborate effort has been made to represent this commission as though it had been a prosecution, that it is at least worth the time it will take to remind hon. gentlemen in this House of the nature of the inquiry, and what it was that that commission had to undertake from the day of its appointment. It was to investigate the operations and the transactions and the investments of every life insurance company doing business within Canada, and its report shows that in the course of this inquiry it has dealt with some twenty-seven or twenty-eight different insurance companies, spending days upon the investigation of the affairs of each, and going into those business transactions of the different insurance companies and of their subsidiary companies with the greatest of care and with the greatest of pains. Upon any such inquiry, of necessity numerous witnesses are called. Upon any such investigations there will be dozens, scores, in this case there were many times that number of different witnesses each interested, vitally, no doubt, in his own mind, in the affairs in regard to which he was being examined, each possibly fully possessed of the view that his most private matters were being dragged into the light of day by the inquiries that were put to him.

This commission was appointed in the public interest. It was for the general good of the people of this country that an investigation of this character should be had and time taken in the investigation. That commission occupied literally a position not differing in principle from that of

a coroner and coroner's jury engaged in an investigation into the possibility of some occurence which might necessarily be brought afterwards before the courts of the land for adjudication. Upon any investigation of that character there is in no sense a prosecution. There was in no sense a prosecution in this case; there was investigation, that was a necessity; there was the calling of witnesses, that was a necessity. In most instances one is pleased to see that the witnesses called gave their information freely, produced their papers readily, did not resist the process of law, or make it necessary to invoke the powers of the commission. Had it been so in all cases, the labours of the commission would have been lightened, and the long delay which has been referred to so feelingly by the hon. gentleman who has spoken this afternoon as affecting himself personally, would have been one that he never would have been subjected to.

He complains that no charges against him were formulated, that he was being put upon his trial without having the advantage of knowing whereof he was charged. Was he in any different position from any other person who was connected with an insurance company which was being investigated by that commission? Was he in any special position of difficulty, or in any way set apart in that regard? No charges were formulated in any instance, and for the very good reason that that was not the office or purpose of the commission. The whole business of the commission was to investigate, the whole business of the commission was to inquire and to find out and to report to His Excellency what the facts were in regard to the matters they were instructed to ascertain. There were no charges formulated against him! Certainly there were not, there were no charges formulated against anybody; there was simply an inquiry into the transactions and operations of a company with which he happened to be associated, and there was the reporting to His Excellency of the facts which this investigation on the part of the commission brought to notice.

He complains that there was no counsel permitted to him. No witness who attends a court goes accompanied by counsel. In any court that may be named a witness goes to tell the truth, the whole truth, and nothing but the truth. He needs no counsel. If his interests are in anyway touched, he can at once point out to the court his position and the court protects him. But in the present instance the hon. gentleman came before this commission not quite in the naked, unattended shape of which he speaks. He came and was accompanied for two weeks or more before he entered the witness-box by a counsel of his own selection. Mr. Nesbitt goes before the commission announcing himself as the counsel for the hon. gentleman, and Mr. Nesbitt participates with freedom in the discussions which took place before the commission, from time to time, as to the course which they should take in their investigation. Complaint is made that Mr. Nesbitt was not allowed to question the hon. gentleman, that he was not allowed to call witnesses on his own behalf. I was rather surprised, I may say, to hear that charge levelled against the commission to-day. I was particularly surprised at it, because I had before me, not simply the language which the hon. gentleman had used when before the commission at the end of the statement he made to the commission, but I was surprised indeed to hear or to have it supposed that if any evidence whatever which could bear upon the subject-matter of the inquiry had been called before the commission or had in any way been brought to their notice, the commissioners had expressed the slightest unwillingness to hear it. Is it propounded to-day that any suggestion was made to the commission that somebody else could give evidence bearing on the matter, and that the commission refused to hear this witness? The hon. member for East Simcoe (Mr. Bennett), some days ago, in this House, complained that he had not been called before the commission. I am not aware that there was any subject in connection with the inquiry upon which the commission was engaged in regard to which the hon. gentleman could have given evidence that would have thrown light upon the subject of the inquiry.

Mr. BENNETT. Then, may I ask why the commissioners gratuitously dragged my name into it?

Mr. AYLESWORTH. I answer to the hon. gentleman that his name has not been gratuitously dragged into the matter. I answer the hon. gentleman that if his name appears throughout these proceedings there is nothing gratuitous about it, and it is simply the result of his own management of his own business affairs. I have simply to refer to the evidence in this connection, to demonstrate what I have said in reference to the position which the hon. member for North Toronto took before the commission and to show the language which he at that time used, and, speaking as he then did while the matter was fresh before him, while there was an opportunity for the calling of other witnesses, if there were any other witnesses to be called, it would seem to me his language would be of special and peculiar importance.—I find at page 2665 of the evidence, given on the 10th day of October last, the very last thing that occurred as the hon. gentleman was leaving the witness box after having been under examination on four different days, that Mr. Shepley asked him if there was anything further that he could say which would throw light upon the matter. The hon. gentleman was being accorded a privilege, because it was a privil-

ege, asked for as such and recognized as such by himself, of taking time to consider, and after he had so taken time to consider to make to the commission and through the commission to this House and to this country a statement of his own, uninterrupted by questions, a statement which might set his own case before the people of this country and before the commission for consideration, and the hon. gentleman asking that privilege and being readily granted it by the commission, it being acceded to entirely by counsel conducting the investigation, and retiring for the purpose of collecting his thoughts in order that during the afternoon of the same day or at some later time he might make his statement, he was asked by Mr. Shepley whether his statement would relate to any documents that he would produce before the commission and he answered :

No. I am not going to bring any new matter before you.

Q. Is there in existence and in your possession anything throwing light upon the matters we have been examining and that we have not seen ?—A. No, you have searched me right through.

Accordingly, the hon. gentleman having left the witness box with that statement, while he was still under oath, in the afternoon of the same day, returned before the commission and occupied some hours apparently.

Mr. FOSTER. No, no. I beg to ask my hon. friend to allow me to interrupt him. I took fifteen or twenty minutes at the very outside.

Mr. AYLESWORTH. I am corrected as to the time. Not having been there I was only judging by the number of pages that the hon. gentleman filled. But, the hon. gentleman having put before the commission his full statement of the facts of the case, in arguing his case before them, concludes with these words which I read with some astonishment in view of what we have heard to-day :

I thank you, your honour, for allowing me to make this statement, and I do not think that I shall leave this box without acknowledging your unvarying courtesy to me ; though I have sometimes had the audacity to question your ruling, it has been on a question of principle, and nothing personal of course. I do not think I ought to leave either without acknowledging that so far as Mr. Shepley is concerned he has treated me with unvarying courtesy, and all who have been associated with him, the officers and others, have been more than kind.

At six o'clock, committee took recess.

After Recess.

House resumed at eight o'clock.

Mr. AYLESWORTH. The hon. gentleman who addressed the House this afternoon devoted a great deal of time to a discussion of the methods of the commission, and had special reference to the course of the investigation so far as it concerned the Independent Order of Foresters, and the Union Trust Company so identified with that body. And his complaint throughout seemed directed to an effort to establish, that some different course had been pursued in the investigation with reference to that order than with reference to any of the other insurance companies or bodies which had fallen to be investigated by the commission. And especially with reference to matters personal, he complained bitterly that although he had been subpœnaed some time in September, and had been in attendance on the commission from day to day, he was not called to the witness box until the 3rd day of October following. Well, Sir, every practising lawyer and every one who has had any business experience of legal investigations or of the course of legal proceedings must be aware that but one witness can be examined at a time, and that witnesses must be taken in some order, and the order in which witnesses are called is a matter which, in the conduct of any legal proceeding, must of necessity be left in the hands of the counsel conducting the investigation. In this case, the affairs of the Independent Order of Foresters began to be inquired into on the 13th day of September. The natural person to whom resort in ordinary course would first be had for the purposes of information in connection with that body, was the one man who throughout the whole course of the existence of that institution had been identified with it; its supreme officer, Doctor Oronyhatekha. And Doctor Oronyhatekha was accordingly the first witness put in the box; he was examined on September 13, his examination continued from that time forward from day to day, until on September 24, the names of Mr. Stevenson and of Mr. Foster were called. Mr. Stevenson's examination proceeded on the 25th and 26th ; on the 26th the short testimony, on collateral matters to a large extent, of three other witnesses was taken, and the commission then took up the consideration for parts of two days of the affairs of the Order known as the Woodmen of the World, simply because the hon. member for Prince (Mr. Lefurgey) under subpoena for that date was not in attendance, and did not attend for a week later. After Mr. Lefurgey's evidence had been given, Mr. Foster having on the 1st of September made his protest, as he called it, against the delay in calling him, his evidence was taken at the three following sittings of the commission. In that connection, the hon. gentleman (Mr. Foster), this afternoon referred, in language which was probably not meant to be an exact quotation, which was probably meant to be a paraphrase, but which was his representation of the relations which apparently he would wish to have it supposed existed between the honoured chairman of

the commission, and the counsel who was conducting the investigation; and for the purpose apparently of conveying that impression, he professed to be quoting the words of Mr. Shepley, in answer to the protest he had addressed to the commission because he was not sooner called, and he described Mr. Shepley as saying: Well, judge, you know we have not got those books yet. Knowing Mr. Shepley as I do, knowing him for thirty years and more, knowing His Honour Judge McTavish as I do for perhaps an equal length of time, and knowing something by actual practical experience of the relations which ordinarily subsist in the courts of this country between judges on the bench and counsel at the bar, I was astonished to hear such words coming from the hon. member as representing the actual words of counsel upon that occasion. And with some difficulty I have found the passage in the evidence, I have found exactly what took place, and I ask, Sir, your kind attention to it as recorded by the stenographer. After the conclusion of the proceedings on that day. Mr. Shepley said, page 2520:

Your honours are aware from the discussion that has taken place elsewhere, of the difficulty we had in that regard to proceeding further at this moment; and I have also told your honours, in connection with Mr. Nesbitt's attendance here, that I learned last night of his being unable to be here, and while I could go on with some matters, yet I would rather not because I feel that Mr. Foster is interested in them, and Mr. Nesbitt wants to be here, of course, when anything further with regard to Mr. Foster is taken up.

Mr. FOSTER. As far as I am concerned I am quite willing to go into the box now and make a statement with regard to the Great West Land Company's transactions from beginning to end.

Mr. SHEPLEY. I would not accede to that, in view of what the arrangement was that I made with Mr. Nesbitt.

Mr. FOSTER. I wish also to say that I do not think I ought to be kept any longer under this condition of things, with one side of the case going out to the public, prosecuted by the prosecutor, taken in the rear by others, and the public forming a judgment upon a one-sided view of the case. From the 5th of last month——

He was speaking on the 1st of October:

From the fifth of last month I have been under subpoena, from the time court opened here I have been in attendance, all my own business is gone and I wish to be heard just as soon as I can possibly be heard; and I do not want too much cruelty thrown in the way of it.

Mr. SHEPLEY. I can only disclaim any intention of being cruel to anybody, and I disclaim the position of prosecutor. I am not a prosecutor.

Judge MacTavish. We will do the best we can, Mr. Foster, to see that no injustice is done to any person, but we must proceed in order. Then you are not ready with anything further this afternoon.

Mr. AYLESWORTH.

This last remark was apparently addressed to Mr. Shepley and Mr. Shepley then said:

Mr. SHEPLEY. No; your honour quite understands the position about the bank books.

And that is represented to this committee as being a remark by Mr. Shepley, counsel at the bar, to the presiding judge upon the bench: Well, judge, you know we have not got those books yet. It is but a sample, it is but a specimen of the utter unfairness to gentlemen who were not here to defend themselves, which has been exhibited by the hon. gentleman this afternoon throughout the course of his remarks.

With regard to this whole investigation so far as the Independent Order of Foresters is concerned, let me remind you, Sir, of the position in which that organization stood. This commission was charged with the duty of a general investigation into the affairs of life insurance companies in this country, and there fell to be examined by them some twenty-seven or twenty-eight different companies. Their work, beginning as early as the month of April in last year, was continued at intervals during April, during May, during a portion of the month of June; it was resumed in September, continued in October, and brought to a conclusion so far as the taking of evidence was concerned in November. Of the different insurance bodies whose affairs had to be investigated those of a fraternal nature were of course of very large importance. There were four fraternal organizations of particular consequence; there was the council of the Catholic Mutual Benefit Association, there was the Commercial Travellers Mutual Benefit Society, there was the Canadian Order of the Woodmen of the World, and there was the Supreme Court of the Independent Order of Foresters. Let me ask your attention to the comparative importance, so far as insurance business is concerned, of these different organizations, and that is a matter of consequence to bear in mind here when we have a parallel drawn between the number of pages even, which this report of the commission contains in regard to the affairs of the Foresters, and the number of pages that are concerned with the affairs of some other organization.

Of these four principal fraternal societies that were investigated by this commission, the Catholic Mutual Benefit Association of Canada had some 19,750 policies, the Commercial Travellers' Mutual Benefit Society some 1,878, and the Canadian Order of the Woodmen of the World, 10,438, while the Independent Order of Foresters presented itself before the commission with a record of 233,293 policies in force. In a comparison between the amount of business done by the other fraternal organizations with the amount outstanding on the part of the Foresters, if you consider the monetary amount of these policies, the contrast is specially marked. The Catholic Mutual

Benefit Association had outstanding $26,393,000 of insurance, the Commercial Travellers, $1,876,000, and the Canadian Order of Woodmen, $11,499,000, an aggregate for the three of something less than $40,000,000, while the Independent Order of Foresters had outstanding no less than $248,800,000 of insurance. With affairs of that magnitude to investigate, with transactions of the character which have been detailed to-day, with complications of subsidiary companies such as those described, is it at all remarkable that the greater part of the month of September and a portion of the month of October were necessarily occupied by the sittings of the commission in investigating those affairs? And is it in such circumstances fair ground of attack upon this commission and upon the counsel who conducted the investigation before it, that Mr. Foster was not the first witness put into the box when the affairs of that order came on for investigation? The Foresters were by far the most important of all the different fraternal organizations whose affairs were examined into, and in many respects the most important of all the insurance companies whose tranasactions were considered by this commission. There was, as I have already indicated, very considerable difficulty in getting at the facts which are now spread upon the evidence for the perusal of anybody who cares to examine that evidence, with regard to the transactions and affairs of this association. There was the contention made by counsel for the body, I suppose—for Mr. Foster, as it was stated—by Mr. Nesbitt, I mean—that so long as the two companies, one known as the Order of Foresters and the other as the Union Trust Company, were separate entities, there could be no investigation into the affairs of the Union Trust Company, and the commission must at once cease to examine into the investments of the Independent Order of Foresters upon it appearing that they had handed their funds over for investment to some other corporate body. That contention was insisted upon to the utmost. Objection was made in the most strenuous possible manner to the production of the books of the Great West Land Company or the books of any other collateral organization—to the production before the commission for the purposes of investigation of books which contained the only record of facts and circumstances which now turn out, when those books are seen, to be of the utmost value and consequence. There had been in the course of the previous proceedings, in the investigation of other insurance companies, exactly the same contention made and exactly the same ruling by the commissioners. In the case of the Manufacturers' Life, the books of the Prudential Securities Company, the books of the Canadian Securities Company, and the books of Messrs. Pellatt & Pellatt, were compelled to be produced, were examined at their offices, and evidence of their contents was given before the commission. In the case of the Canada Life Assurance Company, the books of the Central Canada Loan and Savings Company and the books of the Dominion Securities Corporation were examined; the officers were called upon to produce the books and give evidence in respect to the securities in which the funds of the Canada Life were invested. In the case of the Union Life Assurance Company, the books of the National Agency Company were ordered to be produced, and were fully examined and evidence in regard to them was given before the commission. In the case of the Continental Life Insurance Company, the books of the Ontario Securities Company were produced and their contents displayed before the commission. This contention had before September been made on the part of those different companies, subsidiary to insurance companies whose affairs were under investigation. The views of the commissioners had been stated, their ruling had been pronounced; but none the less, at the opening of the investigation into the affairs of the Union Trust Company on the 12th day of September, and before the evidence had been taken, an elaborate argument, reported at length at page 2152 and following pages of the evidence was made by Mr. Nesbitt and other counsel to prevent the books of this subsidiary organization from being brought before the commission; and, that it may be made apparent to any one who is willing to judge impartially of the course which this commission has taken throughout the whole investigation, I point to the circumstance that, at the conclusion of the discussion, Mr. I. F. Hellmuth, the counsel appointed by the present Ontario government to watch the proceedings before that commission, expressed himself in these words to the commissioners in regard to their ruling—I read from page 2158 of the proceedings:

> I thought your honours had, as my learned friend, Mr. Shepley, had said, decided when other companies came up for investigation that where the funds or money of an insurance company were found in the hands of any other company, or where there was a community of interest even in the directorate of an insurance company and the directorate of a trust company, they could be gone into, and I think I remember some companies whose affairs were pretty well gone into before this commission. I had assumed your honours had ruled upon that. I am not familiar with the facts in regard to this matter at all, I don't know how they will appear, and I should have thought that if it had been shown that the Union Trust Company, as stated by my learned friend, Mr. Shepley, had been really a creature of the Foresters, created by them for the purpose of investing their funds, not directly, but indirectly, an investigation into the investments made by such creature would be as proper as an investigation into the investments made by the creator of the creature.

In the circumstances, with counsel of the eminence at the bar of Mr. Hellmuth, with

a man of the political affinities which he is well known to possess, a man appointed by the present government of Ontario to represent their interests and the interests of the public before this commission, announcing his views at the time in such unmistakeable language as this, surely it is late to-day to make the argument before this House or in this country that any special degree of hardship or of cruelty was exhibited by the commission with regard to the Order of Foresters, with regard to the Union Trust Company, its creature and its alter ego, or with regard to the conduct of the manager of that Union Trust Company, who has addressed this committee this afternoon.

He has presented his case before this committee upon the footing that the Union Trust Company was a different entity from that of the Independent Order of Foresters, that he is in no sense accountable to the Order of Foresters as being in their employment or handling their money, that everything which was investigated by this commission regarding the transactions to which he has adverted was simply private business in which only he and his immediate employers the Union Trust Company were concerned, that of necessity invites attention to the creation of the Union Trust Company, to its character and to the interest which the Independent Order of Foresters had in it.

Now I do not know whether or not I correctly understood the hon. gentleman this afternoon, but I certainly thought he meant to convey the impression that personally he had nothing to do with the formation of the Union Trust Company, that he went to it under engagement of employment in the early part or about the middle of the year 1901, going to it as a company already in existence and operation and with the formation of which he had no concern. I can only say that I find among the papers on file produced before the commission one or two documents.

Mr. FOSTER. I might shorten the statement of the hon. gentleman (Mr. Aylesworth) if he will allow me the opportunity of stating what I thought I had said and what I meant to say. As far as regards the inception of the Union Trust Company and the determination to form it and all that, I had nothing to do and was not called upon until that was decided. Afterwards I did assist with my advice and suggestion regarding the directorate and the capitalization of that company in the carrying out of its organization.

Mr. AYLESWORTH. The statement the hon. gentleman has just made will hardly accord with a letter from which I am about to read an extract, a letter dated the 30th of April, 1901, addressed to Dr. Oronhyatekha, filed as exhibit No. 461. In this letter, after an opening paragraph, the writer proceeds to say :

I have thought carefully over the matter from my own standpoint and from that of the company and of the order of which you are the head, and its large and steadily increasing financial interests which necessitate great care and responsibility in the matter of investments. It seems to me that a trust company, with a small paid-up capital, and depending alone on the general field for its business, would require many years and much hard work to place itself in position to return any considerable profits to its shareholders. The field is not a wide one and is pretty well occupied by older and well established companies. The unfortunate history and present position of the Provincial Trust Company entails a legacy of distrust and mismanagement which it would be unwise to attempt to shoulder. Nothing but a complete severance of connection in name and reality would, it seems to me, give a fair chance to its successor.

Later on in the same letter, the writer says :

This, of course, you will take as a mere suggestion on my part and prompted in some degree in the interest of the new company. If these arrangements can be made :

1. For the establishment of a company distinct in name and entirely disassociated from the bad history of the old company, to take over its stock and to provide for a strong paid-up capital.

2. For making this new company the medium of investing the surplus funds of the Independent Order of Foresters under guarantee of a fixed rate of interest, and

3. For assuring a strong and representative board of directors for the new company.

I would be willing, with the freedom of action given in your former conversation with me in Ottawa, to undertake the work and throw what energy and influence I can command into its prosecution.

The language I have just read shows that, at all events at the time of writing that letter, the 30th of April, 1901, the establishment of the Trust Company, which was then contemplated, was in no sense an accomplished fact, but was the very thing which was under discussion between the writer of that letter, the hon. member for North Toronto (Mr. Foster) and Dr. Oronhyatekha.

In a subsequent letter the hon. gentleman (Mr. Foster) alluded to the actual formation of the company, on the 27th of May, 1901. The letter is filed as exhibit No. 463, written by the hon. gentleman to the same Dr. Oronhyatekha, in which he discusses the proposed new company at considerable length, and in that letter I find this language :

The chief source of revenue for the new company must be found in the profits we can make in the investment of funds with a guarantee of interest and principal. For a stable guaranteed investment a moderate rate of interest can be taken, compensated as it is by certainty of payment. It is in this respect that the new company, in reality controlled by the Foresters,

has one of its greatest opportunities. It can do a real service as an investing agency and collecting agency for the surplus of the order, and at the same time a fairly profitable business for its shareholders who will in the main be the order. I have no doubt you have been thinking over the rate of interest the company should guarantee, and I hope you have been able to come to the conclusion that a four per cent basis would be a fair one for the Foresters, accompanied as it would be with absolute security.

But whilst in reality the trust company will be controlled by the Foresters, it is not best that that point should be emphasized to the public, but rather the contrary.

Following the letters of the character I have referred to, written in April and May, 1901, I find the certificate of subscription for stock in the Union Trust Company dated 22nd of November following, exhibit No. 466, and signed by the late Judge McDougall as director and Geo. E. Foster as general manager, in which the capital stock of the Union Trust Company is set out. Now we were given to understand this afternoon that this company was an altogether separate organization, in regard to which the funds of the Foresters, once loaned, might be dealt with as freely by that trust company as any bank might deal with the moneys of its depositors. But if we look at the articles of incorporation and at the circumstances under which that company was brought into existence, we find in the certificate to which I have referred, over the signature of the hon. gentleman (Mr. Foster), the statement that out of $2,000,000 capital stock, no less a sum than $1,996,000 was the property of the Independent Order of Foresters. Let me ask you to consider exactly the significance of those figures. They establish literally this state of things, that the capital stock of that company and the money invested in it consisted of $499 of the Foresters money to every one dollar of anybody else's. Out of every $500 of capital stock in that company, some individual held one dollar and the Forresters $499. In that state of facts, the language of Mr. Hellmuth, to which I have already adverted, when he called the Union Trust Company simply the creature of its creator is surely thoroughly justified.

The money of the Independent Order of Foresters was the product of subscriptions or insurance premiums paid to that order by its members, or, if you choose to call them so, its policy-holders. I think I am safe in saying that these were, in the main, people of small means, people taking a comparatively small amount of life insurance in a fraternal organization, by reason of the circumstance that it is a type of insurance company in which insurance was supposed to be given at cost, and in which, therefore, premiums were light and suited to the man of small means. The moneys so accumulated from hundreds of thousands of people who could ill afford to lose, it may be, even the small amount which month by month they were paying into the treasury of the order, was literally money laid up by many an honest hard working man to provide a measure of support for widow and children after he was gone. The law of our country wisely throws about the funds of any such order many restrictions as to the nature of their investments. We find, with regard to all insurance companies, restrictions in the law of the nature to which I allude. But, if an insurance company, finding itself possessed of millions chooses to regard the useful restrictions which the law has cast about its method of investment as unduly hampering the freedom of its operations, it is a simple and easy thing to set at naught all the efforts and all the wisdom of the legislature by the simple plan of forming a so-called trust company which shall be to all practical intents and purposes another name for the insurance company itself, every restraint and every safeguard may at will be cast to the winds, and there will be the same freedom of investment for these companies as in the speculations of this, that or the other man in sawmill property or in wild lands in the Northwest or elsewhere. The hon. member for North Toronto (Mr. Foster) took occasion to state, as he has on previous occasions, and rather as though pluming himself on the fact, that he was not a lawyer, and he tells us that lawyers indulge in quibbling and subterfuge. But I want to know by what other word we can fitly describe the operation of creating this trust company for the purpose of taking over, in consideration of its stock, $1,996,000 of the Foresters' money and for investing the remainder of their surplus profits, if it is not to be considered the actual money of the Foresters while in the hands of the trust company. The certificate of incorporation, which I have already mentioned, proceeds to set out that the other shareholders in this company, the men who had put actual money into it to constitute the $4,000 out of the $2,000,000 I have mentioned were Mr. Mathew Wilson, Colonel J. I. Davidson, Hon. George E. Foster and His Honour Judge Joseph E. McDougall. These four put into that company $1,000 each, as against the large sum to which I have referred—altogether they contributed $1 out of every $500, and the Foresters contributed the other $499.

All the said shares of capital stock, except the shares subscribed by His Honour Judge McDougall, Mr. Wilson, Col. Davidson and Hon. Mr. Foster, were subscribed for on behalf of and in trust for the Supreme Court of the Independent Order of Foresters.

That is the statement of the certificate. And the evidence on that point being uncontradicted, the facts being indubitable, I open the inquiry into the evidence that has been taken here and into the circumstances that have been discussed this afternoon from the standpoint that the money which the

Union Trust Company had from its beginning was, for all practical intents and purposes the money of the Independent Order of Foresters, and nobody else. Under these circumstances, would it not have been trifling with the commission, would it not have been trifling with this House and the country, if the contention which was made last fall and which was repeated here to-day in our hearing, were to prevail, and if, upon the mere circumstance appearing that these moneys were in the hands of the trust company, there should be an end of all investigation into the affairs of the Foresters?

Now, the hon. gentleman (Mr. Foster) this afternoon started upon his statement of events, with the position that in no sense had he ever put in peril any of the money of the Order of Foresters. I do not know whether he meant that statement in the sense that the money which he advanced upon the transactions which have been mentioned was not the money of the Foresters but the money of the Union Trust Company, or whether he meant that these investments have never imperilled any money at all. If the latter was his intention, then I would beg with all deference and with all due respect to take direct issue. These moneys, I submit, were literally imperilled. Success, he tells us, has crowned the investments, and there has been, as a result of these operations, profits in the five years of more than half a million of dollars; and because these investments have turned out so satisfactorily, because the prices of lands in the Northwest and in the new provinces have gone up by leaps and bounds, these investments have been successful, these moneys were never imperilled and no one ought to complain. Well, Sir, I am not a Forester. I have not the right to complain; it is not a matter that concerns me personally. But if I were interested as a member of the order, I think I should have every right to complain of what has taken place. Only twelve months ago, a gentleman—one thought to be a gentleman—held in honour by those who knew him, the respected manager of what was then a respected bank in this country, was engaging in a career of investment, or speculation, whichever you choose to call it, in the stocks of established companies.

This transaction resulted disastrously, there was no success there, there was abject failure and the wreck and ruin of the institution of which he was manager and the loss to many an honest man and many a poor widow and fatherless child, of everything on which they depended for the remainder of their lives. These moneys were imperilled; the manager who so imperilled these moneys and who failed is to-day in the position we all know. But in this case, moneys which were even more sacredly impressed with the trust of funds which were to provide for the widow and for the orphan are sunk in the purchase of unimproved lands in the new provinces of Canada, which if they happen to go up in price will produce a return to those who have put their money in, while on the other hand, if they become dead stock in the market, will mean the loss of every dollar that is invested and will result as disastrously as the similar efforts of the manager of the Ontario Bank have resulted in the last few months. That is what I would call imperilling funds; that is what I would call imperilling trust funds, and most assuredly that is not the investment of trust funds in the way contemplated by the statutes of the country.

The moneys which the Union Trust Company had in hand to be dealt with were first the $2,000,000 to which I have referred as the proceeds of their stock. They issued their stock and they received in exchange the face value of it—I do not know whether it was sold at a premium or not—but they received in exchange so much cash which was theirs to deal with. Their only shareholders were those I have mentioned and the money they had in hand as return for their stock was substantially in whole the money of the Independent Order of Foresters. But with regard to the remainder of the moneys which that company held for investment, it received them under an agreement entered into on the 2nd day of September, 1901, between the Independent Order of Foresters on the one part and the Union Trust Company on the other, and that agreement witnesses that the Foresters agreed with the trust company to constitute the trust company its agent for the investment from time to time of so much of the surplus cash funds of the supreme court as might remain uninvested and agreed with the trust company to provide for such purposes the surplus cash funds aforesaid, as in the manner afterwards described in the document and it then proceeds to provide:

> Such funds shall be invested and reinvested by the trust company in the name of the Supreme Court of the Independent Order of Foresters but only in and upon such securities as the Supreme Court is authorized by its Act of incorporation and amendments thereto, and the Insurance Act of Canada and amendments thereto, to invest the surplus funds of the order in.

As to every part, then, of the Foresters' money which was in the hands of the trust company for investment, other at any rate than the Foresters money represented by the $2,000,000 capital stock put into that company at its formation, there was the distinct stipulation and the distinct trust imposed upon those funds that they were to be invested for the benefit of the Foresters and only in such securities as the laws of this country permitted an insurance company to invest in. In these circumstances it does seem rather a startling proposition to hear that the Union Trust Company was perfectly free as any individual might be

to use its funds as its manager or as its directors might, in their own good judgment see fit. Its funds came, as is manifest from the Foresters and from nobody else and that company incorporated upon the Foresters money, incorporated to invest the Foresters money and receiving, under this agreement of September, 1901, the whole surplus funds of the Foresters to invest, was but another name for the Foresters and took those moneys if not upon the express, certainly upon the implied trust that they would deal with them in no other way than the Foresters themselves could by law handle their money. In that position of matters it is a circumstance not only proper to be investigated by the commission, and a circumstance in regard to which the commission could not help but investigate, but a circumstance, I respectfully submit to this committee, fully justifying the observations of the commission in regard to it, that in the course of the investment in lands in the Northwest which were made by the manager of the Union Trust Company, commissions were paid in cash by that company to its manager. The moneys which constituted those commissions, whether they were large in amount or whether comparatively they were trifling, were part of the general trust funds, which were paid into the hands of that body for investment under the terms I have described. They were held by that company upon that trust; they ought not to have been, they had no right to be diverted from that purpose to any other whatever. It has been said here that in regard to the earlier of these two commissions that have been mentioned there was a dividing of the amount among the four men who constituted the syndicate and that instead of it being $5,000 that went as commission to the personal benefit of the hon. member for North Toronto (Mr. Foster) it was but one-quarter of that sum, that he ought not to be condemned in this regard because he had not taken $5,000 but had taken only $1,250. There is no doubt a substantial difference in the amounts but is there any, the slightest, difference in the principle ? I am quite sure the hon. gentleman would not wish to be understood as so contending and he has met, so far as it was possible upon the facts to meet this statement of the circumstances which appears in the report of the commission, fairly and squarely upon the ground that in this regard as in regard to all the other transactions mentioned, there was nothing worthy of condemnation, there was nothing worthy even of remark. Well now, in that respect one is necessarily moved to call to mind the circumstance that the question whether or not commissions should under any circumstances, be received by the officials or employees of the Union Trust Company had, at a very early period in its history, received the attention of its directors. As early as December, 1901 we find upon the minutes of the company the resolution which is extracted in the report of the commission at page 137 :

> That it is a very unsafe and unwise practice that any one employed by them should receive a commission from the opposite side, and the adoption of any such principle is utterly opposed to the universal practice.

As I have said, no one, I presume, would for a moment, dispute the correctness of that general principle. At all events, the hon. gentleman himself, in his testimony before the commission, was perfectly frank and outspoken in his acquiescence in that view of the duties of any person in the employment of the company represented.

Mr. FOSTER. You need not look it up. That is quite true. I admit that.

Mr. AYLESWORTH. At page 2635 and 2636 the testimony on the subject will be found. It is referred to, though not set out at length, in the report of the commissioners and as the hon. gentleman says just now one need not labour that point. He gives to it his full and strict adherence. It is, to say the least of it, unfortunate that when these transactions were in actual operation and that within eighteen months of the passage of the resolution of this board to which I have referred the fact of the presence on the minute-book of the company of that resolution seems momentarily to have been lost sight of. It stands as a conceded thing that the payment of $5,000 was, in fact, made to the hon. gentleman himself, that it was made by a cheque of his own company, the Union Trust Company, a cheque, which doubtless could not have been issued without his personal knowledge, and in regard to which it is quite probable the ordinary course of business of the company would require his personal signature. That cheque is issued expressly as one-half of the commission of $10,000 which was being paid by the owners of the property then being purchased by the company and is recorded as and being exactly what it purports to be—a commission of $5,000 upon the transaction. It is spoken of before the commission as it has been spoken of to-day as a reduction in the price which was being paid for the lands. If so it is unfortunate again that the purchaser of the land was not receiving the benefit of it. Any reduction in the price as between a seller and a buyer ought to go, one would say, to the benefit of the buyer. In this instance that is not the case. It is stated here in the hearing of all, as it was stated in the witness box that $5,000 was divided among these four gentlemen who constituted the syndicate and every penny of the money, of which this $5,000 was a part, was the money of the Union Trust Company or of the Independent Order of Foresters. However one looks at it, in so far as I am able to see, the views expressed by the

commissioners are not open to criticism. If you look at it from the standpoint of the borrowing by the members of the syndicate from the trust company of which these men, or several of them, were directors, you have simply the same transaction in essence. The syndicate, it is said, buy the land, and they buy it with borrowed money. They borrowed the purchase money from the company.

Mr. HAGGART. What company did they borrow it from ? Did they borrow it from the Trust Company ?

Mr. AYLESWORTH. They borrowed from the trust company ?

Mr. FOSTER. They absolutely did not.

Some hon. MEMBERS. Oh, oh.

Mr. AYLESWORTH. The hon. gentleman (Mr. Foster) is welcome to the distinction, if there is a distinction. It is either the trust company or the Foresters. It is a matter of absolute indifference. I do not want to repeat what I have already said. I think I have established from the documents, and I am in the judgment of the committee whether I have established from the documents, that every cent which the Union Trust Company had was the Foresters' money and that every cent of the surplus funds of the Foresters was handed over to the Union Trust Company for investment.

Mr. FOSTER. If my hon. friend will allow me I will correct him just there. The Supreme Court of the Order of Foresters expressly exempted in that contract a portion of their surplus and they agreed simply that the Union Trust Company should address such portion of their surplus as they handed over to us. They would not contract to bind themselves to give the Union Trust Company all of their surplus.

Mr. AYLESWORTH. The hon. gentleman has the advantage of personal knowledge of the transactions under discussion. They were his daily life for some years past, and he is able to draw uopn his knowledge of the circumstances for his statements. I am simply in the position of one who has read the evidence and who has read the documents and I can do nothing but take my stand upon those documents, and taking my stand upon those documents, I find in the agreement of the Foresters with the trust company, that they hand over to the trust company for investment from time to time so much of the surplus cash funds of the supreme court as shall remain uninvested. Whether or not they lived up to that agreement, whether or not they did as they agreed to do and handed over such of their funds as remained uninvested from time to time I do not know. All I know is that that being their agreement, I have assumed not only that every cent which the trust company had was the money of the Foresters, but equally that every cent which the Foresters had for investment and which was uninvested was turned over. However that may be, this transaction which I was discussing when the interruption came is simply the one I described, that four gentlemen who are connected with the trust company in the manner which has been mentioned, buying lands in the Northwest for the purpose of selling these lands again at a higher price and for the purpose of speculation, borrow the purchase money from either the trust company or the Foresters whichever you will, and so, borrowing from that company the necessary amount to purchase, they, in fact, received from the lenders $5,000 which was not necessary as purchase money, which did not go to the seller of the land but which went down into the pockets of the borrowers.

The other transaction of a similar character perhaps deserves one word of additional notice, and for the simple reason that in regard to the $5,000 transaction the verbal evidence which witnesses gave before the commission is contradictory. One witness, gives in his testimony—which I need not say is equally sworn evidence—a statement of the transaction, directly at variance upon this crucial point, with the statement of the hon. gentleman. It is not for me to judge between the two; it has not been the part of the commission to judge between the two. They have stated simply and frankly upon the face of the report what was the evidence of one and what the evidence of the other, and leaving that evidence for comparison and for perusal, and leaving those who read to form their own judgment upon it. The commission left it at that, and discussed the transaction from either of the different points of view, according to the different evidence which any reader may choose to accept.

But with regard to a subsequent transaction in respect to which a commission of smaller amount was paid, there is not, because there cannot be, variation in the testimony of witnesses, it resting upon written documents. This is a transaction, in essence, of precisely the same character. The syndicate is purchasing lands with the money of either the Foresters or of the trust company; with money which is furnished to it, borrowed by it, if you please, upon the security of the lands that are being bought; and the syndicate so making its purchase and so making its payment we are again treated to the proposition that there is to be paid a commission out of it. And in this instance, it is upon the letters which are in evidence. Exhibit No. 665, is a letter dated December 23, 1903, from Mr. George E. Foster to Mr. Pritchard, at Winnipeg. He says :

I have talked the matter of these lands over with some parties. The price is too high as it was asked, and I can get no one to take any interest at any such price. My clients are

filled with lands, and the offerings of men who have got lots and have to make payments and have not the money, are numerous. This flattens the price. Now, if the following is any use to you I will on receipt of answer go into it further and give you an early decision, to wit: $5.25 per acre for the land with 25 cents per acre as commission, thus netting you $5 per acre. This will depend on the amount cash down required—$1.25 certainly, and one dollar say in four months, and the remainder in four yearly instalments with note, and option to pay the whole amount at any time without bonus. One trouble is the inability to inspect lands at this time. This, I am aware, is not as good as you expect, but you have no idea of the amount of land offered here, and parties here are filled up. Kindly let me know if this will be acceptable. I see no way of doing anything better at present, but I think I can get the above through.

The answer, on the 28th of December, in Winnipeg, from Mr. Pritchard is as follows:

Dear Mr. Foster,—I am in receipt of yours of the 23rd and have read your offer with some little regret, as I had hoped that you would be able to handle these lands at a better price in view of their choice location. As I pointed out when I saw you in Toronto, the Canadian Northern are putting their branch through from at or near Swan river to the Thunder hills, which will make these lands convenient to railway facilities. However, as you cannot do any better, I accept your proposition with the following slight modifications. There is $2.48 due the Canadian Northern Railway on these lands which runs for eight years at 31 cents an acre per year, with interest at six per cent. The whole of it can be paid off at any time without bonus, which I expect you to assume. As regards the cash payment, $1.25 down, 75 cents in three months, and 75 cents in six months. The cash payment in that way will secure the equity all being met within six months. I trust you will be able to meet me in this slight change. Yours very sincerely.

The answer is a telegram of the 31st December, 1903, to A. W. Pritchard, Winnipeg, Manitoba:

Send contract terms your letter for part due Canadian Northern and amounts due vendors. The Union Trust Company, Limited, in trust is purchaser. Cash payment will be made on signing contracts.

On 2nd of January, 1904, Messrs. Macdonald, Haggart and Whitla of Winnipeg, solicitors for the vendor, wrote to the Hon. George E. Foster, as manager of the Union Trust Company, as follows:

Mr. A. W. Pritchard, who has been carrying on correspondence with you regarding the lands in the Swan river district, has handed us all the correspondence therein together with your telegram of the 31st ultimo accepting the offer of sale of these lands. The lands in question stand in the name of our Mr. Whitla under contracts from the Canadian Northern Railway Company. We are preparing agreements of sale in accordance with the terms of the agreement already arrived at and will forward the same to you as soon as completed. There are 9,920 acres all told. If you have any suggestions to make as to the method of closing the sale we will be glad to hear from you. We presume that since we act as solicitors for your company we can have Mr. Whitla sign the agreements and forward them to you for signature by the company, and you can then forward the cash payment and return one copy of agreement duly signed. We can at the same time forward you for inspection the contracts covering the various parcels which our Mr. Whitla holds. We trust this will be satisfactory.

The answer was as follows:

Toronto, January 5, 1904.

Yours of January 2nd duly received re Pritchard's sale of Swan river district lands. The contracts will be with the Union Trust Company in trust the cash. Cash payment will be made to credit of vendors in Standard Bank of Toronto on receipt and signing of satisfactory documents of agreement. Twenty-five cents per acre is to be paid as commission on sale. This can either be deducted from the cash payment, or better. You can send a cheque therefor signed by the vendors in favour of myself. I will then deposit to credit of vendors the whole cash payment and present cheque which will be paid therefrom. Kindly see that purchasers are allowed to pay up whole amount due on lands at any time without notice or bonus.

Yours truly,
GEORGE E. FOSTER.

And accordingly, as is asked by that letter, a cheque to the hon. gentleman (Mr. Foster) issues for that amount of commission at the rate of 25 cents per acre on the 9,920 acres or $2.480. That is asked for in the letter I have read in distinct and unmistakable terms as a commission on the sale of these lands to the company of which the writer was then the paid manager. That is asked for as a deduction from the cash payment his company was to make, or better, a cheque for the amount signed by the vendors in favour of 'myself,' the manager. And that amount so received has not been shared with anybody. The hon. gentleman (Mr. Foster) tells us to-day, as he told the commission, that by reason of outstanding accounts with other members of the syndicate there had not been final settlements. I do not seek to enter into the relations between each other of the members of this syndicate. I simply say that in the course of its inquiry, it was the bounden duty of that commission to see where the money of the trust company—which was the money of the Foresters, every cent of it—had gone.

Now, as to the two transactions, if the $5,000 was the money of the Foresters as is to-night stated, then all the more was it the duty of the commission to inquire and to report into whose pockets the money had gone.

On this later transaction there was $2,480 paid as commission. That was the money of the Union Trust Company, and therefore the money of the Foresters, and it was the duty of the commission to inquire into and report upon this circumstance; and, having so inquired, and having be-

fore it, not merely the verbal testimony of the witnesses stating these facts, but the written evidence which I have read to this committee, that commission would have been false to the duty it had undertaken if, because the gentlemen who were concerned were prominent in the public affairs of this country, it had failed to make its statement of the facts exactly as it would have stated them if those men had been obscure and of little note. In these circumstances, it is certainly a poor reward for honest, patient and painstaking effort on the part of this commission to get at the bottom, not only of the transactions which we are discussing to-day, but of the transactions of every kind in connection with the twenty-eight insurance companies which they investigated, that they should be assailed in this House as men who had been false to every principle of honour, and who had performed the duty placed upon them for the purpose of persecuting some supposed political opponent.

Now, though these two circumstances which have been adverted to may appear to most of us in this House to be considerable, yet in comparison with the other transactions that have been mentioned, they shrink into comparative insignificance. In regard to the transaction with reference to the lands of the Great West Land Company considerable discussion has of necessity been provoked, and the transaction seems to be of a somewhat complicated character. In asking your attention to it, I want to divest it, if it can be divested, of its extraneous circumstances, and simply to state it as it appears upon the evidence and upon the papers that are in testimony before the commission. A syndicate of gentlemen are in possession of an option upon, or a right to buy, a large tract of land to be selected, some 200,000 acres in round figures. This is land not yet settled upon, not yet improved, land which may possess, as the country develops and as population increases, a larger and still larger value, but which is bought by the gentlemen who hold the option at $3.50 an acre. Without the investment of one cent of additional capital in those lands, without the expenditure upon them of one bit of labour, they turn them over to another syndicate at a profit of $1 an acre, or $200,000 in all. Now, my good friend from East Simcoe (Mr. Bennett) has more than once, when this transaction has been mentioned, appeared, to my way of thinking, to be very uneasy in connection with it, always going about, if I may use the illustration, like a man with a chip upon his shoulder, anxious for somebody to attack him. Well, whoever may view this transaction in a different light, I have no objection to saying upon this occasion, and from my place in the House, that I do not regard it, so far as the hon. member for East Simcoe is personally concerned, as in any degree to his discredit. I have had the pleasure of a more or less intimate personal acquaintance with that hon. gentleman for many years, and I am glad to say that I have enjoyed his professional confidence in days gone by, a confidence which I hope he has never had any occasion to regret. The personal relations which exist between him and me have always been of a thoroughly pleasant character; and although our political differences have been accentuated of late, I have no kind of personal quarrel with the hon. gentleman, and upon this occasion, as upon any other occasion in this House, when I am called upon to discuss affairs in which he may be mixed up, I trust he will do me the credit of believing that I am entirely sincere in what I have just said in regard to him. His position in this matter seems certainly to have been that of a man who, having money of his own which he wanted to invest in a transaction out of which he hoped to make a profit, did not receive what I think any one reading the evidence would consider by any means a fair deal. He did not get what I think any one who reads this testimony, although he himself did not give it, will call fair-play. But that is a matter entirely between him and his associates, with regard to which I have no concern, and in regard to which I have no comment to make. He was not dealing with other people's money; he was investing his own money, and I have with regard to him but this one word to say, that when he deems it his duty as a representative of the people to thunder his denuciations against this, that or the other member of this House, who may, with his own money, have done exactly the same thing, who may with his own money have purchased lands at the price for which they were for sale to all comers, and may afterwards have sold them at an advance and made a profit on the transaction, he should remember that his own withers are not unwrung.

But the hon. gentleman who has addressed the House this afternoon has invited a discussion of his connection with these transactions. While so doing, he has deprecated that discussion, insisting that this is a private matter, that it is something with which neither the public nor this House has any concern; and at the same time he has chosen to put before this committee, as his justification, his statement of the facts of the case, and has criticised the commission as having been unfair to him. In these circumstances it is but fair that we should consider what those facts are, and that we should see from the documents and from the evidence before the commission whether or not the statement of the facts made by the commissioners is supported by the testimony that they

heard from the witness-box while holding their investigation. These lands, the option to buy which is held by a syndicate of which Messrs. Pope and Fowler are spoken of as the representatives, are brought according to the statement of the hon. gentleman who addressed us this afternoon, to himself and his associates, two other directors of the Union Trust Company, and they are turned over to him immediately upon their acquisition by the original syndicate at an increase in price of no less than $200,000.

Now the money wherewith the Canadian Pacific Railway, the original owner of the lands is paid—the $700,000 which it was necessary to pay the Canadian Pacific Railway to obtain the lands—was borrowed from the Union Trust Company upon the security of these lands. Every dollar of the purchase money was lent by the trust company to the purchasers of the land, and the security which the lender had for that large sum of $700,000 paid to the Canadian Pacific Railway was these lands themselves. Nay, more than that, there was $1 per acre or $200,000 additional to be paid out in cash before these lands could be acquired. There was the profit of $1 per acre which was to go to the original, the Pope-Fowler syndicate, and that $200,000 also was advanced by the Union Trust Company as an investment, upon the faith and security of these lands, which were first sold by the original owners at $3.50 per acre. But the next purchasers were to have their profit upon the transaction—a perfectly legitimate thing the hon. gentleman says—and their profit was to be, not $1 per acre, but fifty cents per acre or $100,000, so that there was that much more required, or, to make the figures complete, a round million dollars had to be advanced before these lands could get into the possession and ownership of the land company, which was then being formed for the first time, and which had nothing wherewith to pay for the lands except its own unissued capital stock. That company borrowed upon the security of the lands. It borrowed $4.50 per acre or $900,000 in cash, and it provided, for the profit of its managing director and two other directors, $100,000 in its own capital stock. It issued that capital stock, in consideration of which the company got these lands and became responsible to the lenders for the $900,000 it wanted to borrow, and it set out upon the face of the agreement which it then entered into the disposition which was to be made of that $100,000 of its own capital stock. That capital stock was to go in these proportions. Of the whole 1,000 shares, 482½ were to go to Messrs. Foster, Wilson and McGillivray, 30 shares to the three gentlemen who had put money into the concern or were supposed to have put in $1,000 a piece, 100 shares to the men who had the corporate name which was being taken over by the new or Great West Land Company—the men who had the charter—and 50 which had been stipulated for to Messrs. Pope and Fowler. The remaining 337½ shares, it is of importance to keep in mind. The other 337½ out of that 1,000 shares, which this company was then paying out of its treasury for the purchase of these lands, was a fund, so to speak, which was being held by the issuing company as its means of interesting capital, as its means of affording compensation to any investor or capitalist who would advance the necessary money to pay the purchase price. It was a large transaction. It was supposed that any individual or company who would have $1,000,000 to lend upon the security of lands which had only recently been sold for $700,000, would require, not merely to receive the ordinary rate of interest, not merely to have security upon the land, but also something in the way of a bonus or special consideration as an inducement to enter into the transaction. And accordingly we find in the evidence that this 337½ shares, or, as it is sometimes spoken of, 237½ shares of capital stock was designed for that purpose and was held as a means of inducing capitalists to lend their money. That is a matter of so much importance, in the light of what afterwards happened with regard to these 337½ shares, that I must ask you to bear with me while I make a reference or two to the evidence on the subject.

At page 2549, we have the matter taken up on the 3rd of October, in the testimony of the Hon. Geo. E. Foster. Mr. Shepley asks :

Q. How were you then expecting to finance? —A. The situation was exactly this. We were now in possession of the whole option, and we had the whole of the stock represented by the advance of fifty cents an acre at our disposal, to be used first to extinguish the claim of the other half by the good will and the like of that, reserve one-half which we always intended to do for ourselves, leaving us a considerable proportion, amounting in all to 337 shares or thereabouts. We proposed, with that at our disposal to enlist capital sufficient to help us to make what was necessary to be made, in addition to what we ourselves put in, to carry us along until stock could be sold and returns come in from that.

On the next page, 2550, Mr. Shepley asked :

Q. You were expecting to finance the whole of it now with an assistance to the extent of $33,700 ?—A. Yes.

Q. That is right, is it not ?—A. Yes, stock selling in both instances as a factor.

Q. The stock selling, the $33,700 was the stock selling you were relying upon ?—A. Not at all, that was the bonus after keeping our own share.

Q. I thought that was to interest financial people ?—A. Well.

Q. You mean handed to financial people by way of bonus so that they would advance the money ?—A. Exactly.

And at the end of a long answer from the witness (Mr. Foster) he said :

Now when we came to the point where we had left the idea of each half financing his own, and came to the point of seeking other finance in the way of stock selling, and the actual advance of money for stock with bonuses as part consideration or in any way in which it could be used, before we had gone any distance in that at all, though we had talked over some plans, either Mr. McGillivray suggested to me or I suggested to him—I am not going to say which, but one of us to the other—and whichever did the other agreed to it, this idea. We believe this is an excellent thing, we believe that a good amount of money can be made out of it, we have a bonus stock free of 337½ shares, our Union Trust Company is a lending company, why not take this to the Union Trust Company, put the proposition before them and ask them whether they will take it up or whether they will not.

And to conclude the reference, on the next page, 2551, at the end of the answer I have been reading, the witness said :

I said to myself, this is going to pay well to any financial institution that will take it up, take the bonus, lend the money to us at a good rate per cent, and take the whole thing as security, and in three or four years it will have made an excellent profit for itself on undoubted security. It was under that idea and that idea alone that we took it, open and above board to the Union Trust Company without any hole and corner work of any kind and presented it to the members of the board.

Q. Now, then, may I ask you a question or two ?—A. Certainly.

Q. Your idea was to substitute the Union Trust for the financiers you hoped to interest by giving them the bonus stock ?—A. Yes.

Q. The Union Trust Company were to get the bonus stock and lend the money that was necessary by reason of their getting that superior position ?—A. They were to get the bonus stock, or as much of it as was necessary, when they thought it over as a fair proposition for their undertaking the loan. We had that much at our disposal.

Q. It was intended that the Union Trust Company should occupy the position of lenders ?—A. That was our mind at that time.

Q. And in consideration of their occupying or consenting to occupy that position they were to have the stock with which you had hoped to interest other capitalists ?—A. Yes.

So, on these few extracts from the testimony of Hon. Mr. Foster it is abundantly established that the 337½ shares of the capital stock of the Great West Land Company was from the beginning designed to be the compensation of that financier, whoever he was, and he afterwards turned out to be the Union Trust Company, who should loan the money necessary to make these payments. In addition to the ordinary compensation of interest, for the risk that was run by the lender of this large amount, that lender was to receive, as an integral portion of his compensation, 337½ shares of stock.

Now, with that preface, let me omit for the present further reference to the original transaction, and come at once to the transaction which has been very little referred to by the hon. gentleman (Mr. Foster) this afternoon, a transaction, he said, simply of a domestic character between four directors of this company, about a few shares of stock not worthy the notice of this commission. Let me say, first, that it was not only a transaction which involved the worth of 337½ shares of this stock, an amount, upon the testimony, approximately of at least $85,000 in cash, but this sum, whatever it may have been, was literally the money of the Union Trust Company which was the money, to the extent of every dollar of it, of the Foresters, the disposal of whose money it was the business of the commission to investigate. It was, therefore, the bounden duty of the commission to ascertain what had become of that 337½ shares of stock—a thing, I pause to mention—which they never would have discovered under the sun if it had not been for the production of the books of that company which they insisted upon and the production of which was resisted. Originally, as the hon. gentleman has said, the Union Trust Company, instead of electing to become mortgagee of these lands, chose to take the position of stockholder in the Great West Land Company, and under its agreement with that company for every hundred dollars it advanced in the way of loan to the land company it was entitled to receive one share of stock. On the whole it advanced over $900,000, and it was entitled under this agreement to receive from the borrower, the land company, stock to the amount of its advances. No doubt, it did so receive stock; at all events it chose to do so, and I assume that the stock was issued to it as it desired. But sales of land were slow, and there came a time when men who were interested in the trust company and who were not interested in this transaction thought it was preferable that the transaction should be put in different shape and that it would be better, instead of the trust company holding shares in the land company—shares on which, up to that time, apparently, no profit had been made or returns paid—they should become mortgagees and have the direct position of lenders and hold as security for their loan a lien upon the land which had been bought. And the trust company coming to that conclusion and deciding to change its position and become mortgagee, that transaction fails to be carried out in the latter part of 1905. Now, in respect to what follows, let it be borne in mind that witnesses were speaking in September and October, 1906; therefore, they were speaking of events of ten months before. The transaction in question, and the memory they are being called upon to exercise in the witness box are a transaction and a memory that, at the time of their speaking was not yet

twelve months gone by. There appears among the exhibits a document by which this block of 337½ shares of capital stock in the land company, which, up to that time —November of 1905—had been held by the Trust Company as its consideration for lending this large sum of money is transferred by that company to Messrs. Wilson, Foster and McGillivray. Now, upon the face of such a document, upon the mere statement of the case—that this company, being possessed of a block of stock which was certainly of appreciable value, should give away the consideration which it had earned by lending to the company whose stock it held no less a sum than $980,000, to be put into the purchase and which represented every dollar that had gone into such purchase, except the contributions I have referred to, made by the hon. member for East Simcoe (Mr. Bennett) and his colleague from Prince (Mr. Lefurgey) invites attention. It stands to reason, I say, that if you find a document of that kind by which this property having been earned by the company is transferred to its managing director and two other of its directors, you would question why this should be done by the company—what was the consideration for giving up this valuable property which was theirs, which was always designed to have been theirs, being the compensation to them for the risk which they had incurred and which at that time had been outstanding for two years or more? This document itself by which the transfer of the stock is made is one which, necessarily and naturally, would attract attention and to which one would expect scrutiny to be devoted.

One would expect that there would be in the recorded minutes of the company the most careful statement of the steps which it had been decided to take and of the reasons which had moved the taking of those steps, and in that expectation in the present case no one would be disappointed because on the face of the minutes of the Union Trust Company under date 7th of November, 1905, there is recorded a meeting of the directors of the company in which the transaction in question is in a general way noted and discussed. There were present at that meeting according to the records of the minutes. Hon. Elliott G. Stevenson, Colonel John A. McGillivray, Lt. Col. John I. Davidson, Hon. Geo. W. Ross, Matthew Wilson and the Hon. Geo. E. Foster. There are six directors present and three of the six are the gentlemen who appear by the subsequent document as the recipients of this 337½ shares of stock. The minute in regard to it states that:

> Some discussion was had with reference to the Great West Land Company and the position of the Union Trust Company in relation thereto. This matter was, however, left over to be taken up at the adjourned meeting. The meeting then adjourned until Monday, the 13th day of November, at half past two o'clock.

Then follows a minute of the adjourned meeting of the board of directors of the Union Trust Company, stated to have been held in the office of the trust company at 2.30 p.m. on the 13th day of November, 1905. The same directors were present, that were at the meeting on the 7th. These directors, as I have pointed out, were the three gentlemen to whom this transfer was afterwards made and three others, Mr. Stevenson, Mr. Davidson, and the Hon. Geo. W. Ross. The minute proceeds:

> After a full discussion in reference to the Great West Land Company it was decided on motion by Hon. E. G. Stevenson, seconded by Lt.-Col. J. A. McGillivray, that the Union Trust Company should assume the position of mortgagee, with reference to its advances and payments to or for the Great West Land Company instead of the stock received by the company and its president upon formation of the land company and the stock received as representing payments and advances, the company and its president releasing to its original owners respectively the stock which had been acquired under the former arrangement as set forth in the agreement of June 22nd, 1903.
>
> The solicitor was instructed to prepare the necessary papers to be duly executed by the officers of both companies.

Then the minute deals with some other matter. The next meeting is stated to have been held in the office of the company, November 28, 1905, at 3 p.m. and there are recorded as present the three gentlemen interested personally, Messrs. Foster, Wilson and McGillivray and two others. Hon. Geo. W. Ross and Lt. Col. John I. Davidson. With reference to this matter the minute is that:

> After some discussion and amendment it was moved by Hon. G. W. Ross, seconded by Lt.-Col. J. Davidson, that the form of agreement between the Union Trust Company and the Great West Land Company as submitted by the solicitor, pursuant to the resolution passed at the last meeting of the directors be adopted and that the proper amount be filled in by the general manager and the agreement executed and be submitted to the Great West Land Company for execution.

And pursuant to that minute apparently the document in question is drawn up, is executed by the representative of the respective companies, and bears endorsed upon it a minute, over the signature of Col. Davidson stating that this is the agreement referred to and executed, or ratified, at a subsequent meeting of the shareholders.

With reference to that transaction question is raised upon the face of the evidence before the commissioners and question has been raised in more than one quarter where these events have come to be discussed whether or not any such meetings as those recorded in the minutes as taking place on

the 7th and 28th of November, at which this transaction and the agreement in question is authorized had ever taken place.

Mr. FOSTER. There is no question as to the 7th of November.

Mr. AYLESWORTH. Not of the 7th certainly not, it was an error of mine ; the 13th I should have said. There is no question raised by anybody as to that meeting on the 7th, but in reference to the two important meetings of the 13th and 28th of November there is question raised. I am not going to attempt, it is perhaps not important to attempt to determine what the fact is, whether or not there was any formal meeting or whether or not there was more than the meeting together of one or two or three or four of these gentlemen without any formality of anybody taking the chair, whether there was discussion of these things and whether upon that discussion some one who was recording the minutes thought himself justified to put down the minutes of a formal meeting. That it is not for me to say and I do not think it is necessary for me to determine. The point which I wish to bring to the attention of this committee is that not only is there certainly very great discrepancy on the point, very great doubt cast by the evidence of Col. Davidson and some raised by Mr. Stevenson, upon the fact of any such meetings ever having taken place, but there is the circumstance that even if you take this record of the minutes as absolute verity there were present at the earlier of the two meetings, at most six directors, of whom three were the men who were taking this large benefit from the company they represented ; and at the second meeting there were five directors, three out of the five being these same individuals. Now it stands an admitted fact that it was not these six individuals whose money had gone into the transaction, that, on the contrary the money which had bought these lands was the money of the company which these six directors represented, that these directors were there present as agents for the shareholders generally, as trustees for those shareholders whom they represented, as bound in their honour and their duty to protect the interests of those shareholders and that under such circumstances and at meetings where these three directors were in one instance in actual majority, there were 337½ shares of the land company which had from the first been designed to be the absolute property of the trust company as consideration for making these advances, which were shares which had been earned by that company in the risk it had undertaken, diverted from the purpose for which they were intended and put into the possession, for their private benefit, of the three directors present.

It may perfectly be, Sir, that these are matters with which this House, as such, is not concerned ; they do not deal with the privileges of this House, they may perfectly be matters which no member of this House, however jealous of its honour, would have a right to bring to the notice of this assembly or to ask that cognizance should be taken of. But they are here as supporting the comments and statements of fact made by this commission in the report which has been violently attacked and denounced to-day as a report which is unjustifiable, and in regard to which matters of trifling criticism are applauded, while large matters, such as those to which I have adverted, have scarcely been alluded to at all. With reference to the minutes I have read, it is due to say just this one word further. This transaction was an important one. It was one you could hardly expect a director of the company to have forgotten, even after a lapse of years, but Mr. Stevenson, who is credited with the moving or the seconding of one of these resolutions at the meeting of the 13th November, and who was on that day leaving for England, was examined in reference to it, and is positive in his statement that it is absolutely impossible he ever could have moved or seconded any such resolution. Not only has Mr. Stevenson, upon testimony before the commissioners, taken that position, and taken it after he has heard or read all the evidence that was given by the hon. gentleman who addressed the House this afternoon in support of the contention that the meetings did take place, but Mr. John I. Davidson, a man so well known in the city from which I come, that I have but to mention his name to any one acquainted with the city as a man whose character stands too high among those who know him to be in any way impeached, a man not of our political party, is equally distinct and clear that he has not the remotest recollection of any such thing taking place, and, in his judgment, it is an impossible thing that these meetings could have been held, or this transaction could have happened, without his remembering it. There is one further circumstance to advert to in that connection that the evidence shows —and the book is here for inspection—that it was the uniform, nay, the universal custom of the directors of this company to sign, in a book kept for that purpose, their names upon each occasion of their meeting as such directors, and that most unfortunately in the case of these two meetings, recorded as taking place on the 13th and 28th of November, 1905, there is an absolute blank in the book for signatures and no names whatever recorded. Space is left wherein the necessary number of lines exist in which names might have been recorded. The left hand page has been half occupied and also half left blank, and the upper half of the right hand page has been

similarly left blank, and the signatures begin at the middle, and there is room where the signatures might have been, but where not a single signature has yet been placed. Under these circumstances, surely it is not open to condemn these commissioners as men who have been biased, as men who have been prejudiced, as men who have perverted their high positions and their duty, in the hope of gaining some political advantage for a party with which no one of them is to any practical extent identified, or open to be said that these charges have been fabricated and that no evidence for them whatever exists. The commissioners, in regard to this very important transaction, have simply set out the facts. Any one who chooses may read pages 143, 144, 145 and 146 of the report. They have extracted the evidence, and they leave it to whoever reads to form from it such conclusion as he may think that evidence justifies. I am content to leave it there.

I wish simply to add this single remark, that according to the testimony of Mr. Stevenson the profits which are fairly to be expected and which have, to a large extent, already been realized upon the transactions of this land company will be in the neighbourhood of $400,000. In order that I may not be inaccurate, I wish to refer to exactly what he says. You will find his testimony on the subject at page 2401, where, speaking on the 25th September last, he says :

> A profit in the neighbourhood of $400,000 after we are paid off in full, and of that amount we claim the percentage that 337½ is to the 1,500 or 1,600, and in that regard my position is simply this that even though it were conceded that I consented to the relinquishment of that stock, I was one of four or five, it was just as much the duty of the other four to protect the Union Trust Company as it was my duty; therefore, even if it were conceded I assented to that it would not affect the right of the Union Trust Company to the 337½ shares of stock.

And so we have, upon the testimony, the computation of a man who is in a position to know, and who, after investigation, places the profits of that company upon this land transaction at $400,000. If you take 1,580 odd shares of the company's stock out of the total amount issued, you find that the present value of these shares is at least $250. Now, if we take that sum and apply it to the 337½ shares of the capital stock of that company, we have, at the very least computation, $85,000, which was the property of the Union Trust Company, which had earned it, which had contracted for it, and which, by this transaction, and upon these minutes I have referred to, has passed from the possession of the company into the possession of its managing director and his two fellow-directors under circumstances where the remainder of the directors, who are credited with being present, say they never knew anything about it. I thought in these circumstances that was a transaction that would have deserved a little more attention than was paid to it this afternoon, and if we had had a discussion of the facts of this case, rather than an attack upon the commissioners, the counsel, and upon the course which they pursued, we should have had our enlightenment more contributed to, and we would have been in a better position to judge whether or not the commission was justified in the course that it has taken.

Now, the other transactions which have been adverted to are of comparatively minor importance, and I have delayed the committee too long in what I have had to say in regard to this matter. I wish to refer to but one other thing, because it also is a transaction that was not alluded to this afternoon. Very possibly it escaped attention. I am quite willing to say that I do not suppose that it was thought of, or it would have been discussed. It seems to me to be a transaction worthy of attention, and I therefore call attention to it now. Upon the original handing over by the Pope-Fowler syndicate of the 200,000 acres, or the option to buy 200,000 acres of land, to the syndicate composed of Messrs. Foster, Wilson and McGillivray, who sold afterwards to the Great West Land Company, there was, as I have pointed out, a distribution of stock to the Union Trust Company in the proportions I have named, and as a result of which 337½ shares went to the Union Trust Company as their bonus stock. There was at the same time, a handing over to the members of the syndicate which was selling to the land company, this option, of some 480 odd shares as their portion of the $100,000 profit they were having. The reason for giving to these gentlemen, who were the sole executive of the land company, that block of shares, was put upon the ground that it was their legitimate profit. Messrs. Foster, McGillivray, and Wilson, in other words, though the managing directorate of the land company, came to the land company saying : We hold here the right to buy 200,000 acres which we have secured from the syndicate (the Pope-Fowler syndicate) ; we will sell you (our company) this 200,000 acres if you will in addition to paying the full purchase price which Fowler & Co. have agreed to pay, and paying them their profit of $200,000, give us in the shape of stock $100,000 more. And that $100,000 they parcelled out upon the agreement in the way I have mentioned—482½ out of the 1,000 shares which represented the $100,000 going to these individuals, Messrs. Foster, Wilson, and McGillivray. That transaction is brought to a conclusion on the 22nd of June, 1903. That increase of price which is taken from the buying company is called

no commission, but is called legitimate profit because the land is bought from the company's own directorate. On that same 22nd of June, 1903, the new company, the Great West Land Company, appoints these three gentlemen its executive board of directors and they remain its sole directors from that time forward.

Mr. FOSTER. My hon. friend is not exact. These three gentlemen were appointed by the directors of the Great West Land Company as an executive committee for certain purposes.

Mr. AYLESWORTH. I stand corrected; I thought they were the sole directorate.

Mr. FOSTER. No.

Mr. AYLESWORTH. These three gentlemen were, as the hon. gentlemen corrects me, the executive of the directorate and they remained the sole executive from that day forward. Three weeks later a new transaction is entered into, which is the one I adverted to this afternoon, and which I say in all sincerity I have no doubt was forgotten and not thought of any consequence, but which seems to me of peculiar significance. When the Pope-Fowler syndicate purchased its 200,000 acres, or got its option for the 200,000 acres, and afterwards dealt with the second syndicate composed of Messrs. Foster, Wilson and McGillivray, it did not turn over to the second syndicate the whole 200,000 acres. 7,000 acres were reserved or kept back. I do not mean that they were mentioned in the contract, but there were 7,000 acres that are not mentioned and not transferred. That left the original Pope-Fowler syndicate possessed of 7,000 acres of land, and the same syndicate acquired, in the same manner as in the case of the 200,000 acres, a third quantity of some 17,000 acres, and having in that way 24,000 acres remaining on its hands, or having disposed of only some 8,000 acres elsewhere out of the 24,000, it had in hand in the month of July, 1903, a further quantity of land, or an option upon further land, to dispose of. And there is on the 9th day of July, 1903, a block of 8,640 acres of land disposed of by the Pope-Fowler syndicate direct to the Union Trust Company. That transaction, it is said, was understood to be on the same terms as the original transaction, but that transaction is one no record of which appears in the minutes of the company, and which is to be found noted only in the annual report of the company. I speak in that regard subject to correction, but I think my statement is correct. At all events there is a transaction by which 8,640 acres of land is bought direct by the Great West Land Company, in which Great West Land Company the Union Trust Company was at that time the holder of not only 337½ shares of stock, but also of shares representing all its advances to the land company; in which therefore the Union Trust Company (or in other words the Foresters), was practically interested as the only person or entity that had put any appreciable money whatever into the transaction. And that 8,640 acres of land being so bought by that company direct from Messrs Pope, Fowler & Co., there is for some unexplained reason—and to my mind for no possible explicable reason—no less a sum than that which would represent $4,320, (43 1-5 shares in the capital stock of the company) handed to the directorate or executive of that company itself. That was no case of profit upon the transaction, because the lands had in no sense gone through these individuals. Those individuals had never owned the lands; those individuals had never bought the lands, they had incurred no particle of responsibility in respect to the lands; it was the money of their company with which these lands were bought, and they, the executive of the company, take of that money which is literally the money of the Independent Order of Foresters no less a sum than $4,320 of the par value capital stock of the company which they continue to hold to their own use. That body of stock in itself, upon the same computation of the value of this stock to which I have already adverted, is worth certainly from $10,000 to $11,000. It may not be commission, it is not so called; but it is what, I think, if it were being characterized from the other side of the House and were a transaction in which any one felt there was political significance, would be called a rake-off and a startling instance of graft.

Now Mr. Chairman, I have occupied the attention of this committee at much greater length than I expected, and my only justification for it is that I am here, not as making any attack upon the hon. gentleman who addressed the committee this afternoon, or upon any person; I am here because from the position in which I happen to be, it naturally and I suppose expectedly falls to my lot, to defend the position of the commissioners appointed by the Crown, and one of whom happens to occupy a seat upon the judicial bench. It was thought necessary by the hon. gentleman this afternoon, in giving his view of the facts of this matter, to make an attack which was to a large extent personal upon those men. It was certainly personal so far as the conduct generally of this investigation by the commission was concerned. It was in that sense an attack upon the counsel who appeared to prosecute the inquiry and for whom I do not for a moment presume to speak. Though he is not here, he is amply able to defend himself. His hands and his tongue are in no way tied; and if he deems it necessary to make any justification of his course, he is fully in a position to do so. But with regard at all events to the chairman of that commission, Judge MacTavish, he is in no

such position. The traditions of the bench in this country preclude any one occupying a judicial position from entering the public arena, even though it may be in self-defence, and though it may be to combat an attack which is utterly unjustifiable. Upon this matter, arising as it does upon the discussion of an item in the estimates, and upon a statement of the facts of this case in regard to which the country generally is interested and in regard to which the commissioners who conducted this inquiry certainly were not the people upon their defence, it was somewhat unexpected to hear the animadversions which the hon. member for North Toronto thought the case called for this afternoon. That seemed to make it my duty, occupying the position I do, to refer at the length I have done to the facts of this case as spread upon the pages of the evidence and as recorded in the documents that are here. In stating those facts, I have tried to avoid comment. Perhaps I have not succeeded in that effort; but I ask you, Mr. Chairman, and I ask the hon. gentlemen of the committee, to credit me with sincerity when I say that I have to the best of my feeble ability, and in the prejudiced position which I suppose any political public man occupies, tried to present those facts honestly, as they appeared on the evidence before the commission, without setting down aught in malice or without endeavouring anything to extenuate.

Mr. R. L. BORDEN. Mr. Chairman, we are all at liberty to judge of the spirit of sincerity and moderation which has prompted the three hours speech to which we have just listened from the hon. Minister of Justice. The source of inspiration of the report of that commission, so far as it concerns the member for North Toronto and some other hon. gentlemen on this side of the House, might very well be found in the speech which the Minister of Justice has just delivered. In fact, if we did not know otherwise we might well imagine, after listening to that speech, that the hon. gentleman himself had drafted the report.

Mr. AYLESWORTH. Mr. Chairman, I suppose my hon. friend is not serious in making that insinuation.

Mr. R. L. BORDEN. I say if we did not know otherwise. I admit to the full the right of the Minister of Justice, a member of this government, to arise in his place in this committee and defend as best he may that commission in so far as it was attacked by the member for North Toronto this afternoon. Did my hon. friend the Minister of Justice stop there? I will come to that in one moment. What do we find him with? We find him standing up in this committee, with the carefully-prepared brief of an advocate, for the purpose of discrediting the hon. member for North Toronto. What do we find more? In respect of one matter, that which he last brought to the attention of the committee, we find him indulging in a carefully-prepared attack upon the member for North Toronto in respect to which the member for North Toronto did not attack that commission. Yet after taking that most unusual, that most extraordinary course on the part of a gentleman occupying the place of Minister of Justice, he has the audacity in the face of this House and this country to claim sincerity and moderation. Why, Mr. Chairman, every one of us knows that if the Minister of Justice had arisen for the purpose which he says prompted him to arise, he never would have uttered one word about that matter which he dealt with in the concluding portion of his speech. He knows that, and he cannot deny it, and no other gentleman on that side of the House can deny it; and yet that same brief, framed as the hon. gentleman says to justify the commission and not to attack the hon. member for North Toronto, contained an attack on the hon. member for North Toronto in a matter in respect to which that hon. member had not animadverted in the slightest degree upon the report of the commission. Why, Mr. Chairman, the thing speaks for itself. I need not say another word beyond drawing the attention of the House to the circumstances which I have just mentioned.

I do not propose to go very fully into some of the matters which have been dealt with by my hon. friend the Minister of Justice. They have already been gone into by my hon. friend from North Toronto, and that hon. gentleman has another opportunity, I am happy to say, of discussing this matter, and replying to some of the extraordinary statements which have been made by the Minister of Justice.

But let us examine for a moment or two some of the observations with which the Minister of Justice began his speech this afternoon. He says it is always regarded as the privilege of any member of the bar against whose client a court may have pronounced its judgment to go out and for twenty-four hours to revile that court; and he says it is much more the right of the client himself to go out and cast aspersions upon the judgment of the court. Does not my hon. friend realize that when he made that statement he exposed the whole game? It was a judgment against my hon. friend from North Toronto that was obtained, and for that reason he recognizes to the full the right of the member for North Toronto to revile, as he expressed it, the court which has pronounced that judgment. He tells us that Judge MacTavish needs no defence. Well, that may be a matter of opinion. I propose later on in my remarks to ask my hon. friend the Minister of Justice to take up the defence of that hon. gentleman a little further than he has done already, because if he thinks that he has dis-

charged his full duty to Judge MacTavish and to that commission by the remarks which he has already made, I think he will find that he is mistaken. As I think, before this debate is through, in undertaking the defence of these gentlemen he will find perhaps he has undertaken a task of somewhat greater magnitude than he at first contemplated.

He says that a person coming into court in the capacity of a witness is not entitled to counsel. But he did not think it proper to mention that a witness, called for the plaintiff or defendent in an ordinary suit of law, has the protection of the counsel in court representing the client on whose behalf he is called. Was the hon. member for North Toronto (Mr. Foster) or the hon. member for King's and Albert, N.B. (Mr. Fowler) in the exact position, before this commission, of a witness in court? Why, the Minister of Justice (Mr. Aylesworth) knows that neither of those gentlemen was, under the practical circumstances of the case, in that capacity or position at all. They were called as witnesses before that commission, but they were called as witnesses against whom charges were being made by the counsel appointed by this government to carry on the work of investigation. They were called up as men against whom a charge was made and subjected to an inquisition and interrogation altogether unknown to the English law, although it is known to the laws of some other countries. They were not given the right to cross-examine by their own counsel; they were not given the right to call in witnesses for the purpose of controverting any statements made against them. They had not the right to make any investigation into the facts except so far as they might do so, through their counsel or themselves, by way of suggestion to the counsel appointed by this government. Why, take the case to which the Minister of Justice (Mr. Aylesworth) has alluded in the concluding portion of his remarks. Take the question of evidence, the question of disputed fact between Mr. Stevenson and Colonel Davidson on the one hand and the member for North Toronto (Mr. Foster) and Colonel McGillivray on the other. The men against whom the evidence of Mr. Stevenson and Colonel Davidson was quoted to-night by my hon. friend the Minister of Justice (Mr. Aylesworth), in his strenuous efforts to be moderate and fair, had not the right, by their counsel, to cross-examine Mr. Stevenson or Colonel Davidson upon that very evidence. They had not the right to appear by counsel and to have that cross-examination to which the meanest criminal in this country is entitled in any court of law. If they had been accorded that right they could have put into the hands of Colonel Davidson his own signature appearing upon the document which I hold in my hand, and which would have indicated to him that his recollection with reference to those transactions could not possibly be accurate. My hon. friend from North Toronto (Mr. Foster) had not that right, under the ruling of that commission. Yet that commission had the most perfect power, as I understand the law, to regulate its own procedure, and it could have provided by regulation that the member for North Toronto (Mr. Foster) or the member for King's and Albert (Mr. Fowler), against whom charges were being freely made, should have the right to appear by counsel and cross-examine the witnesses in respect of those charges. Did Judge MacTavish, on another occasion, follow out the rule which he laid down in this case? He did not. That gentleman occupied the position of commissioner in the West Elgin investigation, which concerned the acts of certain gentlemen belonging to the party which my hon. friend and the Minister of Justice belongs. And in that investigation Mr. Justice MacTavish was most particular to make the following provision:

> All persons having charges to make against officials and persons within the scope of the commission, or having information in their possession which is material to be known and will assist the commissioners in their investigation, are requested to furnish the particulars thereof in writing as soon as possible to the counsel for the Crown for the purpose of enabling such counsel to prepare and produce evidence thereof before the commission.

That was one paragraph. Here is another:

> Officials and persons whose conduct and acts are the subject of inquiry and investigation by the commissioners shall, if so advised, be entitled to be represented before the commission by counsel, and such counsel shall be heard in respect of any matters affectng the persons so represented.

That is a striking difference between the procedure which was adopted in respect of the charges made against Mr. Fowler and Mr. Foster and the procedure which was adopted in relation to the matter to which I have just now alluded.

My hon. friend, in the course of his remarks, said that the name of the member for East Simcoe (Mr. Bennett) had not been introduced gratuitously in the report of the commission. He went on to say that the matters alluded to in the evidence and reported upon to some extent by the commissioners were not matters which were of any concern to any hon. gentleman in this House or any person in this country. I shall inquire a little later on why it was, that, under those circumstances, the commissioners ventured to enter into an inquiry regarding the purchase of lands from the Canadian Pacific Railway, which could not, by the wildest stretch of imagination, be held to be within the scope of this commission. The hon. gentleman spoke of these commissioners not being here to defend

themselves. But were they so careful about the public reputation and the private reputation of men who were not before them to defend themselves ? I shall come a little later on to deal with the investigation conducted by Mr. Shepley, with the consent of these impartial and upright commissioners, into the question as to whether or not I had some connection with the purchase of these lands. I shall call upon my hon. friend the Minister of Justice (Mr. Aylesworth) to justify, if he can, to this House and country certain inquiries to which I intend to direct my attention before I sit down this evening.

I shall run over very briefly one or two points made by my hon. friend the Minister of Justice (Mr. Aylesworth) with regard to the inquiry into the affairs of the Forester's organization. He says it was of enormous volume. Let me say to him that in respect of a very considerable portion of that business with which the political opponents of this government were not concerned, there was practically no investigation, and the Minister of Justice thoroughly knows and realizes that fact. Let us come down, however, to one or two statements he made with regard to the relations between the Union Trust Company and the Independent Order of Foresters. My hon. friend from North Toronto (Mr. Foster) has pointed to the fact that the original idea of the establishment of a Union Trust Company was that the Foresters should own .1 per cent of the stock and that the rest should be taken up by the general public. That idea was changed. It was not changed at the instance of the hon. member for North Toronto (Mr. Foster) but at the instance of the Foresters themselves. My hon. friend for North Toronto (Mr. Foster) was not a member or an officer of that organization and he had absolutely no control whatever over its policy. The Minister of Justice (Mr. Aylesworth) declares that the capital of the Union Trust Company was, to all intents and purposes, a trust fund, because, he says, no other capital stock, no other money was subscribed or practically none other was subscribed, and the total capital stock was composed of the money of the Foresters.

I do not know exactly what conclusion the hon. gentleman intended to deduce from that. Does he deny that the Independent Order of Foresters has power under the statutes of this country to invest $2,000,000 in this or any other trust company ? My hon. friend (Mr. Aylesworth) will not deny that the Foresters had that power. What, then, is his argument? Let us suppose that the Independent Order of Foresters had invested $500,000 in the stock of some bank in Canada. Does he argue that, because the money received by this bank for the sale of this portion of its capital stock was money of the Foresters, this commission would have power to go into that bank and examine the exact disposition made by the bank of the money so received?

Mr. AYLESWORTH. Does the hon. gentleman (Mr. R. L. Borden) wish me to answer?

Mr. R. L. BORDEN. Yes.

Mr. AYLESWORTH. If the Independent Order of Foresters owned 99⅝ per cent of the capital stock of any bank operating in this country certainly the affairs of that bank could have been, and ought to have been, investigated by this commission.

Mr. R. L. BORDEN. I understand. Let us take the Minister of Justice there, because we have him very prettily I think. The Foresters invested nearly $2,000,000 in the stock of the Union Trust Company whose capital stock was about that figure. The Insurance Commission, therefore, according to his argument, has the right to investigate that company, the Union Trust Company. Suppose the Union Trust Company had a capital stock of $10,000,000 and the investment by the Independent Order of Foresters had been still $2,000,000, would the powers of the commission have been less? That seems to me the argument, and yet I would hardly have expected such an argument from the Minister of Justice.

Mr. AYLESWORTH. I said 99⅝ per cent.

Mr. R. L. BORDEN. Well, suppose it had been 94⅝ per cent ?

Mr. AYLESWORTH. I prefer to take the facts as they are.

Mr. R. L. BORDEN. But where would the hon. gentleman draw the line? If the Independent Order of Foresters owns 51 per cent of the stock of a company, apparently there is no power of investigation, but if it owns 99 per cent there is power of investigation. I have here the order in council appointing the commission; let us see if we can find any such distinction in the words of that document. The commission was authorized to inquire into :

(a) The general subject of life insurance and life insurance systems in Canada.

(b) The operations of the various companies chartered by the parliament of Canada, or by any province and licensed under the Insurance Act, transacting life insurance in Canada, including expenses of management, investment of funds and other allied questions.

2. To make the like inquiry, as far as deemed necessary into the operations of companies other than those chartered by the Dominion or province, transacting in Canada the business of life insurance.

3. To inquire into the operation of the laws of parliament of Canada relating to and governing the business of life insurance, both as regards, Canadian companies and companies other than Canadian, and to consider and re-

port upon any amendments thereto that may be deemed necessary.

I do not find in that any suggestion that the powers of this commission are regulated by the consideration whether the insurance company owns 51 per cent or 99 per cent of the stock of any trust company. The hon. minister (Mr. Aylesworth) attached very great importance to the fact that the Foresters owned 99 per cent or thereabouts of the capital stock of the Union Trust Company. He did not lay any stress in his 'calm' and 'moderate' speech upon the fact that the Foresters got 99 per cent of the $526,000 of profits made by the Union Trust Company. And think of the fairness of this 'calm' and 'moderate' speech in which the hon. gentleman likened certain investments made by the Union Trust Company to the embezzlement of funds by the manager of the Ontario Bank. My hon. friend from North Toronto (Mr. Foster) challenged any member in this House to lay his finger upon one investment for which he was responsible that was not sanctioned by the law of the land. There is the difference of the case of my hon. friend from North Toronto and such a case as that which was suggested—with no very good taste—by the Minister of Justice. The insinuation was very plain, but the facts do not in the least support the insinuation, and the Minister of Justice knows that as well as I do.

Now, he deals with the question of commissions, and I do not consider that his speech can be regarded as very 'calm' or very 'moderate' or even very fair in that connection. Why, Mr. Chairman, in discussing the question of commission he spoke as though the Independent Order of Foresters were the purchaser of these lands and not the lender upon the security of those lands. Suppose my hon. friend from North Toronto, in the course of his affairs, were making a purchase of real estate—say for the purpose of a residence, and suppose that the real estate agent from whom he was purchasing asked $21,000 for the property, while my hon. friend thought it only worth $20,000, and suppose that the agent finally said: I am to receive a commission from the vendors, and if you will give $20,500 I will take off $500 of the commission of $1,000 to which I am entitled and hand it back to you in order that the sale may be consummated—would the Minister of Justice say there was anything improper in that? And is that in the slightest degree different from the transaction which has been commented upon with such severity by the Minister of Justice this afternoon? As a matter of fact, the Independent Order of Foresters had no interest whatever, as I understand it, I speak subject to correction, in the profits which were to be made by the purchase and sale of this property.

Mr. R. L. BORDEN.

Mr. FOSTER. Absolutely none.

Mr. R. L. BORDEN. There was no beneficial interest either in the Independent Order of Foresters, or in the Union Trust Company in one dollar of such profits. As far as the transaction of the first commission is concerned it seems to me, from the statement made by my hon. friend from North Toronto (Mr. Foster), not controverted by the Minister of Justice (Mr. Aylesworth), and from the evidence which appears on the pages of this testimony, that it amounted simply to a reduction in price which was borne by the agent who was making a commission upon that sale. That is all there is in it from beginning to end and the same is absolutely true of the second commission which was also commented upon so severely by my hon. friend the Minister of Justice (Mr. Aylesworth). But to show the length to which this commission was willing to go in its zeal to discover the truth, let us look at the report of the commission for a moment with regard to the commission of $10,000, the second commission referred to by the Minister of Justice. It was a commission of $10,000 in which neither the Union Trust Company nor the Independent Order of Foresters could possibly have had any beneficial interest. If the Union Trust Company or the Independent Order of Foresters had received that or had received the first commission they would have been bound to account for it to the persons who were really entitled to it. There is not the slightest doubt of that upon the evidence or upon the statement made by the Minister of Justice. But the commission which was to be given to Pritchett amounts in all to $10,000, one-half of which he gave up for the purpose of making the sale. The commission of $10,000 was divided, as has been explained, between the purchasers of the property and Mr. Pritchett himself; and this commission found it necessary not only to go into the question of the disposition of the $5,000 which Pritchett gave up but found it necessary to go into the question of the disposition of the part which Mr. Pritchett retained. The Minister of Justice did not indicate to us in what way either the Independent Order of Foresters or the Union Trust Company was interested in that $5,000 that Pritchett was entitled to retain as his commission. Does the minister say that either one of those organizations could by any possibility have any beneficial interest in that $5,000? He will not say it; and yet because $1,000 of that money afterwards was paid over for good consideration to the Hon. Colin Campbell, attorney general of the province of Manitoba, and a Conservative, these commissioners found it necessary to go into a long inquiry as to whether or not Mr. Campbell had given any actual consideration for that $1,000. That is the work of this independ-

ent and fair minded commission commended in such terms to-night by the Minister of Justice. Not only that but in order to cast an aspersion by their report upon the honour of Mr. Campbell they do not even do him the justice of giving on the pages of their report his explanation. After casting this aspersion on him what do they say with regard to this statement ?

Mr. Campbell's explanation of this will be found at pages 3136-3140.

That may be the work of a commission which was not trying to accomplish political ends, but I am bound to say that the commission did themselves very little justice in framing their report in that way if my opinion is worth anything on the subject.

Let us go a little further. The Minister of Justice went at great length into the transactions of the Great West Land Company. There was a sum of $100,000 which he mentions as being a profit to the member for North Toronto (Mr. Foster) and his associates. That profit was only to be received by the member for North Toronto (Mr. Foster) and the other gentlemen in case the enterprise of that company should prove to be a success. Every dollar of the liabilities of the Great West Company would have to be discharged, including all their liabilities to the Foresters organization or to the Union Trust Company before one single dollar of that profit could be realized, and my hon. friend the Minister of Justice did not lay very much emphasis upon the circumstance that the 337½ shares of the stock to which he alluded were part of the $100,000 profit which was to go to these gentlemen in case the enterprise should prove a success. He did not lay any undue emphasis upon the circumstance which is disclosed in the evidence that when in the end a change was made by which the Union Trust Company ceased to have as its share in this enterprise the stock of the Great West Land Company, and reverted to the mortgage security which had been the idea in the first instance, that change was not made at the instance of the member for North Toronto or his associates but was made at the instance of the other directors of the Union Trust Company. Therefore it does not seem to me that the Minister of Justice presented the evidence quite fairly to the House when he adopted the tone which he did with regard to this transaction. However, these are matters which will be discussed further by the hon. member for North Toronto (Mr. Foster) and I have only dealt with them in a very general way.

I said I would deal a little with the work of this commission in connection with some other matters. Let me refer the minister to the evidence in this case taken by the direction and under the order of this commission which is to be found at pages 2502-2509. The gentleman who is being examined before the commission at this time is Mr. A. A. Lefurgey, a member of this House, and the evidence from which I am quoting begins at page 2502. Let us remember the scope of this commission. The scope of this commission, generally speaking, was to make an inquiry and investigation into insurance companies and into the working of the insurance law of Canada. Mr. Lefurgey was asked :

Q. When was it you made this trip to the west ?—A. In 1901 or 1902.

Q. Can you get a little nearer to it than that ?—A. September, 1902, I think.

Q. Who were of your party ?—A. I do not know that I could name all at the present time, but the parties who were interested with us in forming up this——

Q. What was the occasion of the journey ?—A. The occasion of the journey was a trip that Mr. Borden was making to the west.

Mr. Shepley perfectly well knew what the occasion of the journey was and his object in thus conducting an investigation into the insurance companies of Canada and into the working of the insurance laws of Canada was to demonstrate to the people of this country that Mr. Lefurgey and other Conservative members of this House had purchased some lands on that western tour in which they accompanied me for political purposes. He goes on :

Q. It was one of the occasions on which you were exercising your preference for politics ?—A. Yes.

Q. It was a political tour ?—A. A political tour, yes.

Q. With a political object in view ; it was Mr. Borden' trip to the west which we know about. Now by whom was the subject of buying lands introduced and when ?

What had that question to do with the insurance companies of Canada or the working and operation of the insurance laws of this country? Can the hon. Minister of Justice suggest? Can any hon. gentleman suggest? Mr. Lefurgey answered :

A. I think it was talked over by Mr. Pope and myself, as far as I remember, casually at first. That was the first conversation we had.

Q. The first conversation you had was with Mr. Pope ?—A. Yes.

Q. Was anybody else present when that conversation was going on ?

He was extremely anxious to find out whether Mr. Borden was present at some of these conversations.

A. Not that I recall at the present time.

Q. Who introduced the subject, yourself or Mr. Pope ?—A. That I would not like to say. The subject of lands was one that was very much discussed through the west then, as it is now, I would not like to say.

Q. You would not like to say who first broached the matter, yourself or Mr. Pope ?—A. No.

Will anybody tell me what all that has to do with the subject of an investigation

into any insurance company or the operation of the insurance laws of Canada?

Q. But it was one of you so far as you are concerned ?—A. Yes.

Q. Was anything definite arrived at during that first conversation ?—A. No, nothing definite, only that we thought it would be a good idea and that we would see what others would like to go in with us.

Q. What others having regard to those who were participating in the journey ?—A. Not necessarily, no

Q. You mentioned the number ten ?—A. Yes.

Q. Was that discussed at this first interview ?—A. I won't say it was discussed at that first interview. It was discussed on the train. It was understood that we would limit it to ten, that we would take no more than ten into it.

What has this to do with the subject confided to the commission by the order in council which I have read to-night? Will the Minister of Justice, when he comes again to discuss this matter before the House, point out to me what this has to do with the matter legitimately within the scope of the commission?

Q. Perhaps I had better ask you then who came into the matter next to yourself and Pope, so far as you are aware, as a potential member of the syndicate ?——A. I think our next conversation was with Mr. Fowler. He was on the trip.

Q. Then, Mr. Fowler, who was also on the trip, was the next person who came in. Who brought him in ?—A. I think he came in in the natural course of conversation that we talked it over with him afterwards, and afterwards Mr. Bennett and those persons signified their willingness to go in and take up land.

Q. That would be four ?—A. Yes.

Q. Were you four, Mr. Fowler, Mr. Bennett, yourself and Mr. Pope, the only ones who discussed it on this trip ?—A. The only four with whom I discussed it.

Can there be any doubt in the minds of any hon. gentlemen in this House as to what the object of that particular inquiry was? Does the Minister of Justice, speaking as he has spoken of Judge MacTavish and of his ability as a lawyer, pretend to tell me that Judge MacTavish did not perfectly well know that the inquiry then being prosecuted was not within the legitimate scope of that commission? I desire to speak most respectfully of any member of the bench of this country, but when any member of the bench undertakes the responsibility of acting upon a commission of this kind he lays himself open to fair and reasonable criticism in regard to his conduct of it. I have endeavoured to give to Judge MacTavish the benefit of every possible doubt, not only of every legitimate doubt, but of every possible doubt, and I cannot find it in my mind to believe that he thought that particular inquiry was within the legitimate scope of that commission. He is either incapable of properly discharging his duties as a member of the judicial bench, or he knew perfectly what Mr. Shepley was aiming at in this paricular inquiry and that it was not within the scope of legitimate inquiry.

Q. The only four who were suggested as being possible members of your syndicate ? A. The only four with whom I discussed it.

Q. I am now asking you something that is a little different from that. Were they the only four who were expected to become members of the syndicate ?

That is a question authorized by the members of the commission who were to investigate the insurance companies of Canada and the operation of the insurance laws of this country. Do I need more than to read the evidence? Do I need to add anything to it?

A. The only four who were expected at that time to become members of the syndicate, although mention was made that possibly Mr. Borden might come in. Personally I never talked to Mr. Borden, not on the trip.

So the hon. gentleman's object was accomplished, and the apparent object of the commission was accomplished. They had succeeded in introducing the name of Mr. Borden. Now, I will go a little further with this investigation into the insurance companies of Canada. The next question is as follows :

Q. Did you hear him say he would join ?—A. No.

And this is the work of a commission authorized to inquire into the insurance companies of Canada and the operation of the insurance laws of this country, a commission whose impartiality and fairness and the general excellence of whose work have been commended in such glowing terms by my hon. friend the Minister of Justice. Now he proceeds further to investigate the insurance companies of Canada in the next question :

Q. Or that he thought he would join ?—A. No, not at that time, no.

Do I need to read further to convince hon. gentlemen as to what that commission was engaged in at that time, or as to the object counsel had in propounding these questions and obtaining these answers? Now, he proceeds further to investigate the insurance companies of Canada by another question :

Q. Or during that trip ?—A. No.

And then he goes on with this investigation into the insurance companies of Canada by the next question :

Q. Are you quite clear about that ?—A. I think I am fairly clear. I don't think I had any personal conversation with Mr. Borden as to it.

And so on, at great length, in connection with an inquiry into the insurance companies of Canada and the operation of the insurance laws of this country. Then, on

the following page (2504) he is referring to some evidence which it appears Mr. Lefurgey had given in some litigation between himself and other members of the syndicate which purchased this land. And before I read the question, remember that the commission and the counsel are prosecuting an inquiry into the insurance laws of Canada and into the business of insurance in this country.

Mr. AYLESWORTH. Does my hon. friend forget the word 'investments,' or does he purposely omit it ?

Mr. R. L. BORDEN. Investments ?

Mr. AYLESWORTH. Yes.

Mr. R. L. BORDEN. Oh, investments ?

Mr. AYLESWORTH. Yes.

Mr. R. L. BORDEN. I see, we have now the whole explanation of all this evidence. The commission on this occasion were inquiring into investments of insurance companies in Canada.

Mr. NORTHRUP. Or investments that any one might make

Mr. R. L. BORDEN. I was about to remark that perhaps if this same mode of inquiry had been adopted with regard to the private affairs of gentlemen who have sat on the treasury benches since 1896—

Mr. TAYLOR. They would find out something.

Mr. R. L. BORDEN. Mr. Shepley puts this question :—

Q. This is what you said about Mr. Borden ; it may or may not be important. I want to see whether you say so now.

On that occasion I cannot say whether we approached Mr. Borden ; I believe he indicated a willingness possibly to join us, he said he would very likely join us on that occasion that we interviewed him ; I don't know whether it was on that occasion, but during the trip he indicated that he would possibly come in with us.

Q. You do not modify that to-day at all ?—A. No, I am not clear, I told you I would not say personally that I had any conversataion with Mr. Borden at all.

Q. But you had in some way or other ?—A. An intimation that he might come in, yes.

Further on at page 2505——They are still prosecuting an inquiry into the insurance companies of Canada, into the operation of the insurance laws, and into the 'investments,' because I must not forget that. as the Minister of Justice considers it a proper justification for the inquiry which I am just now quoting :

Q. Then had there been any other communication with you in the meantime until you got this letter indicating that Mr. Borden had carried out the intention that you understood he had of going in ?—A. None.

Q. Then did you understand when you got these instructions to keep the matter mum except between the three persons, Borden, Bennett and yourself, that he had come in ?—A. I suppose I would form a reasonable presumption, the same as you would that he had.

This particularly, remember, upon the ground stated by the Minister of Justice, is an inquiry into the 'investments' of insurance companies in Canada.

Q. I was trying to get what was in your mind at the time, what information you had at the time ?—A. I presume that would have been in my mind, I don't know whether it was or not.

Q. Then that would indicate five people up to the present time : Messrs. Fowler, Pope, Lefurgey, Bennett and Borden——

And these are the gentlemen as to whom we must be so careful that we say nothing about them in their absence. I was not before the commission at that time, I knew nothing of the examination, and behind my back there was the counsel under the authority of the commission, going outside of the scope of that commissioin for a distinctly political purpose and dealing with a matter which could by no means have any possible relevancy to the subject legitimately confided to these gentlemen by the terms of the order in council. Then on the next page

Q. I am asking you whether you assent to what I have drawn from it, that apparently eight people, the original four plus Mr. Borden and plus the new three were indicated by this letter ?—A. I assent that there are a certain number of names mentioned there.

Then further on

Q. Then, if it does not, perhaps you will assent to that ; you were getting the inside track as to selection and you were also getting the inside track as to terms and prices according to the letter. Then apparently there was some communication of the 7th November which is not set out in the depositions. Do you remember what that was ?—A. Some conversation.

And then further on at page 2509

Q. Did you get any further information about the head of the Chemical Company ?—A. I don't think that I knew that Peuchen at that time was interested either.

Q. Any further information about Mr. Borden? —A. I think possibly I knew that Mr. Borden was not in it, at that time.

Then further on in the same page, he is quoting evidence in the suit to which I have referred :

Q. Now this is something that I would like you to make a little plainer for us than it seems to me. You were asked question 106, 'You left it to him,' that is to Fowler, 'to get anybody that was to be got.' That is to get anybody to come into the syndicate that was to be got: Your answer was, 'It was left with them.' That means Pope and Fowler, I suppose. 'They were supposed,' you went on, 'to have held a meeting in Montreal. 107. Q. With whom ? A. With the parties interested. I presume that Bennett and I presume Mr. Borden was up there, but I was not up there myself.' What

meeting are you referring to there ?—A. The meeting he referred to in his letter.

Now let me go a little further into some evidence that occurs in the examination of my hon. friend the member for King's (Mr. Fowler). Mr. Shepley was apparently not yet satisfied with his investigation into the history of the trip to the west and of the conversations which took place between gentlemen in regard to their personal business matters, and therefore he proceeds to get some information from Mr. Fowler.

Q. What was the origin of you and Mr. Pope taking up this scheme of getting land from the Canadian Pacific Railway ? How did that come about ?—A. Well, of course, Mr. Shepley, I don't see what that has to do with this investigation, to start with——

And I am sure no other person in this country will be able to understand what that had to do with the inquiry, as I will endeavour to demonstrate more fully later on. Mr. Fowler continues his answer.

—and I protest against giving evidence with respect to it. That was purely a private matter, how we came to get this land, our taking up the option, so far as the purpose of your investigation is concerned, in my humble view. When you get to the transaction between us and the Union Trust, who represented the Foresters, of course you have a perfect right to examine into it.

Q. Yes ? Well, I can only beg you to take a little wider view and to tell me what was the origin of it ?—A. I submit myself to the ruling of the commission.

The proposed investigation could only have been for one purpose, as the evidence discloses later on, and that was to prove if possible that these gentlemen, who were concerned in that purchase, had improperly used their positions as members of parliament, and had obtained from the Canadian Pacific Railway Company those lands at a price lower than the price at which it would have been willing to sell them to other persons. That question is gone into on page after page of this testimony, not only in the evidence of Mr. Lefurgey, which I have not read in full, but in the evidence of Mr. Fowler, and finally at great length in the evidence of Mr. Griffin, the land commissioner, of the Canadian Pacific Railway ; and I ask my hon. friend the Minister of Justice to inform us when he comes to address the House, in what way the scope of this commission involved the investigation of these matters. Were these commissioners authorized or empowered to investigate the conduct of these gentlemen, or was it any part of their duty to investigate and report on the question whether or not the Canadian Pacific Railway Company received a fair price for those lands or the same price which they would have obtained from any other person ?

Mr. FOWLER. Those were the secret instructions.

Mr. R. L. BORDEN. I do not know about that. All I say at this moment is that these matters in no wise concerned anything that could be any possible stretch of the imagination be within the scope of that commission. What is the ruling of Judge MacTavish, when the objection which I have just now read was made by Mr. Fowler?

Judge MACTAVISH. Answer the question.

Mr. FOWLER. Now, then, let me hear your question.

Then, under the direction of the commissioners, Mr. Shepley goes into a full political investigation as to whether or not these members of parliament had obtained from the Canadian Pacific Railway Company thoses lands at a lower price than that at which they could heve been obtained by any other purchaser. Now, my hon. friend the Minister of Justice may take a different view of this matter from myself. I have no doubt that he will deal with it before this debate is concluded. For my part, I cannot understand—I say it in all sincerity—why Judge MacTavish under the circumstances could have supposed that that commission was authorized to make such an investigation as that. As far as I was concerned, I had nothing to conceal in the matter ; and if it were worth while, I would be perfectly willing to have my supposed connection with the transaction, or for that matter any other transaction of my public or private life, examined into by any committee of this House or by all the royal commissions which this government or any other government could see fit to appoint. But when we are asked by my hon. friend the Minister of Justice to say that that commission did not step out of the legitimate scope of its instructions, I say I do not concur with him. I say I cannot conceive for one moment why Judge MacTavish should have authorized an investigation of that kind, an investigation which might have affected the political status of gentlemen who had no right to appear there by counsel to cross-examine witnesses or to produce witnesses in their defence—not an ordinary case of procedure in court, where these gentlemen would have the right to defend themselves; but a procedure by what in this respect degenerated into a mere political inquisition into the conduct of hon. gentlemen on this side of the House. Under these circumstances I for my part do not feel that my hon. friend the Minister of Justice has discharged his whole duty to these commissioners until he has explained why it was that they dealt with these matters to which I have alluded—why they endeavoured to prove, and permitted counsel to endeavour to prove, that Conservative members of parliament had abused their position, that they had obtained lands at a lower price by reason of the fact that they were members of parliament. The Minister of Justice says that the power to investigate investments

justified this. How was any question of investment concerned in the examination to which I have just alluded? The Minister of Justice smiles. I have no doubt that he will show how that is relevant.

Mr. AYLESWORTH. Was not the value of the land important?

Mr. R. L. BORDEN. This was not a question of the value of the lands.

Mr. AYLESWORTH. I thought it was. The price at which the lands changed hands was one of the most important questions.

Mr. R. L. BORDEN. And so they were investigating the value of the lands as an investment, and that is the reason they were endeavouring to connect my name with the transaction, I suppose. Well, we are glad to understand what the theory of the hon. gentleman is. For my part, I am not disposed to accept that theory. These matters were in no wise concerned with anything that was within the scope of that commission. The value of those lands as an investment for the Union Trust Company was one matter; the question whether Conservative members of parliament had interviews with Sir Thomas Shaughnessy and other officials of the Canadian Pacific Railway Company at which they used their influence as members of parliament was another and altogether different consideration, and it was into the latter consideration that the counsel appointed by this government and the commission appointed by this government saw fit to inquire, and with what result in the end? Let me point out to you. After a long investigation, a political inquisition paid for by the people of this country out of the public exchequer and I would like a careful estimate to be made of how much of the $75,000 which we are asked to vote to-night is to be applied to this part of the investigation—after a long and tedious examination of Mr. Griffin, the land commissioner of the Canadian Pacific Railway Company, solely upon the question as to whether these gentlemen had abused their position as members of parliament, we have this statement by Mr. Griffin:

I have no hesitation at all in saying that the sale that was made was a more advantageous sale than a sale of the same quantity of land in what would neccessarily be a somewhat wider territory, through the same character of district from between Saskatoon and Edmonton at $5 an acre. That is, if Messrs Pope and Fowler had gone and picked 200,000 acres of land, picked sections through all that territory at $5 an acre, they would have obtained a better bargain than they did.

Q. And it would have been a correspondingly worse bargain, you would say, for the Canadian Pacific?—A. That is my opinion.

Q. Then, my learned friend will not mind my altering the form of these a little?

Mr. CREELMAN. Oh, not at all.

Mr. SHEPLEY. Did Messrs. Pope and Fowler receive any special consideration at your hands for any reason whatever in connection with this sale, or did they get just the terms that any other persons of substance with the money to pay could have got?—A. They received exactly what I would have recommended in the case of any other purchasers.

Q. Did you receive at all from anybody in authority in connection with the Canadian Pacific any instructions or any suggestion that you should reduce or lower the price to these gentlemen?—A. I never received even a suggestion from anybody that I should give Messrs. Pope and Fowler any special concessions that would not be accorded to others.

Q. Then I think that is all I have to ask Mr. Griffin.

The rest is a statement by Mr. Shepley as to the future proceedings of the commission, which I need not read. So that the public money of this country has been expended, and we are asked to vote it to-night, for the purpose of conducting an inquiry which, I repeat, could not by any conceivable stretch of the imagination be regarded as within the scope of the commission under which these gentlemen acted.

Mr. BENNETT. We have had, Mr. Chairman, certainly a most exhaustive speech to-night from the hon. the Minister of Justice (Mr. Aylesworth), a large percentage of which consisted of an endeavour to build up the reputation of Judge MacTavish. Evidently the Minister of Justice knows full well that the people of Canada are going to hold Judge MacTavish as the commissioner who was the head and front of the whole offending and who is responsible for the fact that that Insurance Commission degenerated into a mere travesty of justice. Why has the hon. minister brought out into such a strong light this Judge MacTavish? He, more than any man, knows that from one end of this country to the other this Insurance Commission is regarded as an institution whose main object was the besmirching of the reputation of men politically opposed to this government. He knows that Judge MacTavish was the whole motive power of that body and that no one could have been selected more fit to do the work he did. It is all very well to talk about respect for the bench, but the bench must learn to respect itself; and when it fails to have regard for its own dignity and honour, it will not meet with much credit in the countrty. The hon. minister (Mr. Aylesworth) lays stress upon the point that there is not that respect in Canada for the bench which existed in former years. In that statement he is quite within the mark. I can recollect, as a lad, that when a judge in the province of Ontario was approaching the entrance to the court house, men involuntarily stepped back and the older men raised their hats as he passed by. But that is not the case to-day. To-day in some cases when a judge passes by, he is pointed out as the fellow who did so and so, and that is due to the policy of this government. Why was Judge MacTavish

brought out in such bold relief in this case? Was it because of his eminent judicial fitness ? Will the Minister of Justice say it was ? No, he will not answer that question, Why, a little while ago there was a vacancy on the Superior Court bench of Ontario. What happened ? The Minister of Justice of this country came to Ottawa and offered the position to Mr. Chrysler, an eminent counsel in this city. The hon. minister will not deny that. Mr. Chrysler declined the offer, but this government did not dare to offer that position to this self same Judge MacTavish. Why ? Because they knew, after the part he had played in the West Elgin case, that the people of Ontario would resent such an imposition as the placing of that man on the Superior Court bench. Perhaps the Minister of Justice will rise again in this debate and say why Judge MacTavish was passed over after Mr. Chrysler was offered the position and declined it. Will he explain why Mr. MacTavish was not offered the position then ? Who is Judge MacTavish ? I understand he is a county court judge in the province of Ontario with a residence in the city of Ottawa and the court over which he was appointed to preside is in the county of Carleton. For years in Ontario he has been regarded as a gentleman specially fit to conduct commissions of this kind. We had in Ontario at one time what was known as the West Elgin horror, the West Elgin outrages, and what did they consist of ? There was an election in that riding which was warmly contested, and on the result of which depended to a great extent the fortunes of the Ross government of unhappy memory, which has since gone to its reward, thank God, never to return. That election had to be looked after, and so they looked around the horizon for three gentlemen to go on the commission. In a moment—I think it was a moment of weakness—Judge Barron, a very estimable gentleman, consented to go on the board, but he has never since been elected to go on a similar commission in any other part of the province. I will tell you the reason. There was a recount in the riding of South Perth, and he gave a favourable decision on behalf of the Conservative candidate, and for that reason was cast into the outer darkness. But Judge MacTavish was appointed to act in the celebrated West Elgin case, and the Minister of Justice (Mr. Aylesworth) attempted to show this afternoon what a fair commission that was by saying that Judge Morgan was on it. Well, if he can get any comfort out of that, he can have it all. Judge Morgan was a pretty good friend of the Ross government, and the hon. minister knows it. When there was a school book inquiry, Judge Morgan was one of the commissioners, and he was also connected with the North York election protest. But these gentlemen knew that such was his reputation in Ontario that when they had to appoint a senior judge in the county of York, they did not select Mr. Morgan. Apparently they had no more use for that gentleman than they had for Judge Barron. What was this West Elgin case in which Commissioner MacTavish acted ? I prefer to call him a commissioner because he does not discharge any functions as a judge, but is the commissioner in ordinary of this government and a rather high priced one. $30 a day, I think, is what he is paid of the peoples' money. What was that West Elgin case ? There had been brought into that riding a gang of toughs, thugs and thieves collected from every part of the province—men, who if they had their reward, would have been behind the bars long ago, and some of whom, if they dared to come back to Ontario, would be placed behind the bars no doubt. Who composed this beautiful collection gathered together on that occasion ? There was Duncan Bole, an employee of the local Ontario government, who had plied his nefarious occupation in the riding of Algoma for years for the benefit of hon. gentlemen opposite. This Duncan Bole was switched down to that riding, and under an assumed name he conducted a poll there in the most villainous manner. Then they brought into that riding a Mr. Pritchard from the city of London, that charnel house of pollution and crime, the product of which has driven a man out of this House and prevents him —with other reasons thrown in by the side —from taking his seat—a man who is today an expatriated citizen from the province of Ontario and dares not come back to face public opinion in this House or elsewhere. These were the two men assigned to go there and personate electors and do diabolical deeds for the Ross government. The citizens and voters of that riding know what has occurred. And what did occur ? If you will read this innocent document of this precious commissioner MacTavish, you will find out. Let me take polling division No. 4 of the township of Southwold, where the commissioner found as follows :

> Notwithstanding that the said Duncan Bole acted unawfully as aforesaid and without legal authority, we have to find, upon the evidence of himself corroborated by that of the scrutineers representing the candidate,that no act was done or controlled by which the integrity of the poll was violated or the will of the electorate in any way thwarted.

That was the finding of commissioner MacTavish. Then we come to another poll, and this is the poll where Mr. Pritchard acted, and this was the finding :

> Under all the circumstances and in view of the fact that he admitted having sworn to affidavits which were in some particulars contrary to the fact, the commissioners rely on the evidence of Pritchard.

What was the evidence ? He had sworn that he had tampered with the ballots and miscalled them, and these precious commissioners stood up and declared that they

could not accept his statement and that he was not telling the truth. This is the just and impartial commissioner. Now, what had happened prior to the holding of this investigation? Men stood outside the polling booths on the night of the election; they knew the relative strength of their party in that poll. Honest yeomen of that riding, they knew who were their respectable Liberals who could be bought or swerved, and they knew the respectable Conservatives who would not be moved from their party allegiance. When the returns were brought in they were startled—they could not believe their own eyes. And when they gathered in knots to discuss the matter and compare notes, they decided to find how this evil had been done. They asked who was the man who had taken this vote, and it commenced to be whispered about that it was this notorious fellow Bole. And how has this man been treated by the Ross government and its hangers-on in Ontario? A fugitive from justice, broken in health and fortune he was forced to leave Ontario. He had done the dirty work of the Ross government, but those who benefited by that dirty work would not keep this man in funds, though his health was such that he was almost in extremis when he left Ontario. As I was saying, these honest yeomen of West Elgin began to ferret out the reason for this return. They went to a solicitor, and man after man made a sworn declaration that he had voted for the Conservative candidate. They had these indisputable proofs ready when Mr. Commissioner MacTavish and these other gentlemen met there. Mr. Crothers, a leading solicitor of St. Thomas, a man of standing was consulted and he asked that he might be permitted to appear as counsel on behalf of the Conservative candidate. And what was the answer of this immaculate Commissioner MacTavish? His answer was: Mr. George Watson, K.C., is here to look after the interest of all and he is to be assisted by Mr. Macdonald, of the firm of Kerr, Macdonald & Grant, of Toronto. But these men said: No, no, we do not let them know anything of the facts, and they refused to go into court. Had Commissioner MacTavish been anxious to get at the truth he could have got at the truth. All that was necessary was to subpœna the men who had voted at that poll and the truth would have come out—and that is exactly what that commission did not want. Now, mark Commissioner MacTavish's report in the case of polling division No. 4, Southwold:

> No act was done or permitted by him by which the integrity of the poll was violated or the will of the electorate in any way subverted.

And yet 84 men were ready to go on the stand and swear that they had voted for the Conservative candidate, though the return showed that only 44 votes had been recorded for the Conservative candidate by this imported returning officer. Mr. Commissioner MacTavish did not want that to come out, it would have looked bad. Take another case, the poll where Pritchett was. There were 104 men prepared to go on the witness stand and swear that they voted for the Conservative candidate at that poll. And when Mr. Commissioner MacTavish found that these men were waiting at the door to give this sworn testimony he saw it would not look well, for only 85 votes were recorded at that poll for the Conservative candidate. Pritchett stood up in the court room and said: I did it myself and the record will show that I did it. And what was the answer made to him by Mr. Commissioner McTavish? He tells him in effect he is a liar and that he did not do it. That is the sort of gentleman we have for commmissioner—certainly this was a commissioner to suit the case.

Now, take another case—No. 7, St. Thomas. In that poll the same testimony could be adduced of men who had voted there, and yet concerning this poll Commissioner McTavish says.

> That the proceedings at the poll although irregular do not appear to have affected the result.

There were 91 men who were prepared to state under oath that they had recorded their votes there for the Conservative candidate, yet only 80 votes were returned. And so I could take the case of other polls and show that men had honestly recorded their votes, but Commissioner MacTavish did not want anything of that sort to come out. But something of that sort did come out in that West Elgin case later on. Commissioner MacTavish could smother an investigation, but he could not smother a case in the courts. And so when two judges of the Superior Court came down, after due notice had been given, after the evidence had been thoroughly prepared, when witnesses to the number of hundreds were standing in the corridors of the court-house ready to prove that they voted—at the last moment, right under the gun, the following document was put in. And, for the benefit of hon. gentlemen and for the benefit of the country, let me read that West Elgin horror confession:

> 1. That a large number of persons were especially sent into the constituency by men working on behalf of the Liberal party for the express purpose of taking part on Mr. Macnish's behalf in the election held January 12, 1899, and we believe that fraudulent and corrupt means were used by some of such persons to secure this election.
>
> 2. That some of the said persons illegally and without authority acted as deputy returning officers, at the said election and in at least two cases so acted in the names of reputable local men having, under assumed names, been

introduced to the returning officer by local agents of Macnish.

3. That in many of the polling subdivisions of the riding there were grave irregularities connected with the return of the ballot boxes the voting and the counting of the ballot boxes thereat.

4. That there were a large number of persons brought into the riding for the express purpose of personating legitimate voters, and assisted by some of Mr. Macnish's local supporters, such persons did personate qualified voters in voting for Mr. Macnish.

5. That the declared number of votes for Macnish largely exceeded the number of bona fide votes cast for him.

6. That a large number of votes cast for Mr. McDiarmid were in some nefarious and corrupt manner manipulated, whereby the result of the election was rendered doubtful, and in this connection the voting at Shedden, at Middlemarch, and in several divisions in St. Thomas, where said strangers so acted as deputy returning officers merits special mention.

That there are good reasons to believe that there are many specific and well authenticated cases where agents of Mr. McNish concealed at their homes some of those strangers, who there paid large sums of money to electors to induce them to vote for him.

That Mr. McNish will forthwith deliver to the Speaker of the legislative assembly his resignation as a member thereof for the said electoral district.

(Sgd.) DONALD McNISH.

Sir, was there ever a more disgraceful record of crime, harrowing crime, placed on the records of the courts of Canada or any country than that record ? A little while before that this precious commissioner Mr. MacTavish had found in his report that there had been no crime committed there, there was nothing wrong and to-day there is a standing record of the carnival of crime committed and the Minister of Justice knew that every part of it was true, because he was the solicitor and his name was appended to the document as witness.

Mr. AYLESWORTH. The Minister of Justice knows a good deal about election cases, I am sorry to say.

Mr. BENNETT. I am quite willing the Minister of Justice shall take off any professional privilege he claims in my case and tell it.

Mr. AYLESWORTH. It is your privilege, not mine.

Mr. BENNETT. You can take it off if you like. The other side got out easier than I did and they were more anxious to get out as they had too much disqualification staring them in the face and the minister knew that too. The minister knew all these facts or he would never have permitted his client to sign that statement. I would like to ask was there any time in the whole of this investigation re insurance matters, when the Minister of Justice had not faith in Judge MacTavish, that he would be equal to the emergency ? I do not think he was ever a doubting Thomas in that regard. But so excellent was the work performed by Judge MacTavish that his claims were not to be overlooked when anything of that kind came up and so a while ago in this very House, this government promised an investigation into certain charges in connection with the Huron and Brockville election cases and the first choice of the commissioners was this same precious Mr. MacTavish. Little wonder was it then when they were coming up to this insurance investigation that the first man who loomed up large was Commissioner MacTavish, and I congratulate the government in their foresight in selecting the commissioner. I think he has filled the bill admirably from their point of view, but I do not think he has helped much in placing before the people of this country a fair account of the business of the insurance companies. I propose to deal with the report to show how fair Judge MacTavish is. On page 137 will be found this :

Late in the fall of 1906, Messrs. Rufus H. Pope and George W. Fowler commenced negotiations with the Canadian Pacific Railway Company, for the purchase of a large tract of railway subsidy lands on the behalf of a syndicate including Messrs. W. H. Bennett and A. A. Lefurgey.

Now what was the necessity of bringing in the names of myself and the hon. member for Queen's (Mr. Lefurgey). Where did all this information come from with which this counsel for the prosecution was primed? It is needless to say where it came from ; there had been an action which has been referred to between certain members of this syndicate. That was all spread on the files at Osgoode Hall, that refuge for Grit politicians in Ontario for the last 30 years, and one can imagine what difficulty there was to induce some of these willing officials to hand out the file and display the details of the case to the gentlemen who wished to get at the bottom of the facts. But the record shows that a gentleman named Mr. Arthur Peuchen was also in the syndicate. Where is Mr. Peuchen's name found in this ? Mr. Peuchen is interested in a large chemical concern in the constituency of North Ontario and he does yeoman service for hon. gentlemen in elections. For a number of years he had rather a close connection in selling wood alcohol to this government. Mr. J. B. Tudhope, local member for East Simcoe has also a large monetary interest in that chemical concern and it was thought advisable not to bring Mr. Peuchen's name into the limelight. There is the first instance of political animus by Judge MacTavish in introducing my name, At page 130 we find.

It seems highly probable that on May 15, when Messrs. Pope and Fowler paid the second instalment, $40,000, of cash payment and took up the option, matters had so far progressed that they were quite certain the matter would

be financed; indeed the agreement recites a payment to Pope and Fowler by the Union Trust Company of $23,520, and provides for the payment by the company of a further sum of $33,146.66 by July 1, 1903, beyond which date they had then arranged with the railway company to extend the time for completing the first instalment. These two sums, together with the $60,000 which Pope and Fowler had already paid and which, by the terms of the agreement, was to be refunded to them, made up the total first instalment of $116,666.66 payable to the railway company.

Mark the words, 'that they were quite certain that the matter would be financed.' What is the insinuation by Judge MacTavish there? Not that the party who were in good faith interested in the deal, Messrs. Pope, Fowler, Lefurgey, Peuchen, Bennett and the others had paid their own money down but this precious Commissioner MacTavish wants to convey the idea that the Union Trust Company had put in every dollar that was in the investment. The Commissioner MacTavish can bend so far back that one would imagine almost that he would dislocate himself. He will go out of his way in his report to positively misstate what he knows to be a fact and so we find at page 142:

It should be borne in mind that in this transaction, as well as in the main transaction the Union Trust Company was finding all the funds necessary to carry the lands.

Mr. MacTavish knew that this was untrue, absolutely false, not a scintilla of truth in it, because the evidence was before him that $60,000 cash had been paid by private individuals before the Union Trust Company ever put a cent in it. I did think at one time from some insinuations that have been made and by reading articles in the 'Globe,' from that pious and sainted editor, that I would be called upon to say some words in defence of my own part in this transaction, but after the bouquets thrown by the Minister of Justice I think that would be superfluous on my part. I shall give credit to the minister that he is a shrewd man, and he knew too much to place himself in an absurd position by attempting to make the statement that because a man was a member of parliament he could not approach the counter of the Canadian Pacific Railway and buy lands. How many hon. gentlemen in this House have bought lands from the Canadian Pacific Railway? My hon. friend says: Buy them from the government. We are not permitted that chance. This was not a deal with the government at all. This was not a Saskatchewan Land Company deal, where you are taking the property of the public. This was not a Robbins deal with respect to grazing lands, where you are dealing with the public with the assistance of willing ministers. Not at all. This was a case where you had to go up to the counter of the Canadian Pacific Railway and buy land at the price at which they were offering it, and which Mr. Griffin, in his evidence, states was the fair price the land was being sold at. If any hon. gentleman turns to the evidence he will find this fact stated that in these particular localities the Canadian Pacific Railway was at that time selling land in individual sections or half sections, specially selected, for $3.50 an acre, exactly the same price at which we bought this land. And, as Mr. Griffin pointed out, when it came to a case of buying a large quantity of land, which was not selected land and which was being purchased en bloc, it was a question whether or not we should not have had a better price. It appears that the cat has been let out of the bag to-day. For the last six or seven months hon. gentlemen opposite, stimulated by the 'Globe' newspaper and the rest of the Liberal press of this country, have been making their boasts of what would happen when parliament met. They have had pretty hard reverses in this House. They have had pretty difficult times in the Public Accounts Committee, and the better element of hon. gentlemen opposite, day after day, are recoiling at what they have to swallow.

An hon. MEMBER. Huh!

Mr. BENNETT. Some hon. gentleman says 'huh.' I can believe that there are men over there who will recoil at nothing as long as they may participate in the graft.

Mr. FIELDING. Order.

Mr. DEPUTY SPEAKER. I think the hon. gentleman should withdraw that expression that there are men who would participate in graft. The expression is not parliamentary.

Mr. BERGERON. Ask for an investigation.

Mr. BENNETT. I withdraw that, Mr. Chairman, and perhaps before another session closes we may go further into this question of what is called 'graft,' and bring some members of parliament much closer to it than we have in the past. You will, Mr. Chairman, certainly agree with me that while it may be all right for the hon. Minister of Agriculture (Mr. Fisher) to state, as he did the other night, that it is no concern to him whether a member of parliament or any other person is dealing with this government under the cover of a joint stock company, the public have a vastly different opinion of that case, and are holding and will continue to hold this government to account for the dealings of hon. gentlemen behind them with the public, whether directly or in the guise of so-called stock companies. If hon. gentlemen opposite are pleased with what has been brought out by this investigation, then all I can say is that they are easily pleased,

but there is one thing which stands out in bright relief in this whole transaction, and that is that the hon. member for North Toronto (Mr. Foster) has entrenched himself strongly in the affections of hon. gentlemen on the left of the Speaker, and the people of Canada will hold that hon. gentleman at his esteem and his worth. The people of Ontario, and of this whole Dominion, will take into consideration that he was for a number of years a minister of the Crown, and that he is to-day, as he was when he quitted his position, I regret to say, a comparatively poor man. They will place his condition in life alongside of that of some members of the government who entered this government paupers and who can now count their millions. Sir, as they see them in their mansions, sailing in their private yachts, or driving down the street in their magnificent equipages, I think they will come to the conclusion that it is a matter of concern to the country, and when the time comes for an appeal to the electors we know what the result will be. If hon. gentlemen think that they have made any political capital or have gained any advantage over hon. members on this side of the House they are entirely mistaken. I wish the people of this country could see the benches of the government empty as they are, and see the ministers unhorsed as they are being unhorsed by unfair and foul means. We witnessed the conduct of the right hon. Prime Minister (Sir Wilfrid Laurier) in this House towards the hon. ex-Minister of Railways and Canals (Mr. Emmerson). Was the friendly hand extended to him the other day? Was any friend asked to go over to the hon. member for Westmoreland and say: There are certain charges against you; I want to know whether they are true or not. Was the hon. member for Westmoreland permitted to send back word by his friend, and to say: No, I am above reproach; there is nothing true in these charges, and then have the hand of the premier placed upon him with the comforting remark: Good and faithful servant, go back to your reward. Not at all. That was the differential conduct that was given to the Minister of Railways and Canals as compared with the hon. Minister of Public Works (Mr. Hyman). Why was that treatment accorded the hon. member for Westmoreland? It is accorded to him for the reason that the government and the premier know and every hon. gentleman behind them knows that this government is sinking lower and lower in the estimation of the public, and it is found necessary to throw out the Minister of Railways and Canals in order to assuage, to a certain extent, the tide of public opinion which is setting in against this government stronger and stronger every day.

Progress reported.

Mr. BENNETT.

Mr. FIELDING moved the adjournment of the House.

Mr. R. L. BORDEN. Shall we go on with this item to-morrow?

Mr. FIELDING. Yes, we will continue with this item.

Motion agreed to, and House adjourned at 12.05 a.m., Thursday.

HOUSE OF COMMONS.

THURSDAY, April 11, 1907.

The SPEAKER took the Chair at Eleven o'clock.

SELECT COMMITTEE ON STANDING ORDERS.

Mr. GEO. D. GRANT (North Ontario) moved that the seventh report of the Select Standing Committee on Standing Orders be concurred in.

Mr. T. S. SPROULE. (East Grey). It seems to me that that concurrence is unnecessary because the Bills will go in the usual way, and there is something in that report with reference to one Bill at least which must be dealt with by the House and not by the committee. Let this remain as it is and let the Bills come before the House and this will be a notice to the House so that they may look into the matter in question.

Mr. GRANT. The committee thought it proper to draw the attention of the House to the fact that in the case of the Bill in question, the notice published did not contain all the clauses as it subsequently passed the Senate. The committee thought proper to draw attention to this so that in the Railway Committee that point might be considered.

Motion withdrawn.

OTTAWA TERMINALS RAILWAY COMPANY.

Mr. LAW moved that Bill (No. 152) to incorporate the Ottawa Terminals Railway Company be placed on the order paper for second reading at the next sitting of the House.

Motion agreed to.

RELIEF OF ARTHUR LEON McPHERSON.

Mr. GRANT moved that Bill (No. 157) for the relief of Arthur Leon McPherson be placed upon the order paper for second reading at the next sitting of the House.

Motion agreed to.

FIRST READINGS.

Bill (No. 154) respecting the Canadian Northern Railway Company.

Bill (No. 158) respecting the Hamilton Radial Electric Railway Company.—Mr. Ralph Smith.

QUESTIONS.

PRINCE EDWARD ISLAND TUNNEL.

Mr. J. J. HUGHES—by Mr. Talbot—asked :

Will the government make arrangements to have a complete survey and report made by the best known engineers in its service during the coming summer as to the practicability, cost and maintenance of a tunnel under the Northumberland straits, between Prince Edward Island and the mainland ; also a survey and report as to the practicability, cost and maintenance of a bridge across the Northumberland straits between the said island and the mainland ?

Hon. W. S. FIELDING (Minister of Finance). We already have considerable information on the subject. Whatever further information be necessary in order that we may be fully informed as to the approximate cost of the tunnel or bridge should be obtained and efforts will be made, so far as our engineers are available the coming season to obtain a report. I shall do my utmost to get such information at the earliest possible moment.

Mr. LEFURGEY. Through the engineers of the department or special experts ?

Mr. FIELDING. I think we have sufficient engineering skill in the various departments, but if the services of our engineers are not available undoubtedly we shall have to obtain expert opinion outside.

SUPREME COURT OF SASKATCHEWAN.

Hon. A. B. AYLESWORTH (Minister of Justice) moved that the House do to-morrow go into Committee of the Whole to consider the following proposed resolution:

Resolved, that it is expedient to provide that the salaries of the judges of the Supreme Court of Saskatchewan shall be as follows :

The chief justice of the court, $7,000 per annum.

Four puisne judges of the court, each $6,000 per annum.

And that the salaries of the judges of the Supreme Court of Alberta shall be as follows :

The chief justice of the court, $7,000 per annum.

Four puisne judges of the court, each $6,000 per annum.

And that in the province of Saskatchewan the salaries of eight judges of district courts shall be, each $2,500 per annum during the first three years of service ; and after three years of service, each $3,000 per annum.

And that in the province of Alberta the salaries of five judges of district courts shall be each $2,500 per annum during the first three years of service ; and after three years of service, each $3,000 per annum.

He said : His Excellency having been informed of the subject matter, recommends it to the House.

Motion agreed to.

GOVERNMENT LOANS.

Mr. W. F. MACLEAN (South York). I would like to ask the Finance Minister (Mr. Fielding) how the government is meeting its obligations now maturing or about to mature—whether by the issue of new securities or temporary loans.

Hon. W. S. FIELDING (Minister of Finance). We have a loan maturing in London on the 1st of May and are arranging to extend it for a period of four years. The details are not yet completed, but that is the purpose.

Mr. FOSTER. What is the present rate ?

Mr. FIELDING. Four per cent. It fell due several years ago. Owing to the unfavourable condition of the money market, a portion was extended with the option, which some parties took advantage of, to convert their holdings into three per cent in a certain time. The balance will fall due about the 1st of May and will probably be extended for a term of four years.

Mr. R. L. BORDEN. What is the amount?

Mr. FIELDING. It approaches, $10,000,000 ; I have not the figures at hand.

Mr. FOSTER. Does the minister think he will be able to get as good a rate on the extension as the present rate ?

Mr. FIELDING. Of course, we must just be content to do the best we can. There has not been for many years a less favourable moment for a monetary transaction than the present. We will do our utmost to get the best the market will afford, but I cannot say that I have any expectation that it will be a very favourable rate.

Mr. W. F. MACLEAN. Is not the minister negotiating with the Canadian banks for assistance to tide him over the present stringency ? And is not the fact that these negotiations are going on and that the banks are holding large sums in reserve for that purpose one of the causes of the present stringency ?

Mr. FIELDING. No. We have no special negotiations at present, with any Canadian bank. The transaction we have discussed has been managed, as is usual, in London. I have no knowledge of such negotiations as those which the hon. gentleman (Mr. W. F. Maclean) suggests. We have no negotiations except as to maturing loans in London, and I do not imagine that this can affect the money market in Canada.

WARSHIPS ON THE GREAT LAKES.

Mr. R. L. BORDEN. The hon. minister has had no opportunity to look into the matter of which I spoke yesterday ?

Mr. FIELDING. No, the pressure of yesterday's engagements left me no opportunity to consult my colleagues ; and, though

I had a good recollection of the matter, I thought I had better not speak of it without consultation and inquiry.

SUPPLY—FRENCH IMMIGRATION.

Hon. W. S. FIELDING (Minister of Finance) moved that the House go into Committee of Supply.

Mr. E. PAQUET (L'Islet). (Translation.) Mr. Speaker, before the Orders of the Day are called, I desire to make an important remark. I beg to enter the most vigorous protest, in my own name and in the name of the county of L'Islet, which I have the honour to represent, in favour of the exiled religious orders of women who conduct certain educational institutions in that constituency, and in favour of the French religious orders generally who came to Canada. I strongly protest also, as a French Canadian and a Catholic, against the language proffered by the hon. member for Victoria and Haliburton (Mr. Sam. Hughes) in the course of the remarks made by my hon. friend from Montmagny (Mr. Armand Lavergne), on the 9th inst., in this House, and which I find on page 6292 of the unrevised Hansard :

Mr. W. ROCHE. What profession or employment did the French-speaking immigrants follow ?

Mr. A. LAVERGNE. I think most of them were farm labourers.

Mr. SAM. HUGHES. Were any of them expelled clergymen ?

Mr. A. LAVERGNE. No, but I hope a great many of them will come to Canada.

Mr. SAM. HUGHES. Clergymen who were driven out of France by order of the French government.

Mr. A. LAVERGNE. I hope we will get more of them because they are the very best class of immigrants we can have in this country.

Mr. SAM. HUGHES. A curse to the country.

I hope, Mr. Speaker, that the hon. member for Victoria and Haliburton (Mr. Sam. Hughes) will unhesitatingly deny or take back those words, which imply an insult to my nationality and my creed.

Some hon. MEMBERS. Hear, hear.

Motion agreed to, and the House went into Committee of Supply.

Further amount to provide for expenses in connection with the Royal Commission on Life Insurance, including a sum not exceeding $550 to be paid to members of the Civil Service notwithstanding anything in the Civil Service Act, $75,000.

Mr. LENNOX. Hon. members on the other side, who might be supposed to support the Minister of Justice (Mr. Aylesworth) in his endeavour to support the finding of the Royal Commission on Life Insurance do not seem to be particularly anxious—not so anxious as they have been on previous occasions—to come to the defence; and I do not wonder at that. They have been politely invited to take part, and numerous reasons have been pointed out why a defence is necessary. Nobody can read the report itself, and make the most casual comparison with the evidence, without seeing on the face of it abundant reason why, if possible, some hon. gentlemen should come to the defence of the commission. One of the points taken by the Minister of Justice yesterday as showing that the commission had been fair was that the report was complained of not only by the hon. member for North Toronto (Mr. Foster) but also by Senator Cox. Sir, the very mention of that matter is sufficient to show the difference. In the case of Senator Cox and the Canada Life and Subsidiary companies enough appeared on the face of the evidence, without prosecuting the inquiry deeper, to make necessary the references made in the report to that company's dealings. But, in place of following out all these transactions into their final ramifications, as was done in the case of the Foresters and the hon. member for North Toronto (Mr. Foster) Mr. Shepley, the counsel for the commission, over and over again, said : We will leave that matter and come to it again ; but they never came to it again. In one case the commission referred to what came to the surface, to what they could not help referring to ; and in the other case they delved into every nook and corner investigating matters that did not concern them. But the Minister of Justice was in a difficulty. His difficulty was seen to be all the greater in the remarkably lame defence made by this most able legal gentleman. And it was a lame defence. That he and his party are driven to the sternest stress is shown by almost every step in his argument. For instance, he refers to the closing answers of the evidence of the hon. member for North Toronto (Mr. Foster) and the polite manner in which he acted as he left the court. It seems to surprise hon. gentlemen opposite that people should be polite, as it surprised them, on looking at the black political horizon by which they are surrounded, to be a reason for jubilation the other day, forsooth that the Minister of Finance (Mr. Fielding) was found to be not as black as his associates. The Minister of Justice read the closing words of this evidence amidst the applause of his supporters. Neither he nor they seem to question the delicacy of referring to this matter at all. Though he owed it to himself as a gentleman, perhaps, to make no reference to this matter, yet he reads it to bring forth rounds of applause from his supporters. After the case of the Independent Order of Foresters before the commission was practically closed, the hon. member for North Toronto (Mr. Foster) asked for the right to make a statement concerning the position of himself and his company. After that had been discussed to some extent, the concession

was finally granted, and Mr. Shepley says —page 2665 of the evidence :

Q. I do not understand that you are intending to bring any other documents ?—A. No, I am not going to bring any new matter before you.
Q. Is there in existence and in your possession anything throwing light upon the matters we have been examining and that we have not seen ?—A. No, you have searched me right through.

That is : Are there any other documents, is there any other scrap of paper that you can bring that will help us in this investigation, or prosecution or persecution that we have been carrying on ? The hon. member for North Toronto says, No, there is nothing, you have searched me right through. And the Minister of Justice sees fit to bring this forward as evidence in support of the righteousness of that commission, and his followers applaud him to the echo. Then he turns over to page 2676—and as I say, he takes comfort from the fact that the hon. gentleman from North Toronto knows what is due to himself as a gentleman, because at the conclusion of the matter he thanked the commission for the courtesy it had extended to him ; but the Minister of Justice did not refer to the remark of the member for North Toronto when he said he had been compelled to divulge things which he should not have been compelled to divulge. He parts with them with the statement, in effect, that they have shown him politeness, but as I will show, it was a devilish politeness touched all the time with venom, and founded from first to last in a desire to blacken the character of the member for North Toronto. Mark you, the hon. member for North Toronto had made his statement, he had made it after an argument that he should be allowed to make it, he had made it after Mr. Nesbitt had pointed out that in England a public man was allowed to defend himself by counsel. Then in conclusion as showing himself a man—and these gentlemen are surprised at this—he says :

I thank your honour, for allowing me to make this statement, and I do not think I should leave this box without acknowledging your unvarying courtesy to me ; though I have sometimes had the audacity to question your ruling, it has been on a question of principle, and nothing personal of course.

And that is what the member for North Toronto has stood for from the first, nothing personal.

I do not think I ought to leave either without acknowledging that so far as Mr. Shepley is concerned he has treated me with unvarying courtesy, and all who have been associated with him, the officers and others, have been more than kind.

When the devil entered the Garden of Eden, he was courteous and polite, but he had devilishness in his heart all the same. The member for North Toronto has not exonerated them from this devilishness in the position they had taken, and the Dominion of Canada will never exonerate them from the devilish and diabolical course they took in endeavouring to blast the character of an hon. member of this House.

Mr. FOWLER. I think the hon. member for Simcoe (Mr. Lennox) must have been reading from the Toronto 'Globe' or the Montreal 'Star' in order to find all these epithets.

Mr. LENNOX. Now the stress to which these gentlemen are forced is shown by another argument of the Minister of Justice, and I am going to discuss the argument of the Minister of Justice not so much on account of the argument itself as on account of the position he occupies. He thinks it his duty to refer, in order to support this commission, to the Ontario Bank case. I venture to say that among honest Liberals as well as honest Conservatives, there will be found no man who will not admit that that reference was a dastardly reference to make. It shows the stress to which the hon. gentleman was driven when he had to resort to such an argument, when he tried to draw a parallel between that case, which was a notorious disregard of the law, and compare it with the conduct of the member for North Toronto who has defied the hon. gentleman, —and the hon. gentleman has not met the challenge—to lay his finger upon any one case in which the law has been disregarded. Would the Minister of Justice, with all his astuteness, like to follow the analogy a little further ? Would he like to recollect that the meanest criminal ever tried under British law is allowed to make his full defence ? Would he like to recall the fact that when the member for North Toronto was put on his trial, only one side of the evidence was brought in ? It was not therefore an investigation but a prosecution. They say they do not want to be a party to a prosecution but to an investigation. It was not, they say, a prosecution but an investigation. Aye, it was not a prosecution but it was a persecution as it went on.

Now the Minister of Justice has not exhausted his arrows. It took him a quarter of an hour to develop the first point, and to comment on what the member for North Toronto said. He devoted fully a quarter of an hour to that, and he concluded amid the cheers of his associates at six o'clock. But the Minister of Justice thought fit to refer also to the fact that the production of the stock book in reference to the Great West Land Company was resisted and that it was only by reason of its being produced that they ascertained the condition of matters in regard to that company. He said something else. He pointed out that the investigation into the affairs of the Union Trust Company in relation to the Foresters had been stoutly resisted, and he laboured with that question for practically

twenty or thirty minutes for the purpose of showing that the hon. member for North Toronto had endeavoured to keep back evidence in regard to that. I deny it, and a reference to the evidence shows that whilst the member for North Toronto was in the presence of the commission at that time, Mr. Duverney and Mr. Nesbitt appearing on behalf of the Union Trust were the only parties who objected to the production of the books and papers in that regard. The hon. member for North Toronto, from first to last, never uttered a sentence to the effect that he had any objection to producing all the transactions between the Foresters and the Union Trust. I will come to that point again.

Now to what stress the hon. gentleman was driven was illustrated by the fact that he thought it necessary to devote at least half an hour of his address to proving what has never been denied. The records of 'Hansard' will show that he devotes half an hour to prove that the commission had a right to inquire into the relations between the Foresters and the Union Trust. Did my hon. friend from North Toronto ever deny that? Did any one ever deny it? In this House or out of it; did any one for one moment deny the right of the commission to investigate the investment of the funds of the Foresters in the Union Trust? No, Sir, but what we do object to—and the hon. gentleman knows it very well—is that after the capital stock of the Union Trust is purchased and paid for and the money that goes for the purchase of that stock becomes the property of the Union Trust Company and other individuals who are unconnected with either of these associations, come and borrow from the company, these men should be followed and hounded through this country because of this. I referred to these matters by way of introduction and I now wish to refer to a position that is unique in the history of this country. One point that will always stand out prominently in this matter is that we have had sitting in judgment in this commission a counsel who was employed by the government in the prosecution of the case. My hon. friend the Minister of Justice has great ability and he has had great experience as well. I will ask him to undertake to name a case in which counsel who has stood upon the floor advocating a case and prosecuting it in the manner that was elucidated here last night—has taken that course as the representative of the government—has changed positions, and after he has done all that mortal man could do to blacken the character of his political opponents, has stepped upon the bench and helped the parties who are the judges to decide the very matter which he has submitted to them for investigation. Is that a fact or is it not? Only a few weeks ago my hon. friend from North Toronto asked:

> Has Mr. Shepley, K.C., been in the employment of the government in connection with the Royal Insurance Commission since the taking of evidence was ended?

What is the answer to that?—an answer, which, I will venture to say, could never have been given in connection with the administration of justice in a civilized country before if you take the only meaning from it which can be reasonably taken, is

> Mr. Shepley's retainer to conduct to an end the inquiry referred to in the order in council of February 28, 1906, did not terminate with the closing of the hearing of evidence by the commission, but continued till the completion of the report of the commission.

And so far as I remember the hon. Minister of Finance (Mr. Fielding) apologetically said yesterday: Altogether the expense will sum up to $105,000, we expect; I think it will be more. It is said here in this answer that Mr. Shepley has not yet rendered any memorandum of the services which my hon. friend from North Toronto referred to. That will be kept in the background for the present. See how this turns out; see how the cat jumps. I venture to say that when the hon. Minister of Finance told us yesterday that Mr. Shepley was to get $100 a day for his defined services, everything which is open and above board and which can be spoken of in parliament, he left the greater part unsaid when he intimated that there are certain other charges included in a general retainer, the amount of which, according to what he said, has not yet been determined and will have to be determined by order in council. The services which Mr. Shepley has rendered from the political standpoint will, if present plans do not miscarry, entitle him to a large fee. I will certify to a large fee for Mr. Shepley on that basis. Now, Sir, it is said by my hon. friend from North Toronto that it was not intended perhaps when this investigation commenced that it should be made a political persecution. I do not think it was either. That developed later on. Following the progress of the commission my hon. friend the Minister of Justice will find, and I defy him to contradict it, that it moved step by step. There was no intention at the time this investigation began to shut the mouth of any person or any counsel. The intention was at the beginning and until it developed and until an opportunity was seen to blacken the character of political opponents, to conduct this investigation in a seemingly judicial maner. That is proven by the records themselves. Judge MacTavish said at the opening of proceedings, page 3:

> The commissioners have deemed it expedient that counsel be retained on behalf of the Crown to aid in the investigation.

Mark you, not the government, but the commissioners deemed it expedient to retain counsel to aid in the investigation.

> Arrangements have been made by which the services of counsel will be available. We will

be glad to have the assistance of counsel on behalf of any interest affected or likely to be affected by the investigation. We not only desire, but we welcome the assistance of all persons interested in the prosecution of the inquiry.

Was that adhered to? He puts the counsel for the Crown and counsel for the varied interests exactly upon the same basis at that time when he says :

We will be glad to have the assistance of counsel on behalf of any interest affected or likely to be affected by the investigation. We not only desire, but we welcome the assistance of all persons interested in the prosecution of the inquiry.

A day or two afterwards the government counsel decided to shift the investigation, to withdraw Mr. Fitzgerald from the box without completing his evidence and to substitute Mr. Blackadar. A protest was made by Mr. Hellmuth that he should have the right to cross-examine before a new witness was put into the box. What was the position of Judge MacTavish at that time? What was the position of counsel for the government at that time? Not that there should not be the fullest scope for cross-examination but that it should not be permitted at that time. When they went to Toronto afterwards the question came up again. They were still keeping government or departmental transactions in the background and the protest was again made. It was again recognized by the commissioners that there should be a cross examination but not then. The return brought down upon the motion of my hon. friend from North Toronto, or my hon. friend the leader of the opposition (Mr. R. L. Borden), I do not know which, as regards the correspondence which had taken place between the Department of Justice and the commission, shows by the reports of Mr. Shepley, that it was not contemplated at that time and until they approached the close of the Foresters investigation, it was not contemplated to shut out the ordinary British right of the man who was attacked and attacked, in this case, in the most stealthy manner, to make his defence before the investigating tribunal. The Minister of Justice said it was his duty to defend the man whose mouth is shut. Well, Sir, he will have something to do in defending men whose mouths are shut if the course is pursued of selecting for an investigation of constant an important matter of this kind, a man who has given a certificate of political bias in favour of the government upon a previous occasion.

Mr. SPROULE. More than once.

Mr. LENNOX. The Minister of Justice has a big contract on his hands. I want to say here: That when the Minister of Justice comes to defend that commission he will have to defend them against the incorporation into their report of garbled and dishonest statements. We are told not to attack the judiciary. There is not a man in this House who has a greater respect for the judiciary than I have. In my own county we have two judges whom the profession respects.

Mr. BENNETT. And the public, too.

Mr. LENNOX. And who are honoured by rich and poor alike, and in whom the public confidence rests.

Mr. BENNETT. Hear, hear.

Mr. LENNOX. They have never been dragged into the political arena and made scapegoats for the political sins or the political aspirations of former political friends. I refer to the report at page 146, and I am proceeding to support the view that the extracts given are garbled and dishonest. I quote from the report, the evidence of Hon. G. W. Ross :

I do remember that we did discuss, as I said a moment ago, the question of unloading ourselves on these lands.

Q. Do you remember at any time or at any meeting any discussion with regard to giving up the bonus stock which the Union Trust Company held, not for its advances, but as consideration for having made advances.—A. I do not remember any thing about the surrender of the stock.

It may be noted there that that is one of the questions which is dishonest and unfair; the counsel if he wanted to be fair would have put it : 'Do you know anything about the surrender of the stock?' But he emphasized, not the stock generally. but the bonus stock. I continue :

Q. Do you think you would have remembered if such a discussion had taken place ?—A. I think I ought to.

Q. You think you would ?—A. I think I would.

Now, that is all that is given in the report on that point. The point that is endeavoured to be made there is that Mr. Ross was at that meeting or that he was not at that meeting, but that at all events he has no recollection of the question of giving up the bonus stock, and the report sets that citation forth as a fair summary and result of his evidence in that regard. But what is the fact? The fact is that before Mr. Ross answered these question he had shown as definitely as a witness could show that he knew nothing about the transaction at all; that the matter of the stock had never been called to his attention; that the admitted fact that stock had been given for the advances was not even known to him; that the admitted fact that at the public meetings at which he was present the stock had been discussed, and that it was to be given up (that is the stock that is given for advances)—was discussed at these meetings, and was not de-

nied by any one, but Mr. Ross has no knowledge of that matter at all.

Mr. FOSTER. It is fair to say for Mr. Ross that he was not a member of the directorate at the time the Great West Land transfer was being considered.

Mr. LENNOX. Exactly.

Mr. FOSTER. He did not know.

Mr. LENNOX. Precisely, and that is his evidence as I shall read. I refer to page 2,614 of the evidence to show that when they were giving an extract from Mr. Ross' evidence for the purpose of showing he did not know about this bonus stock, and when they put forward that he did have a general knowledge of what was going on, and that he did know of the stock that was given for advances, the fact is that Mr. Ross knew nothing about it at all. I quote from his evidence:

Q. Were you aware of the transaction of the Union Trust Company—did you become aware of the transaction of the Union Trust Company with the Great West Land Company ?—A. I knew of it.

Q. You knew of it ?—A. Yes.

Q. Were you aware that in the course of the transaction between the two companies the Union Trust Company had acquired certain shares of stock ?—A. No, I did not know that.

Q. Did you not become aware of that ?—A. No.

Q. It has been stated here that there were 237½ shares of paid up stock issued practically by way of bonus which were held by the Union Trust Company as its compensation for having financed the transaction. You say that you were not aware of that ?—A I was not aware of that.

Q. And you were not perhaps aware that Dr. Oronhyatekha held 100 shares ?—A. No.

That proves pretty conclusively that when they make an extract for the report they wanted to suppress the fact that Mr. Ross knew absolutely nothing about the transaction at all, and did not profess to, so that when they emphasize the other point they are acting dishonestly. I continue to quote :

Q. Perhaps I should have put this question first ; were you aware that the Union Trust Company, in addition to the stock I have spoken of, had taken stock in the Great West Land Company for the amount of money it had advanced in financing the transaction ?—A. No, I was not aware of the stock transaction at all.

Q. What we find was done is this ; the Union Trust Company surrendered all the stock that it had taken in respect of its advances, and instead of holding stock took a mortgage upon the lands for the full amount of the advances; perhaps you were not aware of that ?—A No, I was not aware of that.

Further on :

Mr. LENNOX.

Q. Do you remember the discussion with regard to the Great West Land Company ?—A. I do not remember anything particular about it. I could not say as a matter of fact that I remember any discussion about that at all.

That is enough for the purpose. Now, I come to another instance of the same kind, but still more glaring. The report, at page 145 in reference to Mr. Stevenson's evidence, says:

The directors who are recorded as being present at these meetings—with the exception of Mr. McGillivray—were all examined. Mr. Stevenson says (pp. 2387-2388):

'In what I said about the other matter' (referring to the giving up of the bonus stock) 'I have no hesitation in saying that while I did not understand the other matter was concluded or considered at all, I have no hesitation in saying the other gentlemen thought it was or that minute would not appear in that way. But I did not understand it in that way .....I had not in mind the giving of it up, although I did not attach much importance to it.'

Now, Sir, turning to page 2388 of the evidence to which reference is made, and which is not before the public, mark you, and which will not be seen by one-millionth part of the people to whom this report will go ; turning to page 2388 we have this important omission. It ends as they end it: 'But I did not understand it in that way.'

Q. You were not moving that ?—A. I did not have that in mind.

That is left out. What the witness is saying is if they would give the whole story, that although he moved the resolution undoubtedly, and although he did not have in his mind the fact that they were giving up the bonus stock, yet he wanted the commission to understand that he was satisfied, and it must have conveyed that impression to the people who were listening to him. 'You were not moving that resolution?' said the counsel. Mr. Stephenson answered : 'I did not have that in mind.'

Q. Do you say your mind was not directed to it, or that you had in mind the retention of that stock ?—A. Well,——

And 'Well' is left out. 'Well' is deliberative ; it connects this with the other matter that he said before. Then they follow with what he said, not giving the context :

—I had not in mind the giving of it up, although I did not attach much importance to it.

Here again something is left out, which gives balance to what Mr. Stevenson is endeavouring to convey to the commission, that his mind was centred mainly on another question, and he says :

The question that was in my mind was to get security, a first lien on the property for our advances. About that time, or soon after, there had to be about half a million dollars advanced.

The questions which intervened between the answers are left out, and why is the answer cut in two—cut in three, as a matter of fact—although the whole thing is only a few lines, if it is not for the purpose of garbling this matter, for the purpose of carrying out the theory and the object of this commission, to condemn the hon. member for North Toronto. Then, in connection with the same evidence, I turn to another statement in the report. In the first place, they think it well not to put in the question. it is very important to have the questions in order to know the meaning of the answers. In the second place, they decided to put in the questions :

Q. Was there at that meeting in connection with the resolution, which you are said to have moved,——

Mark the innuendo—'which you are said to have moved.'

—any discussion, any mention, to your recollection, of this bonus stock being given up ?—A. My recollection is that there was not. I simply say that because when the matter came to my notice that it had been done, it was a surprise. I may say that I talked the matter over with Mr. Wilson since that time, quite recently, and Wilson though I was a party to this agreement, and that I had approved of the agreement itself, and was very firm that the matter was within my knowledge. All I can say is that I did not understand it so.

And then there is one of those singular omissions. That is the answer to one question. In answer to another question, which in this instance is left out, he goes on :

I have given my recollection. That cannot be changed.

Now, Sir, when I turn to the evidence of Mr. Stevenson, I find that he was asked not only the question of recollection, but this : 'If Mr. Foster swears that so and so happens, would it change your view or your recollection ?' He says, logically and fairly, 'It could not change my recollection,' but he does not say it would not change his view, and he shows by his evidence that it would change his view ; but that is left out, and the question is left out. The point is not the magnitude of the omission, but why does it occur at all unless to give a garbled and dishonest statement in the report which will go into the hands of the people of this country, while the evidence will not. Now, here is the evidence at page 2389 :

Q. Mr. Nesbitt asks me to put a question to you in this form : assuming that it will be stated by Mr. Foster that not only was the matter mentioned, but that it was thoroughly discussed before the resolution was passed, would that change your view at all, change your recollection ?—A. That is rather an equivocal way to put it.

That is left out in the report.

I have given my recollection. That cannot be changed.

That is put in.

Mr. Foster will state his recollection.

Mr. Shepley is anxious, and he intervenes immediately with the statement :

I should not have put the question on my own responsibility, but my learned friend wants it put.

What then is left out ? This answer :

And in saying that, I may say I have great confidence in Mr. Foster's word.

That is left out in the report. He would not say that it would not change his view, but of course it would not change his recollection of the matter; but they only give the one side of the case, and so this is left out. And not only Mr. Shepley, when he was formulating this report—because he did formulate it, and his was the main hand in this whole matter—not only Mr. Shepley, but the gentleman who above all others is responsible for the honest administration of justice in this country, the Minister of Justice, left that out and kept it back when he was addressing this House and the people of this country. But he is not the only sinner. Let me also read at page 146 of the report in reference to Mr. Wilson. This is what they thought fit to give of Mr. Wilson's evidence :

Q. You were advocating the policy of not converting your advances into a mortgage ?—A. Yes, in that case.
Q. That is what you were saying to Col. Davidson ?—A. Yes.
Q. Did you say to Col. Davidson, of course if we do that we are going to take away that compensation stock ?—A. I do not recollect saying that to Col. Davidson.
Q. And if you did not say it to him, you heard nobody else say it, and you heard no discussion about it either then or at any time? —A. Oh, well, I won't say that——
Q. You have no recollection of yourself or anybody else saying more about the desirability of maintaining the status quo than you told me you said ?—A. At those meetings I had not.

I now turn to page 2719 for what Mr. Wilson did say. And we will see whether a fair epitome of Mr. Wilson's evidence upon that point was given :

Q. What was said ?—A. I cannot remember all that was said.
Q. Was any reference from beginning to end of the conversation made specifically to the compensation stock ?—A. Yes.

That is an important point in the matter.

Q. By whom ?—A. By me.
Q. What did you say ?—A. I remember this one statement, drawing Mr. Stevenson's attention to the fact that one hundred shares of that was in the Doctor's name, and Mr. Stevenson said : Well, that will be assigned too.

That is all left out.

Q. You remember that as a matter of recollection ?—A. As a matter of recollection, I do

not mean to say that occurred on the Monday, but that that occurred——

Q. I am trying to keep to the conversation on the Monday at present ?—A. On the Monday the discussion was more of a general discussion of giving up stock and taking a mortgage. It was very general, it had not got into a definite state then.

Q. I want to know whether, when you emerged from the discussion on the Monday, you emerged with the idea that Mr. Stevenson was intending to sacrifice the compensation stock ? —A. I did not emerge with the idea that he was going to sacrifice anything, but I did emerge with the idea that he was going to give it up.

Q. From anything he said ?—A. Yes.

Q. What did he say ?—A. That I cannot recollect definitely, but the reason why I do say I emerged with that idea was that I went and discussed the matter with Mr. Scholfield and told him that.

That is the evidence of Mr. Wilson. A statement is given in the report from Mr. Wilson which is unimportant ; but this important matter, that he does remember the question discussed at the meeting and the attitude taken by Mr. Stevenson, is wholly left out. I want to call your attention to another item in the report which is probably as malicious as a statement, not supported by the evidence, can be, and you will judge whether it is supported by the evidence or not. The report, and my distinguished friend the Minister of Justice (Mr. Ayleseworth) almost hinged his whole case on this, says :

It does not appear that the personal interest of these gentlemen would ever have been disclosed had it not been discovered upon inspection of the stock-book, the production of which was strenuously resisted.

Now, I have pointed out that the Minister of Justice (Mr. Aylesworth)—I do not propose to bother with small fry like the hon. member for Carleton, N.B. (Mr. Carvell)—hinged his argument on the allegation that Mr. Foster opposed the examination of the accounts between the Foresters and the Union Trust Company, and that, in the language the minister used yesterday :

The production of the stock-book of the Great West Land Company was strenuously resisted, and the connection of these gentlemen would never have been disclosed had it not been produced.

But what is the fact? The hon. minister (Mr. Aylesworth) appeals to the high character and standing of the head of this commission. Let me then give him what the head of this commission says on this point. Will that satisfy him? Let us look at the report. I have read what it says. Turn to page 2396, of the evidence and you will find the statement of the chairman of the commission, Judge McTavish himself. The hon. member for North Toronto (Mr. Foster) had pointed out that, in his position as secretary-treasurer of the Great West Land Company, he did not consider it was his duty to produce those books on the mere request of counsel, but that if the commission would take the onus of ordering their production, then they would be put in the hands of the commissioners ; and to show that that was all, we have the certificate of Judge MacTavish himself. Judge MacTavish said :

We recognize the position of Mr. Foster as secretary and treasurer of this company, responsible in a way to his board of directors for the proper execution of his duties, and the position that he takes is quite proper. I understand that it is no part of his duty to volunteer information of that kind. So for his protection we can make a direction that these books should be produced.

And duly produced they were. Yet this same judge, who has there certified that the position taken by the hon. member for North Toronto (Mr. Foster) was a proper one, has sent out to the country his opinion that the ex-Finance Minister (Mr. Foster) was guilty of improper conduct and had vigorously resisted the production of these books. Is that justified by the evidence? It is not. And we await, and no doubt shall await in vain, an explanation how it happens that these significant omissions occur in the report, and that on the other hand we have a coloured and dishonest statement made public in that regard.

Now, these are not the only garbled statements. There is one that is much more significant. I will refer to only this one at this time. But I promise that these hon. gentlemen opposite shall hear more of this from time to time ; for the country cannot know too much of the inwardness of these 2,500 pages, fully three-quarters of which is rot as regards the investigation of life insurance. I come to garbled statements which are directly in aid of the conspiracy to blacken the character of the hon. member for North Toronto. The matter which commands the greatest attention, the matter of which the Minister of Justice was most afraid and around which he squirmed a good deal yesterday, was the point which Mr. Shepley, above all others, endeavoured to make, that the hon. member for North Toronto had inserted in the books of the Union Trust Company dishonest, fradulent and forged statements in regard to the meetings of the 13th and 28th of November. And yet, will you believe it Mr. Chairman—even you, with all your knowledge of those who sit to your right—that on the face of the records that the minister was dealing with yesterday, staring him straight in the face, was the evidence that cannot be controverted or contradicted, the evidence of their own star witness, Mr. Stevenson, that the meeting of the 13th of November did take place, and that he considered it to be sufficiently authenticated. Even at the risk of wearying the House, I shall read the record on this point, because I want to place side by side the statement and its refutation, that the people of Canada may know what

this government has descended to. It has been remarked by others—by the hon. member for North Toronto (Mr. Foster) and by the leader of the opposition (Mr. R. L. Borden)—the nice way in which these people bring in their innuendoes, the skill with which they shoot their poisoned arrows, the ingenuity with which they bring in statements which border on the truth, yet convey an insinuation of misconduct. Now, it must always be clearly borne in mind that the property in this transaction was in fact, mortgaged to the Union Trust Company. That is a fact, clear, undoubted, it cannot be got over. The stock which had been given to the Union Trust Company and accepted by them as compensation for advances was to be given back when the documents were executed in pursuance of the general conclusion of the meeting of November 7, the admitted meeting. Now, if the theory of the Minister of Justice is correct, there was no meeting after the 7th of November until the 28th of November. Yet, before that time, all these documents had been executed in pursuance of some meeting. Yet, in the face of that, and in the face of the evidence of Mr. Stevenson and Hon. G. W. Ross, these gentlemen have the hardihood to put on the face of the report this statement :

> Mr. Stevenson is very reluctant to admit the paternity of this part of the resolution, and it is both remarkable and unfortunate——

The Minister of Justice (Mr. Aylesworth) uses the same expression 'unfortunate.' He seems to be inoculated.

> —that in the book kept for registering attendance of the directors no signatures are found under date November 13, nor indeed is that the date itself found in the book.
>
> The recorded minutes proceed to instruct the solicitor—who was Mr. Matthew Wilson—to prepare the necessary papers to be executed by the officers of both companies.
>
> The minute book records another meeting of the directors on November 28, 1905.

The point they make there is that no signatures are found to authenticate that meeting. And what they want the people to believe—that which appeared in staring headlines in the Liberal press at the time of this investigation, was that these were bogus meetings and that this was a fradulent entry. Later on, the report says :

> The directors' attendance book contains no record of a meeting of this date, nor any signature of directors.

And still later :

> Mr. Stevenson had left on November 13—it is said immediately after the meeting recorded on that date—and was not present, of course, at the recorded meeting at which the direction of that date was carried out.

'Recorded meeting' again. Not at the meeting of the 28th, but at the 'recorded meeting' of the 28th. So these gentlemen, in endeavouring to show that there was no meeting on the 13th and 28th, leave out the fact that in the minutes of November 7—an admittedly 'authenticated' meeting—the discussion was not completed and effect was not then given to the proposed action, and this meeting was adjourned, or, as it is recorded, 'adjourned to the 13th of November at 2.30 in the afternoon.' So, at the very inception of their laboured argument, they leave off this important point, though it is in the records of the court and my distinguished legal friend the Minister of Justice stumbled into reading it last night.

Before dealing with the gist of this transaction I want to call your attention to another point. Now, there is a plain question which would naturally have occurred to any layman, to say nothing of any lawyer, who was really trying to get at the truth. We learn from these minutes that there was to be a meeting on the 13th of November—adjourned from the 7th of November. The question naturally arises : Was there ever any meeting in pursuance of that adjournment. And yet, from first to last, the astute Mr. Shepley and the honest commissioners never asked that question. In dealing with this general question, I leave out the evidence of Hon. Mr. Foster. That does not mean that I think it is worth nothing. But, I know that it may be said that he is an interested party. My distinguished friend the Minister of Justice, last night thought that Mr. Pritchard's evidence should be taken as against the evidence of Hon. Mr. Foster and of Hon. Colin H. Campbell, both of whom flatly contradict the statements which Mr. Pritchard made. The Minister of Justice, of course, has a right to his own choice, and I have a right to mine, and mine in this matter is different from his. But I leave out the evidence of Mr. Foster because I can prove my case up to the hilt and without a possibility of doubt, without it. I can prove that there was a meeting on the 13th of November. This fact is established by Mr. Stevenson, and the evidence of Hon. G. W. Ross. Proving that, I tumble down this castle of cards which these gentlemen have so carefully built up to maintain the charge against my hon. friend from North Toronto (Mr. Foster) as regards the surrender of 237 shares of stock.

Now turn to page 2387 of Mr. Stevenson's evidence. Mr. Shepley is referring to the minute as being on the 19th of November, and Judge MacTavish interposes by saying '28th of November.'

> Mr. SHEPLEY. Yes, I should have said the 28th of November. That is the one ?—A. Yes. it was in fact earlier than that, because I sailed for England on the 15th of November, and the matter was agreed on finally before I went away.

Mark that 'it was agreed upon finally before I went away,' and he went away on the 15th of November.

Mr. FOSTER. That means that he left New York on the 15th, he left Toronto on the 13th.

Mr. LENNOX. Yes, because he says he sailed for England on the 15th of November, and he gives the date more precisely afterwards as the 13th. Then Mr. Shepley says further down :

It is here in the minutes. We are able, perhaps, to refer to that now, by reference to the minutes of the directors' meeting of the 13th of November, 1905 ?

Now they are dealing with the meeting of the 13th of November, 1905, as to whether it took place or not, and the witness says :

A. Is that the Trust Company ?
Q. The Trust Company, and that I will read before going further with this : The adjourned meeting of the board of directors of the Union Trust Company was held in the office of the Union Trust Company at 2 p.m. The same directors were present as were at the meeting of the 7th. That would be yourself, McGillivray, Davidson, Ross, Wilson and Foster ?—A. That was the day I left Toronto for New York to take the ship.

The 13th of November.

Q. I may refer to the meeting of the 7th, because this was an adjourned meeting. The minute of the meeting of the 7th, some discussion was had with reference to the Great West Land Company and the position of the Union Trust Company in relation thereto. This matter, however, was left over to be taken up at the adjourned meeting. Then on the 13th the same directors were present : 'It was decided on motion by Mr. Stevenson, seconded by Mr. McGillivray, that the Union Trust Company should assume the position of mortgagee with reference to the advances or payments to or for the Great West Land Company.' (reads down to the words 'as set forth in the agreement of the 22nd of June, 1903'). That is put as your motion, seconded by Mr. McGillivray.

And he gets the answer he does not want:

A. There is no doubt that the first move to take security was my motion, and Col. McGillivray seconded it.

Establishing the very fact that is referred to at that meeting. Then :

In what I said about the other matter I have no hesitation in saying that while I did not understand the other matter was concluded or considered at all, I had no hesitation in saying the other gentlemen thought it was, or that minute would not appear in that way. But I did not understand it in that way.

But it does not end there. Mr. Shepley pursues it further. On page 2338 of the evidence we find this question :

Q. I suppose you were not aware of the terms of this agreement before it was executed? —A. No, I was not in the country when it was executed.

He left on the 13th from Toronto, and left New York on the 15th. Then another question :

Q. Then, when the resolution was passed, which you were put down as moving, did you write down the resolution or was it reduced to writing by somebody else?

And he gives this answer which is the conclusion of the whole matter :

Oh, no, the meeting was a hurried meeting, just on the eve of my departure, and I have no doubt it was an oral one.
Q. And that somebody, perhaps——A. I think the minute was made up subsequently.

So though these gentlemen want to show deliberate dishonesty and fraud in order to blacken the character of an associate in this House of Commons, they are confronted by Mr. Stevenson who says, 'I no doubt moved the resolution. I want to say that if the particular matter of the bonus stock was not presented to my mind at the time I moved the resolution, others must have understood it so at that time. But my mind was directed, not to the question of the bonus stock to which I atttached no importance at all, but to the main question of getting security. I wanted security, and if the alternative had to be taken between security and giving up the bonus stock I wanted the security and to let the bonus stock go.' Now let me direct the attention of the House for a moment to that point. These gentlemen have the right to take stock for their advances or to take a mortgage—they exercised the option of taking the stock—that remained, they took their chances, and after considering for months they decided : We will take a mortgage and we will surrender the stock. When they surrender the stock they said: We will deal fairly by ourselves and by the others, we will give up the bonus stock as well as the other stock because we have already exercised our option. What the Minister of Justice read last night from Mr. Foster's evidence is a confirmation of what I have said ; he says they were to have this stock upon the terms I have referred to.

I also want to give the evidence of a good political associate of my hon. friend, the Hon. G. W. Ross. I have given some of his evidence before, but I want to say this ; not only does the Hon. G. W. Ross, by his evidence on pages subsequent to these I quote, say that the theory of the signing of the book is absolute imagination in so far as he is concerned, but that he attaches no importance to it at all ; sometimes it was signed and sometimes it was not. But he shows from the intrinsic evidence contained in the minutes of the 13th of November, that beyond possibility of doubt, if Mr. Ross's evidence is to be taken at all, that that meeting took place, although he cannot identify it. The date is of no importance. It was adjourned until the 13th. The evidence of Mr. Ross, if it shows anything—if I have not established that point by this evidence I can establish nothing at all—his evidence establishes by itself that the meeting did take place. Now I have these two

quotations further with which I will trouble the House. Following what I read this morning, Mr. Shepley indentifies the meeting of the 13th by Mr. Ross, and he says, page 2614 :

Q. On the 13th November, 1905, the minute states that the adjourned meeting of the board was held in the office of the Union Trust Company, the same gentlemen present, and the minute reads

and so on, identifying the meeting at that point. Then he goes on with some more questions and he says :

Then the minute proceeds——

That is, speaking of the meeting of the 13th :

The solicitor was instructed to prepare the necessary papers, to be duly executed by the officers of both companies.

Well then I ought to call your attention to the fact that there are the minutes of other matters at this meeting and see what your recollection is in regard to these matters.

Now, if Mr. Ross identifies the other matters which are recorded in these minutes of the meeting and says the meeting took place, does any one question the truth of the statement that there was a meeting? Mr. Shepley reads from the minutes:

The general manager reported that the space in the historical room would leave sufficient room—on motion it was ordered that measures be taken to put the room into a condition to receive the Trust Company as early as possible.

Mr. Ross says :

That was discussed.

Q. Do you connect that discussion with any particular meeting ?—A. No, I do not.

Q. The manager was again authorized to confer with the manager of the Standard Bank with reference to the change (reads minute)? —A. I remember that distinctly.

There is more of it. Well then were the commissioners desirous of giving a fair statement to the country or were they not ? Assuming that they had the right to go into all the ramifications of the inquiry that they saw fit to pursue, does any one believe in the face of the extracts I have read that this commission endeavoured to honestly discharge their duty in that regard ? And will the public be in haste to believe that the Minister of Justice, who has perused this report, who has read it, as he says, and knows what it contains, is as candid or as sincere as he wants the people to understand ?

Mr. FOWLER. Mr. Chairman, before this item passes I have a few words to say with respect to the subject-matter of the item, because to some extent—to some slight extent—my name has been mentioned in connection with the matters that formed the subject of the investigation by this famous, or infamous, depending on your point of view, commission. I do not know why I was selected as the victim of a certain political plot that was hatched not very far from this Chamber during the latter part of the last session of this House. I should have thought, Sir, that the humble position which I occupy in the ranks of my party would have relieved me from being selected as one of the victims, but, Sir, I do not suppose that the parties to this plot—I might call it—this scheme, cared particularly about including me among the victims. They were after higher game than the modest and humble member for King's-Albert. They wished to destroy the reputation and political usefulness of one of the ablest and one of the purest men who has ever graced the public life of this country. And, Sir, if I were to look about me for the person who was responsible for this scheme I would not have very far to seek. It is not necessary for me to bring forward an accusation or to name the individual because that individual has named himself.

I propose briefly to give a history of the two transactions in which I was concerned that were discussed by this commission and that were included in this report which contains the greatest number of falsehoods and misrepresentations to its bulk of any document or book that I have ever seen in my life. The whole of this report, as far as it concerns myself, is one tissue of falsehoods and misrepresentations which can be easily shown by any one who will take the trouble to go through the evidence—evidence which was adduced without giving me an opportunity of cross-examination which I would have had if this matter had been brought up in a court of law. Well, Sir, I said I would give as briefly and as succinctly as I can the true history of these transactions. I, in company with some other gentlemen, some of whom were members of this House and some of whom were not, obtained an option from the Canadian Pacific Railway Company for a purchase of a block of 200,000 acres of land at $3.50 per acre. We went into the open market and purchased at the market price. Was there anything wrong in that? We were not looking for government favours. We were not privileged as supporters of the government to get special favours from them. No, Sir, there is no parallel between the transaction in which we were engaged, a transaction in which any member of this House or any citizen of this country would be justified in engaging, and transactions such as the Robins irrigation scheme, or the Galway ranch, or any of those schemes which have been discussed in this session as well as last session and which the hon. Minister of Justice (Mr. Aylesworth) has supported and defended. These transactions were transactions with a corporation, it is

true. But hon. gentlemen say: Oh, it was with a corporation that comes before this House to obtain certain benefits and privileges and therefore we had no right to deal with it. Did any one ever hear of any such argument or doctrine ever having been put forward before? If that were so by what right would any man holding stock in the Canadian Pacific Railway become a member of this House? We have a director of the Canadian Pacific Railway a member of this House. Has any one ever questioned his right to vote? Has any one ever questioned his right to vote upon matters directly affecting the railway of which he is a large stockholder and director? In the Senate we have two gentlemen also connected with that railway and we have in the Senate a gentleman connected with the Grand Trunk Pacific. Yet nobody questions their right to vote and to take part in the deliberations of this House or the other House in connection with these matters.

Mr. MEDERIC MARTIN (Montreal, St. Mary's). They did not take shares with the money of the government as you have done with your corporation.

Mr. FOWLER. I do not understand that gentleman; he is not familiar with English.

Mr. MEDERIC MARTIN. I will get up and say it.

Mr. FOWLER. That would be still worse for my understanding of it, so far as I am concerned. He says something about money of a corporation.

Mr. MEDERIC MARTIN. No, money of the government; they did not, like you have done, use the money of that society to buy your shares when the money did not belong to you.

Mr. FOWLER. What this gentleman says is absolutely false, so far as I am concerned, and I challenge that gentleman to make any charge against me.

Some hon. MEMBERS. Order.

Mr. FOWLER. What are these burdocks on the back benches calling 'order' for; have they a pain?

Mr. BENNETT. The Minister of Justice is calling 'order.'

Mr. FOWLER. The Minister of Justice is calling 'order'; for what reason? If the Minister of Justice wants to call 'order,' let him rise in his place like a man——

Some hon. MEMBERS. Order. Take it back.

Mr. FOWLER. Have we fallen so low, Sir, in this House that the Minister of Justice, like an irresponsible back bencher, is afraid to rise in his place? Is that what we have come to in the House of Commons?

Mr. AYLESWORTH. I rise to order.

Some hon. MEMBERS. Order.

Mr. AYLESWORTH. I ask if it is in order for a member of this committee to accuse another member of saying what is false and untrue?

Mr. BERGERON. When it is false, what other word can you use?

Mr. FOWLER. Is it right for a member of this committee to be permitted to say that I took money belonging to any society?

Mr. MEDERIC MARTIN. That is not the way I have mentioned the language.

Some hon. MEMBERS. Let him withdraw it.

Mr. DEPUTY SPEAKER. The hon. member for King's and Albert (Mr. Fowler) knows the rules of the House. I did not understand quite distinctly what the hon. member for St. Mary's (Mr. Martin) said, but I understood the member for King's and Albert to say that what he said was untrue so far as he was concerned.

Mr. FOWLER. So it is.

Mr. FOSTER. So it is.

Mr. DEPUTY SPEAKER. The hon. member for King's and Albert knows that a statement made in the House by a member of the House cannot be qualified as false per se.

Mr. FOWLER. Am I to understand, Mr. Chairman, that a member is to be allowed to use language in this House——

Mr. DEPUTY SPEAKER. The allegation may be declared to be unfounded, but the language to be used must be parliamentary.

Mr. FOWLER. Do I understand that the member for St. Mary's (Mr. Martin) is to be permitted to make an accusation against me which I know is absolutely untrue, which there is not the slightest scintilla of evidence to support, which, as a matter of fact, is absolutely false, scandalous and untrue; and am I to sit here and not say it is untrue?

Mr. DEPUTY SPEAKER. You have the right to deny the allegation.

Mr. FOSTER. That is what he did, and that is what the Minister of Justice says he has no right to do.

Mr. DEPUTY SPEAKER. I understand that what the Minister of Justice objects to is the form of the language used by the hon. member (Mr. Fowler).

Mr. FOWLER. He cannot put the gag on us to-day.

Mr. FOSTER. It is not any royal commission to-day.

Some hon. MEMBERS. Make the member for St. Mary's take it back.

Mr. FOWLER. It is not worth while paying attention to him.

Some hon. MEMBERS. Make him withdraw.

Mr. MEDERIC MARTIN. I withdraw nothing.

Mr. FOSTER. I think the member for St. Mary's should be compelled to withdraw an accusation against a brother member which is declared to be scandalous, false and untrue.

Some hon. MEMBERS. Hear, hear.

Mr. MEDERIC MARTIN. If you will permit me, I will explain in French. (Translaiton.) In order to make my meaning clearer, I may be allowed to say a few words in French. After the hon. gentleman had insinuated that we had in this House gentlemen who had bought stock in some railway companies, I stated that if those gentlemen were really holding those shares, they had not used moneys belonging to the government to buy that stock, and that they had not done as some gentlemen who bought stock for their own use with money belonging to the Foresters.

Mr. FOWLER. I have some little knowledge of both languages, and, so far as I could follow the gentleman, I understood him to say that the member for King's and Albert——

Mr. MEDERIC MARTIN. No, no; I did not mention any member for King's.

Mr. FOWLER. Well, you turned to me and you referred to me.

Mr. TAYLOR. Whom did you refer to then?

Mr. FOWLER. If that hon. member (Mr. Mederic Martin), or if any other hon. member, either on that side of the House or in the colony over here, accuses me of that, I say right here and now that it is absolutely false, scandalous and untrue, and I defy him to prove it and I challenge him to the proof.

Mr. SAM. HUGHES. They won't take up your challenge.

Mr. FOWLER. I defy them to take up the challenge.

Mr. FOSTER. The words of the member for St. Mary's should be taken down.

Some hon. MEMBERS. Take them down.

Mr. DEPUTY SPEAKER. The explanation given by the member for St. Mary's is that he has laid down a general principle, and that he has not applied these words to the member for King's.

Mr. R. L. BORDEN. Then they are absolutely irrelevant, and impertinent as well.

Mr. FOSTER. The first statement made by the member for St. Mary's should be taken down.

Mr. MEDERIC MARTIN. I used the words generally.

Mr. TAYLOR. Who did you apply them to then?

Mr. FOWLER. The member for St. Mary's does not want to sneak out on that ground. I ask him to say to whom he does apply the words.

Mr. FOSTER. I move that the first words uttered by the member for St. Mary's be taken down, and made a matter of record.

Mr. FIELDING. I was not in the House at the time, but unless the request were made at the moment they cannot be taken down.

Mr. BERGERON. He has repeated the same words in French afterwards.

Mr. FIELDING. When I came into the chamber the hon. member for King's and Albert was speaking, so that there must have been an intervening proceeding.

Some hon. MEMBERS. No.

Mr. FOSTER. It was the same proceeding. Take down the words.

Mr. DEPUTY SPEAKER. The member for St. Mary's made a statement very indistinctly, which I did not understand the purport of; he has since explained he had no intention of attacking the member for King's, and that he merely laid down a general principle. No objection having been taken immediately, as the rule requires, I think it is too late now.

Mr. R. L. BORDEN. Objection was taken immediately by the member for King's and Albert, who declared the statement absolutely untrue, false and scandalous. He may not have used the word 'scandalous' at first, but he declared them false and untrue, and then he was called to order by the Minister of Justice, and then the member for—I don't know his constituency.

Some hon. MEMBERS. St. Mary's.

Mr. R. L. BORDEN. Then the member for St. Mary's was called upon to withdraw. The member for King's and Albert having repeated his statement that the charge was false and untrue, then the member for St. Mary's rose and made certain remarks in French of a general character. As I understand, he did not then apply the words—although he did in the first instance—to the member for King's

and Albert, but he purported to be laying down a general principle : that it is improper for any hon. gentleman to use, for the purpose of his own profit, moneys belonging to a corporation with which he is connected in a fiduciary capacity. Then the member for St. Mary's was called on to withdraw. He does not withdraw, and my hon. friend from North Toronto asks that his words be taken down. There was no intervening proceeding; the whole matter has been under consideration from the first.

Mr. FIELDING. I quite realize the disadvantage of not having been present at the moment the incident arose, but even on the statement of the leader of the opposition the member for King's and Albert did not ask the words to be taken down at the time. He proceeded to a discussion of the subject and to attack the member for St. Mary's for what he regarded as an impropriety, which is not a demand to take the words down.

Mr. BERGERON. The words were repeated afterwards.

Mr. FOSTER. This parliament is utterly powerless if its proceedings are to be conducted as it is proposed now to conduct them. If this plea put forward by the Minister of Finance is allowed to avail in this House, then I say that you can never take down the words that a member maliciously states here to the detriment of a fellow-member. There is no way by which the rule can be operative unless you have the right to have the words taken down before any proceeding of a different nature intervenes. Now, no proceeding of a different nature had intervened. There is a scandalous and lying assertion made by a member of this House.

Some hon. MEMBERS. Hear, hear.

Some hon. MEMBERS. Order.

Mr. FOSTER. So declared to be by the member against whom it is made. I ask as a member of this House that the words of the hon. member (Mr. Martin) be taken down.

Mr. AYLESWORTH. Mr. Chairman——

Some hon. MEMBERS. Sit down.

Mr. FOSTER. There stands the conspirator.

Mr. AYLESWORTH. I rise to order, Mr. Chairman. I ask if it is parliamentary language for any member of parliament to characterize the statement of another as a lying statement.

Mr. HENDERSON. Mr. Chairman, I object decidedly to the Minister of Justice shaking his closed fist at me or at any other member of the House.

Mr. PATERSON. In common with all the other members of the House I was at the disadvantage of not knowing exactly what the hon. member for St. Mary's said.

Some hon. MEMBERS. Oh, oh.

Mr. PATERSON. I say so. I have no doubt that the hon. member for King's and Albert thought that he was making a remark directed specially to him. Speaking for myself, I am not able to say what he did say.

Mr. SAM. HUGHES. Take it down.

Mr. PATERSON. I do not think we are in a position to take down the words if we wanted to. If what the hon. gentleman has said in French, which unfortunately I do not understand, is what he said he meant to say, and if it differs from what he actually said before, then, by the parliamentary rule, the later statement is a virtual withdrawal of his previous statement.

Mr. DEPUTY SPEAKER. My ruling, as I said once before, is this. The hon. member for St. Mary's division spoke very indistinctly. The hon. member for King's and Albert called attention to his words. The hon. member for St. Mary's division subsequently gave an explanation in which he said that he had made no personal attack on the hon. member for King's and Albert. I consider, therefore, that on that point the explanation of the hon. member for St. Mary's should be accepted. With regard to taking down the words, the rule is this :

> If the Speaker rules that the expression complained of is not unparliamentary, a member will not be permitted to move that the words be taken down.

Therefore that incident is closed. With regard to the objection raised by the hon. Minister of Justice, the hon. member for North Toronto is an experienced parliamentarian, and I think he knows that the word 'lying' sometimes exceeds the bounds of parliamentary debate.

Mr. FOSTER. It is an essential element of it sometimes.

Mr. DEPUTY SPEAKER. In the meantime, it being one o'clock, I leave the Chair.

At one o'clock, committee took recess.

Committee resumed at three o'clock.

Mr. FOWLER. Almost immediately before the committee took recess at one o'clock, I was discussing the purchase of a considerable tract of land in the Northwest Territories, which was made by myself and some other gentlemen, several of of whom were members of parliament, from the Canadian Pacific Railway. And I made the statement that although we were members of parliament we had the same right as other men to buy lands in the Northwest or anywhere else from the Can-

adian Pacific Railway or any other corporation. I make the statement now that we purchased those lands—and I challenge proof to the contrary—at a fair market price, that we received no special consideration from the Canadian Pacific Railway, that we asked for none and received none, that we bought the land at the same price and on the same terms exactly as they could have been bought at by any other group of men or any single individual, and that we had received no favour of any kind whatsoever from the Canadian Pacific Railway or any other corporation in that connection. I not only make that statement but I say that the evidence taken before this Insurance Commission absolutely bears it out, and I challenge contradiction. Mr. Griffin, land commissioner of the Canadian Pacific Railway, was brought as a witness, and my hon. friend the leader of the opposition yesterday read his evidence. Mr. Griffin swore positively that we did not get any favour of any kind from the Canadian Pacific Railway, that we bought these lands in the open market at the prices then asked, and that although we bought a very large tract, 200,000 acres, we paid the same rate as those who were buying retail lots when we might have been given and were entitled to expect a wholesale rate. He swore also that he gave us no special consideration and that he had no suggestion from any one to give us any special consideration, but treated us as he would anybody else. I think I have sufficiently disposed of the purchase of the land. I do not understand why that purchase should be a transaction which the Insurance Commission had any right to consider, but the reason for their investigation was amply shown by my hon. friend the leader of the opposition yesterday. He then explained why it was this whole question of the purchase of these lands by us was taken up by that commission. What do we find? Here is a commission appointed for the purpose of investigating the affairs of insurance companies, and following out that line they took up the affairs of the Independent Order of Foresters. Then what did they do? They said, we have the right to investigate the affairs of the Union Trust Company because it is a subsidiary company to the Foresters. But they did not stop there. They went further and said, we are going to investigate the affairs of the Great West Land Company. But that was not a company which was subsidiary to the Foresters. It was simply a company to which the Union Trust Company had loaned a certain amount, taking a guaranty secured by those lands, yet they claimed the right to investigate the affairs of the Great West Land Company. Having thus strained their rights almost to the breaking point, one would not have thought they would have claimed the right to go any further. But they not only insisted on investigating the affairs of the Great West Land Company, but they claimed the right to investigate the affairs of the men who had sold land to that company. And why? Because among those men there happened to be some Conservative members of parliament. That was the only reason. It was simply the carrying out of that nefarious plot, the chief design of which was the driving from public life one of the brightest minds this Canadian parliament has ever had. Another object was to try and see if they could not fasten something against the hon. the leader of the opposition. Sir, the leader of the opposition is a man whose character shines high above that of his traducers, whose character is held in high esteem by every section of our people. But, Sir, these traducers of honest men's reputations, these mud slingers, did their best to drag his honoured name into the dirt but were not successful. Well, we purchased those lands. And having obtained an option upon them, we carried out that option by making the payments agreed upon, and then we endeavoured to sell them. We did not propose to farm those lands ourselves. As an hon. gentleman near me says, a farm of 200,000 acres would be a pretty big one. We bought those lands to sell them again, and we hoped to sell them at a profit. We were not in this transaction for our health but expected to make a profit out of the sales. It is not necessary for me to go into the details of the sale. The sale was made at an advance of $1 an acre. That was not a very large profit when we consider the fact that a railway was to go right through that district which would enhance the value of the land. But whether the profit be large or small, what right had this Insurance Commission to investigate that transaction? Even supposing that I and my colleagues with me had abused our positions as members of parliament and had put pressure on the Canadian Pacific Railway to get these lands at a lower rate, what right had the Insurance Commission to investigate that matter? If it were a mere Insurance Commission, it had no such right; but if it were a Star Chamber Commission I would understand their claiming it. That is why they did claim it. Something has been said about the the Canada Life Insurance Company. The Minister of Justice (Mr. Aylesworth) tried to prove the impartiality and honesty of these commissioners because forsooth they had been compelled to make certain strictures with respect to the Canada Life, the president of which is known as a Liberal.

I would direct the attention of the committee to the contrast between the report with respect to the Canada Life and the report with respect to the Foresters. What investigation was made into the subsidiary companies of the Canada Life? None whatever, notwithstanding the fact that some

of the people with whom the Canada Life had dealings were very closely associated in business and very closely connected by relationship with the president of the Canada Life. But, Sir, every dealing by any subsidiary company, and every company with which a subsidiary company had dealings was investigated in the case of the Foresters. With exceptions, of course. There was one company that was not investigated very much. I wonder why? This was the Independent Lumber Company, 75 per cent of whose stock was owned by the Foresters and 25 per cent nominally owned by another party. Every dollar of the money in the Independent Lumber Company was put in by the Foresters or the Union Trust Company—I think, by the Foresters direct. But there was no investigation into that. Why? Why, there were no Tory members of parliament in it—there was no object in investigating it.

You speak about this commission and the course and conduct of it. From the very first they showed a deliberate intention and desire to blacken the names and injure the reputations of men who happened to be of a different political stripe from themselves. Take my own case, for instance: I was in the city of Toronto in the latter part of August or the first part of September on my way west with certain members of my family. I was going west on business, important private business of my own. I was served with a summons to appear before the commission. I was served on Monday night about 10 o'clock to appear on Tuesday morning and give evidence. So, on Tuesday morning, at ten o'clock I went up to the commission to give evidence. I did not know what evidence they could possibly want from me that would be pertinent to the matter in hand; but I had been served with a summons and I think I had also been presented with the magnificent sum of $2 for attendance. When I arrived I found the commission engaged examining into the affairs of the Home Life Association. I remained a couple of hours, and by that time it had become quite clear to me that it would take considerable time before the commission would be through with the Home Life Association. Besides, I knew that, before they could desire my services as a witness, they must spend a great deal of time with the officers of the Independent Order of Foresters. And I did not propose to stay in the city of Toronto and hang around day after day, and day after day, neglecting my private business merely to suit the convenience of that commission. So I wrote these gentlemen a letter. I told them that I had been served with a summons and had appeared in answer, but that they were still engaged with the affairs of the Home Life and likely to be engaged for some time before they could need my services, if they ever needed them: I said I was on my way west on important business, but would return as soon as possible in order that I might give my evidence if they required it. I went west. Think of it! Was it not an awful thing to treat this royal—royal, mark the word, Mr. Chairman—this Royal Commission in such a contemptuous manner?

Mr. BENNETT. Why didn't you go to California?

Mr. FOWLER. Because to go to California would have meant to carry myself outside the jurisdiction. Moreover, my nerves were in first-class condition; I did not require the sort of treatment that people receive in California for shattered nerves. I went west, and when I was ready to return I returned. I may say that I paid this much deference to the commission—that I got through the business that I had to transact as rapidly as I could; in fact, I neglected some of my business in order to get back, but I had been watching the daily papers and I knew the misrepresentations, lies and slanders put forward by the hireling grit press, and wanted to get back as soon as possible to show the commission what the facts were. When I left Revelstoke on my way east, I telegraphed Mr. Shepley that I was coming. I had to remain a day at Winnipeg on business, but, when I left Winnipeg, I advised Mr. Shepley by wire of that fact. I did not know but that his nerves might become shattered worrying over my non-appearance, and I wanted to assure him that I was coming east, as fast as steam would carry me, to give evidence before the commission. I reached North Bay. Our train had been very much delayed, and we missed the connection at North Bay and had to wait until late in the afternoon. I met a gentleman who had a telegram in his hand, and he was looking for Mr. Fowler. Whether he had seen some of the cartoons in the newspapers I do not know, but apparently, he thought I was the person he was looking for. He asked me if that was my name, and when I told him it was, he showed me the telegram he had from Mr. Shepley. That telegram was a peremptory order to George W. Fowler, to appear that afternoon before the commission. Well, Sir, the commission and I were several hundred miles apart. I said to this gentleman: 'You telegraph to your friend Mr. Shepley, and tell him, that unfortunately, there is no airship line between North Bay and Toronto, but I will be there as soon as the train gets there." Our train arrived at Toronto about 10 o'clock that evening. In the rotunda of the hotel, I was accosted by a gentleman who presented me with a document. He said he was the secretary of the commission. I told him that I had already been subpœnaed. He said: This is not a subpœna, it is something more.' Then, Mr. Chairman, I made a few remaks of a similar character to those you may find in a 'Globe' editorial the day after the pious

and hypocritical editor of that paper had preached with great unction. The newspapers said something about this and we had a good audience the next day in the court. Mr. Chairman, I arrived in the court, and strange to say, I found that I had to wait for some time before I could give my evidence because they were not done hearing witnesses. And yet Mr. Shepley, day after day, had gone before that commission, and, in order to make out that the hon. member for King's (Mr. Fowler) was trying to avoid giving evidence, was away in hiding, had made statements to the effect that if I did not put in appearance the most terrible calamities would befall me. Pure grandstand play, Mr. Chairman—pure grandstand play. The document I had received was a summons to show cause why I should not be punished for contempt. Contempt of this commission ! In the court room, there was a long platform and on it were three people—

Mr. BERGERON. Did you take a photograph of them ?

Mr. FOWLER. A mental photograph, yes. There were three people, three old men occupying chairs on that platform. Three old men in a row. The outside men looked to me like men who had crossed the borderline between manhood and dotage. The central was a younger figure. And this was the redoutable MacTavish, this was the hireling of this government, the professional commissioner who is appointed by this government when there is dirty work to do and who is ready to sign any report that is prepared for him by the Crown Prosecutor. Well, Sir, there was present also a certain rotund gentleman, the chief inquisitor, the modern Torquemada, Mr. Shepley, K.C. Mr. Shepley, K.C., when he got through with the witnesses, which took about an hour or so, then addressed himself to the commission, and he moved that Mr. George W. Fowler be punished for contempt of this commission. He did not say what style of punishment should be inflicted, whether I was to be plunged into boiling oil, or have my hand cut off, or have my head cut off, or be imprisoned in the tower.

An hon. MEMBER. Or be put in the stocks.

Mr. FOWLER. But he suggested that I should be punished for contempt. Well, I made a few remarks in reply, and Mr. Shepley's comment on my remarks was to the effect that if anything had been wanting to exhibit the contempt which the member for King's felt for the commission, he had supplied it in the remarks he had just made —and in that I think Mr. Shepley struck the nail on the head. Mr. Chairman, if this commission had, in its wisdom or lack of wisdom, decided that I should be punished for contempt, and if they had decided to make the punishment fit the crime, and to make the duration of my punishment, if it were imprisonment, commensurate with the amount of contempt I felt for them, Sir, all the years that have elapsed since the Christian era commenced would not have been sufficient for me to purge my offence. Sir, they would have had to go back into the dim ages of the past, and I doubt whether eternity would have been enough. Well, Sir, the commission after a while got down to business and I was on the stand. I regret that I have got a very bad cold.

Mr. BENNETT. Take some wine.

Mr. FOWLER. Mr. Chairman, as I went upon the stand there were two matters in which the commission seemed desirous of getting some information from me : One was with respect to the sale of these Canadian Pacific Railway lands, and the second was with respect to the sale of some timber limits in British Columbia. They seemed to have got the impression that there was something very wrong connected with the sale of these lands. I think they had already the impression removed that there was anything wrong in the purchase of them, but they seemed to think there was something wrong in connection with the sale of them, and the chief offence of which they seemed desirous to find me and my colleagues in that affair guilty, was that we had improperly and unlawfully withheld a certain portion of this block of land from the purchasers. Well, Sir, if any hon. gentleman will read the evidence, if any gentleman will examine the exhibits, he will see how abusurd such a pretension was. We sold the lands to the Great West Land Company, or to a syndicate of gentlemen who afterwards transferred them to the Great West Land Company. They were described by metes and bounds, they were set out section, half section and quarter section, as the case might be. There could be no possible misunderstanding, no possible mistake with respect to the amount of lands which this syndicate of gentlemen, the Great West Land Company, had bought from the Pope-Fowler syndicate. There could be no possibility of a mistake or misunderstanding, because attached to the agreement that was entered into between us and them, was a schedule consisting of several pages and containing details, quarter section by quarter section, half section by half section, full section by full section, with the actual acreage of the land which we sold to the Great West Land Company. Now, Sir, what had that to do with insurance matters ? Absolutely nothing at all to do with them. But they thought there was a chance to show that the member for King's-Albert (Mr. Fowler) that the member for Prince (Mr. Lefurgey) and the member for East Simcoe (Mr. Bennett) had buncoed these gentlemen, this Great West Land Company, by professing to sell them 200,000 acres and being paid for 200,000 acres, when in point of fact they only sold them 193,000 acres. Sir, as

I say, this agreement and that which was attached to it contained an actual statement of the lands that were sold, and there was not one word in the agreement of sale to show that we were transferring or selling to these people all the land which we had bought from the Canadian Pacific Railway Company, not a word. Here was a copy of the agreement between us and the Canadian Pacific Railway Company showing that we had a right to take 200,000 acres, here was a schedule attached showing there was only 193,000 acres. Would not these men be bound to inquire if we had professed to sell them 200,000 acres and the schedule only showed 193,000 ? The contention was absurd, and I think I was justified in saying, as I did say to Mr. Shepley, that nobody but a jackass would put forward such contentions. Well, Sir, this matter has been discussed so often that it is not necessary for my purpose to go into this question of the Great West Land purchase and these lands that were sold. I have only this to say, that we bought 200,000 acres in one block, and afterwards Mr. Pope and myself bought 17,000 odd acres in another block ; and some of them we sold to the Great West people, some to an English syndicate, and some of those lands we still retain, belonging to all the members of the syndicate. That is the position of affairs with respect to that matter.

Now we take up the timber limit. Away back in October, 1903, I obtained an option from a Mr. Peter Ryan on certain property, timber limits and a mill, that he had in the province of British Columbia ; I obtained that option, not at the request, not at the dictation, not under instructions from the Union Trust Company or from any other individual except myself, absolutely without their knowledge, absolutely without any obligation to these people with respect to the disposal of that property. On the 24th of October, 1903, on the very day that I got that property, I gave an option on it to one James Harper. Look in the exhibits, and you will find a copy of that option I gave on the 24th of October, 1903. Mr. Harper was unable to carry out the deal. He fell down, as we say, and about the middle of December, which would be about seven weeks after I had taken the option, I went to the Union Trust Company to see whether they would take the matter up, to see whether I could sell this property to them. Surely up to this time I was not the agent of these people. Up to the 15th or 16th of December, when I first went there, when they absolutely knew nothing of this thing, the matter had never been brought before them, surely I was not the agent ? How did I become the agent—the agent to dispose of what ?—the agent to dispose of my own property. That is what it meant. That option belonged to me, it did not belong to any living soul but myself and whatever it was worth it was mine. How did I become the agent, I would like to know ?

The first minute which is made in respect to this matter is on the 19th of December, when there is an entry in the books of the Union Trust Company as follows :

> A proposition was laid before the directors by the manager in reference to providing money for the purchase and working of certain timber berths in British Columbia as described in a memorandum of agreement entered into between Peter Ryan of Toronto and George W. Fowler of Sussex, N.B., giving an option to the latter by the former, and the manager was instructed to continue the negotiations and secure the reports of the examiners now upon the property, on the understanding that if the reports are satisfactory the Trust Company will advance the money required to purchase the property and take a controlling interest therein.

I want to say right here and now that this report, in so far as it relates to my doings in connection with that land company and in connection with that timber company is a tissue of falsehoods and misrepresentations and the evidence absolutely shows it. Here is what it says with respect to agency :

> Fowler in his testimony asserts very strongly that he was the out-and-out owner of an option upon the property before he approached the Trust Company, and that he approached the company as proposing vendor, and at arm's length.

It says just what I said, that I approached the company as the vendor and at arms length. Surely, if I owned this option for seven weeks before I went near these people I approached them as the vendor and at arms length. Surely I was not their agent in getting hold of this thing. It says :

> On the other hand Mr. Foster and Mr. Stevenson speak of Mr. Fowler as having entered upon the negociations for the purchase of the property in question for all those who were expected to be interested.

The evidence of Mr. Foster does not bear that out at all. Mr. Stevenson does not swear to it either. He says : I understand so and so and so and so. Mr. Stevenson's evidence is very hazy indeed upon that point. But, I do not care for the evidence of these people. Does that make me an agent ? The documents show whether I am an agent or not. Let the documents speak. In every case I am the vendor. What happened ? I did go to these people and tried to get them interested in buying up this property. They were considering the matter and I sent men to British Columbia to make reports. Certain men went to British Columbia to make reports because these people had confidence in them. But, who paid them? This report says that the Union Trust paid them and I say it is absolutely false and untrue. For the examination, for the cruising of the Kamloops property, the first property that is purchased, the Union Trust Company never paid a dollar

for expenses or anything else. For the cruising of the Okanagan property which they bought afterwards and with the sale of which I had nothing to do any more than that I was going to be interested in the company they did pay certain expenses. That is the bill that appears there and it is not for the Kamloops property. All the expenses in connection with the cruising of this property, with sending two men out there, their time and everything else, were paid out of my own pocket. I am prepared to defend here or any where else that transaction. I say that property was mine. On the 24th of January my option would be up. Search the books of the Union Trust Company and find if you can any resolution or minute with respect to this matter up to this date, except the one entry on the 19th of December. Question the officers and the parties interested and ask them under oath if they will say when I purchased this property, when, on the 24th of January I took up my option and went to Mr. Peter Ryan's lawyer, Mr. Levesconte and instructed him to make out an agreement of sale, I had any instructions from the Union Trust Company or any other man with respect to this matter. I went and carried out the terms of my option. I accepted the property and on the 26th of January, 1904, I became the the absolute owner of the property subject only to the payment of the price. It was mine. There is not a resolution, there is not a thing to connect me with the Union Trust Company up to that time except that we had certain informal talks and certain negotiations were going on. There is not one scratch of the pen to hold me to any bargain with the Union Trust Company. I hold that the property was absolutely mine. There was not one scratch of the pen to hold me or to hold the Union Trust Company or any officer of that company or to compel them to carry out any negotiations which had been going on or to make them enter into any agreement or contract. I was absolutely free and the property was absolutely mine. That is the position I took before that commission, that is the position I take to-day ; the property was mine and I had a right to that property. I made a profit out of it I am thankful to say. I am also thankful to say that the people to whom I sold made a profit and if it had been handled with any kind of business management at all, the profit would have been infinitely greater than it was. What are the facts ? I want in connection with that matter to refer to something that the Minister of Justice said in his speech in answer to my hon. friend from North Toronto. For the three properties that we bought we paid $440,000 ; $225,000 was what was paid for the Kamloops property, $40,000 for the Shuswap property and $175,000 for the Okanagan property. These properties have been sold since, and sold in a hurry and they have brought $650,000 a profit of $210,000. Let me say, Sir, that the Kamloops property, the original property, of which berth 237 was exchanged for the Shuswap lands, could not be bought to-day for a million dollars. It is one of the most magnificent timber properties in the province of British Columbia, and Sir, I had one quarter interest in it —not 650 shares as stated here but 1,250 shares in that whole property. And yet my interest and the interest of the other individual owners, has been sacrificed, and I have been abused by this same hireling press from one end of the country to the other. That is a clean business transaction ; I am prepared to defend it here, now, and any where. Here is what this commission report says with respect to the expenses page 148 :

> The option referred to in the minute is the option referred to in (4) and the 'examiners' then upon the property were McCormick and Irwin, who were sent out and their expenses paid by the Trust Company.

I say that is absolutely untrue, and there is absolutely no evidence to support it. Here is another statement on page 148 of the report :

> On January 26, 1904, Mr. Fowler again saw Mr. Ryan——

I had seen Mr. Ryan several times before. The 26th of January, 1904, was the day on which we finally closed the agreement of sale and signed it.

> —and negotiations were resumed, the object being to close with Ryan upon a basis which would be satisfactory to the Union Trust Company, which was then expected to finance the transaction.

The satisfaction of the Union Trust Company had absolutely nothing to do with this transaction. If the Union Trust Company had declined to take the matter up I proposed still to carry out the contract with Mr. Ryan. I was bound to do it, I had to do it, I was liable to him for the purchase price of that property and I would have to pay it. And yet, this commission, in a matter with which it should have had nothing to do, made this absolutely lying report in order to try and injure me in some way. The report further says :

> Mr. Fowler does not pretend that he ever disclosed to the Trust Company either the real option on the larger property at $200,000, nor the real bargain on the smaller property at $170,000.

I never told them, they never asked me, if they had asked me I would have told them. If the trust company did not see fit to take up the matter then they need not have done so; I wish they never had because I certainly would have made very much more money out of it. There is one other point

I want to refer to. The Minister of Justice had to admit, because the facts show it, that in every one of these transactions there was a very large profit enuring to the Foresters. But, said the Minister of Justice, what if it had been the other way? And what was the instance which he cited, what was the comparison he made? A comparison, Sir, which a man, occupying the position which the Minister of Justice occupies should not have made—I had almost used an unparliamentary word, but I am so careful on that point that I certainly will not use the word I intended to use. I will not borrow from the vocabulary of the 'Globe' or the Montreal 'Star,' I will use parliamentary language. I say, I was surprised at a gentleman occupying that high position, for it is a high position; it ought to be the fountain of justice, but how can we expect in this country to have a pure and limpid stream of undefiled justice flowing from such a source? Sir, it is absolutely impossible. And the Minister of Justice made that comparison, comparing the hon. member for North Toronto (Mr. Foster), a man the latchet of whose shoe the Minister of Justice is not worthy to tie; a man whose name will shine in the annals of this country with honour when the name of the Minister of Justice will be forgotten. The Minister of Justice dared to illustrate his point by using the name of a man who has recently been convicted, Mr. McGill, for misuse of the funds of a bank.

Some hon. MEMBERS. Shame.

Mr. FOWLER. I don't wonder that hon. gentlemen cry out 'shame,' when they realize that a man towards whom we should look with honour and respect would so abuse the position he occupies. But the Minister of Justice need not have gone so far afield; he could have made an illustration inside the ranks of his own party. Sir, there is sitting—there was sitting then within the sound of his voice, a gentleman who was a director of a bank that failed and failed disastrously. The Minister of Justice might have used him as an illustration. Sir, I do not know and I do not believe that anything improper attached to that director, any act of impropriety on his part, but, Sir, it is a fact that the funds of the bank of which he was director were dissipated, and the widows and the orphans (about whom the Minister of Justice wept so feelingly) the widows and the orphans who had their money invested in that bank lost their all. The Minister of Justice might have taken that illustration, and it would have struck a little closer home. But, unfortunately, that sort of thing often happens. Take the 'Globe' newspaper, and the chief push of the 'Globe' (as we may call him to adopt the language of the 'Star'), the chief push of the 'Globe' newspaper is a gentleman who was president of a company in which every investor lost every dollar he put in it. Is that a reproach? According to the Minister of Justice it is a terrible reproach not to lose, but to make money. It is an awful thing because the funds of the Union Trust Company were used in, what he called speculative investments, which made enormous profits for the Order of Foresters. But the Minister of Justice has not a word of condemnation for directors of banks who happen to be his own political friends, where the investors lost every dollar they put in; not a word of condemnation for the chief owner of the 'Globe' newspaper who was president of a company in which the people who took stock lost every dollar.—and Sir, moreover, if rumour is correct, in which interest dividends were paid out of capital. The Minister of Justice has not a word in respect to that, and yet as I understand, that venerable gentleman said he wondered how any defence could be made in connection with this transaction.

Now Sir, let us take the purchase of the Okanagan property. The Okanagan property was not purchased on my recommendation; it was not purchased on my instructions, but I went out with Mr. Hamilton who was sent out specially to examine that property. Mr. Hamilton is one of the best experienced and most successful lumbermen in the province of Ontario; a man of thirty years experience in lumbering. Mr. Hamilton was sent out by the Kamloops Company to examine this Okanagan property in order to see whether it was worth the price which was asked for it. Mr. Hamilton made an exhaustive examination of that property, and he reported that the property was worth more than double the price asked. And here, it appears in this report as though there was some skin game in connection with it, because the report as to this property says :

> The total assets were placed at $65,544.66, stock liability at $50,000, and other debts at $11,026.81, leaving profit and loss account at $2,517.85.

And the report intimates that there is something rotten in connection with this matter, because a property which had originally been bought for $65,000 was now being sold for $175,000. As a matter of fact a large double cutting band-saw mill had been built since that purchase, and it was shown that over $50,000 had been added to the expenditure upon that property. There is a profit in connection with that property. Is that an unusual thing in connection with timber limits in the west? Let me tell the committee something. Within three weeks of this very day, a timber limit has been sold by this government—put up for public tender and the highest tender got it; the government's course in the matter is absolutely straight and absolutely correct; no fault to find at all, everything is perfectly right in respect to it—but, Sir, that property was bought for $43,000 and within three weeks of this very day, an option has been given on it for $125,000. That is a profit of $3 for

$1, and the property will be unquestionably sold under the option. In the short space of three weeks there is that profit, and here in the Okanagan case was a property bought a year and a half before for $65,000 upon which some $50,000 had been spent, and it was sold for $175,000. It is only necessary to state these two cases.

And yet this commission found it necessary to report on these matters—why? Just, Sir, carrying out the plot, that is all; just in furtherance of the original design, that is all: to try and see if they could not throw mud enough so that some of it might stick.

Now, they take up this matter of paying for the Okanagan property. I went out, as I say. I had instructions from the company to get a written option for this property at a certain price. They took the cruisers out to examine the property, and when they were satisfied, I took the option; and because the stockholders of the Okanagan company were scattered, living in different parts of the country, I was requested to act as their attorney in collecting and transmitting the money from the Kamloops company to the various stockholders. I did that, and they are perfectly satisfied; they got their money. Why was it necessary for this report to contain nearly half a column on that point? What on earth had the Insurance Commission to do with the question whether or not these stockholders in the Okanagan company got their money? That is a matter for the Okanagan stockholders to settle with me. It certainly was not any business of the Insurance Commission when that money was paid for that property. Surely it was no longer the money of the Foresters, it was no longer the money of the trust company, it was no longer the money of the Kamloops company. Yet they tried to throw doubt on the question whether I had settled with the Okanagan people or not. What is the business of this country or this House whether I had or not? What, Sir, is the private business of a man to be gone into, is it to be ascertained whether or not he has paid all his creditors, before he comes to this House? If so, there might be some vacant chairs here. Sir, the property qualification was abolished in this country many years ago, so that a seat in this House should be open to every man, whether he was worth a dollar or not. Therefore I do not think that this House has anything to do with searching out these private matters, matters with which, by the greatest stretch of the imagination the Insurance Commission could have no possible concern.

Then they take up the purchase of the Shuswap property. We bought that property for $40,000, three years ago, and the timber limits on it could not be bought today for $200,000. It has most magnificent timber on it; it was a great buy. After we had agreed to buy this property, after the agreement to purchase had been signed between Mr. Shields and myself, Mr. Ryan told me that there was a commission coming to him in connection with that, and he would divide it with me. Mr. Ryan had owed me a considerable amount on the original purchase price, and he gave me an order on Mr. Shields not only for the commission, but for an amount in excess of it. I took the whole thing as a payment on account, and if Mr. Ryan pays me the balance, I shall be very glad to share the $2,500 with my friends.

Now, Sir, I think I have gone pretty fully into these matters, but there are two or three things I would like to refer to. As to this report, we have these three commissioners. I have already described them to you, so that everybody must now know them pretty well. I am going to make the statement right here and now, that the commissioners never wrote a line in that report. I question very much whether they read it all through. The only handwriting of the commissioners was their names signed: D. B. MacTavish, J. W. Langmuir, A. L. Kent. Now, Sir, who is going to be paid for writing this report? Mr. Shepley wrote this report. He dictated it, probably to a stenographer. It shows the master mind and the hand of Mr. Shepley all the way through. Mr. Shepley was carrying out his instructions. His instructions were to try and fasten something on these Tory members; if he could not fasten anything on them, then to throw just as much mud as he could. Mr. Shepley carried out his instructions to the letter, and he is to be paid $100 a day besides a very large additional counsel fee. I would suggest that about three-quarters or at least two-thirds. I will be moderate—of the money to be paid Mr. Shepley and these commissioners should be paid out of the Grit corruption fund, because the money was intended to be expended and was expended, for political purposes and political purposes only. We find besides that these three decrepit old men will be paid at the rate of $30 a day for one and $15 a day each for the other two for every day Mr. Shepley was writing this report. Mr. Shepley will be paid $100 a day and Mr. Tilley, his curtain raiser, bottle holder—to borrow again the language of the 'Globe' and the 'Star'—will be paid $50 a day. For the days when Mr. Shepley and Mr. Tilley were engaged in preparing this report, these men, who had nothing to do with its preparation, who had never added or taken away a line, but simply signed what was put before them according to what they conceived to be their duty as hirelings of this government—these men will be paid as well. I do not think that there ever was in the whole political history of Canada a more notable instance of a political boomerang than this Royal Commission has proved.

Sir, they started out primarily to injure one political opponent and afterwards they thought they could get hold of another. The one is the trusted lieutenant and the other the honoured leader of the Conservative party in this Dominion. That was their object. They were going to drive the ex-Minister of Finance (Mr. Foster) from public life. No longer would there be any need for them to fear his criticisms of their public acts. No longer was his invective to be hurled across the floor of this House and make these hon. gentlemen cower under the lash. He was to be driven out of public life, degraded and disgraced. But to-day, notwithstanding this campaign of calumny and abuse, the hon. member for North Toronto (Mr. Foster) stands as high, if not higher in the estimation, not only of his party who are supporting him loyally, but in the estimation of all his honest countrymen. And after all that is the only thing a man need care about. He need not care what penny a line scribblers may say about him or what his enemies may say about him. If he is conscious that his course has been one of rectitude, honour and honesty, the people who know him best will still respect and honour him. That is the verdict he most desires, that is the only verdict he need care for, and that is the verdict given the hon. member for North Toronto (Mr. Foster.)

For the present I have finished with this matter. If my throat were in better condition, I might perhaps give a few more interesting details; but under the circumstances I think it is nothing short of highway robbery to take the public money of this country and devote it to the purpose provided by this vote. I repeat that at least two-thirds of that money should be paid out of the Grit corruption fund and not out of the public treasury.

Mr. WILLIAM JACKSON. The item under discussion is intended to meet the expenses of the commission appointed to inquire into the transactions and administration of insurance companies in the Dominion. Reference was made last night to the condition of some of our banks in Canada. It is the common desire of all who can save a little money that there should be some institutions in which they could deposit their savings, where they would be as absolutely secure against loss as possible. We ought to be convinced that such is the condition of our banks, our loan societies, our insurance companies and other institutions in that category. Last night the hon. the Minister of Justice (Mr. Aylesworth) made reference to a certain bank in this Dominion and I presume he meant the Bank of Ontario. Let me say that I hold in my hand a report of that bank, according to which it had a paid up capital stock of $1,500,000 and a reserve fund of $700,000.

And at the time that report was issued, and for some years previously, it had been paying dividends of seven per cent. In view of the real condition of that bank, as it was afterwards made public, people are asking to-day what is the use of those government reports on the condition of our monetary institutions? I say that by the absence of a reliable government report you are striking at the confidence which our people formerly had in these institutions where they deposit their little savings in order to lay up some provision for a rainy day. From these savings they never expected large dividends, but they certainly did expect and had the right to expect absolute security. In this condition of affairs I say that both sides of the House are remiss in their duty in not insisting that our monetary institutions should be placed on a safer basis. Take the winding up report of the defunct Ontario Bank; according to that report there was no reserve, and the shareholders will not receive fifty cents on the dollar. Yet its annual reports used to show that all its capital was paid up and that it had beside $700,000 of a rest. Thus these poor and small shareholders, who had each bought one share or a few shares, found themselves responsible for double liability, and found that the security which they expected from the protection of this government was absolutely illusory. Am I not then justified in asking the Finance Minister (Mr. Fielding) if there are not other institutions in Canada to-day which are in the same boat as the Ontario bank? The utter unreliability of the government inspection, which has thus been demonstrated, is the cause of a great deal of distrust. The trouble with us is that to-day we are too anxious to get rich quick, to reap big dividends, and it is time to call a halt. By the establishment of this Royal Commission on Insurance, we made some pretense of trying to ferret out the character of some of the institutions of that kind in the Dominion. That was a laudable purpose and one endorsed by the independent electors as a move in the right direction; and had the work of the commission been carried out in that spirit, it would have been effective of untold good to those institutions.

Last night reference was made to a commission—I do not know whether you call it a royal commission or not—which was held in the city of St. Thomas for the purpose of inquiring into certain crookedness reported to have taken place during an election in that electoral district. The central figure in that inquiry was the central figure in this Royal Insurance Commission.

Now, I know something of what led up to that investigation and something about the result of it, and I am going to ask the indulgence of the House while I go into the facts relating to two subdivisions in which crookedness had taken place. The election

was held on January 12, 1899. In polling subdivision No. 6, Southwold, in 1898, the majority for the Conservative candidate was 21; in the election of 1899—the one to which I immediately refer—the majority for the Liberal candidate was 27. In the election of 1900, after the unseating of the member elect, the Conservative majority was 16, and in the election subsequent to that the Conservative majority was 32. In this polling subdivision there is no floating vote. These are old-settled farming districts, where people do not move in and do not move out. Practically, the result of polling in subdivisions does not vary from one election to the other by more than five or ten votes. In No. 4 polling subdivision Southwold, in the election of 1899—the one under discussion—the majority for the Liberal candidate was 85; in the election of 1900 there was a Conservative majority of 9; and in the general election following that a Conservative majority of 15. Now, a little personal experience of my own, which I will relate, will possibly illustrate what occurred better than anything else I can say. On the evening of the election, after the polls were closed, I went to the telegraph office with some of my Liberal friends. We have hard fights in West Elgin, but up to that time, we had had honest fights. I admit, of course, that none of our elections are too pure. But, we fight hard, and we like to fight; and the two sides exchange ideas over our political battles. When I came out of the telegraph office, I met a friend, one of the leading Liberals in Southwold, and chairman of the Liberal Association of that township. He asked me what were the returns from No. 4, and I told him there was a majority of 85 for the Liberal candidate. He said, 'That is all bosh, Willie; we did not expect 85 votes there altogether.' I told him that was the way the return had come to me. I went back to the telegraph office and got the message repeated, and it was the same 85 majority for the Liberal candidate. I said: 'Mr. Liberal friend, what did you expect in No. 4,' and he replied, 'Jackson, we expected to tie you there.' And I told him: 'We expected to beat you by two.' He said, there must be something wrong. The same thing pretty well applies to subdivision No. 6 Southwold, where, in previous and subsequent elections our majorities were from 15 to 20, we were snowed under, with an adverse majority of 27. So we Conservatives went to polling subdivision No. 4 and got sworn declarations from 84 men who had voted for the Conservative candidate, although the number returned at that poll was only 42. Seeing, then, that the freedom and the rights of the people had been abused, we appealed to the courts. First, let me read a part of the statement that was put in when the case was coming up for trial, and then I will read the ruling of the judges as well. Mr. MacDiarmid here referred to, was the Conservative candidate:

6. That a large number of votes cast for Mr. McDiarmid were in some nefarious and corrupt manner manipulated, whereby the result of the election was rendered doubtful, and in this connection the voting at Shedden, at Middlemarch, and in several divisions in St. Thomas, where said strangers so acted as deputy returning officers merits special mention.

That is signed by the elected Liberal candidate. The election was on the 12th of January, as I have said, and the election trial was on August 15, of the same year. Here is the ruling given by the judges in connection with the polling divisions of which I am speaking:

It is further proved that a person unknown to the returning officer, but who represented himself as being one Marshall W. Johnson and who also produced a written recommendation addressed to the returning officer, signed by the respondent to appoint 'the bearer' deputy returning officer for polling subdivision No. 6 of the township of Southwold in the said electoral division applied to the said returning officer to be appointed deputy returning officer for the said polling subdivision. The returning officer had intended to appoint one King, and declined to appoint the said person until he had seen King. King subsequently came to the returning officer and told him he would not act and wished him to appoint some one outside the said subdivision telling him also that Marshall W. Johnson was a resident of St. Thomas. The returning officer thereupon assigned an instrument appointing Marshall W. Johnson as such deputy returning officer and delivered such appointment to the person who had procured the said recommendation. This person was not Marshall W. Johnson and the said Marshall W. Johnson did not act as such deputy returning officer at the said polling subdivision, but the said person, or some person other than the said Marshall W. Johnson, acted thereat without authority, personating and representing himself to be the said Marshall W. Johnson.

The fees which are properly payable to the said Marshall W. Johnson, if he had acted as deputy returning officer were paid by the said returning officer to the said King upon an order which purported to be signed by the said Johnson.

The foregoing is with reference to No. 6. Now, with reference to No. 4, we have the following:

It is further proved, that although one Robert N. Stratford or Stafford, a person well known to the returning officer had been duly appointed by him as deputy returning officer for polling subdivision No. 4 of the said township of Southwold, the said Robert N. Stratford or Stafford did not act thereat as said deputy returning officer, but one Duncan Bole without authority assumed to act and acted thereat as such. The fees payable for the services of the deputy returning officer were made payable and paid by the returning officer to one McIntyre.

Now, I have to say, with all respect, that I do not believe that the elected Liberal can-

didate in West Elgin was a party to this. Liberal and Conservative alike—outside of a little clique—were anxious that something should be done to clear the atmosphere after this election. Here we have the admission of the elected member and the ruling judges that crookedness had gone on in several divisions. An investigation was demanded. And we got an investigation. This man Stafford was an honest farmer living in polling subdivision No. 4. And this young man King had acted as deputy returning officer in subdivision No. 6 for over sixteen years. The commission was appointed early next year of which Judge MacTavish was the central figure, and we did expect that there would be a clearing up of the whole matter. The Liberals as well as the Conservatives in that district as well as in western Ontario generally, wanted the thing straightened up.

They came to St. Thomas, we offered our assistance, Liberals as well as Conservatives, to help clear up and probe corruption to the bottom. Let me add also that it was brought out at that commission that Preston, Vance, Smith, the Sullivans, D. F. Macdonald, and three or four more who had been imported into West Elgin to assist the government candidate. Let me read a message that was sent from Toronto the night of the election by this W. T. R. Preston, the man who was mixed up with the North Atlantic Trading Company, the man who came down here last year and bullied the committee, and showed himself to be the boss of the job when he refused to answer questions, because he knew well enough that he had behind him this powerful government, this is the man that was up there assisting to gain the victory for a supporter of the Hon. G. W. Ross :

> Heartiest congratulations. Sorry to the bottom of my heart I cannot be with you to-night. To be supported by such a noble army of workers, should make you the proudest man in Ontario. Shake hands with the boys for me, and hug the members of the much abused threshing machine for auld lang syne.

Now that commission commenced its labours in the city of St. Thomas. Only one desire prevailed throughout the city, and that was for a disclosure of the crookedness and corruption that had taken place in the election, and that the guilty parties should be brought to justice. We went to our little court house where that commission commenced their labours, we offered them our assistance and it was refused, we were not allowed to take part in that investigation at all. We offered the best counsel we had in the city of St. Thomas to assist the commission, we offered to furnish evidence that would help in bringing the guilty parties to justice, and we were curtly refused the opportunity. But counsel was appointed by the Ontario government to look after their interests. Now, take the case of division number 4, Southwold. A man goes into the witness box and says there was nothing crooked, and the members of the commission in their report say that no wrong had been done in No. 4, yet it was proved in evidence that although only forty-two votes were counted for the Conservative candidate, eighty-four honest yeomen of division No. 4 swore that they had voted for the Conservative candidate. Yet that commission, of which Judge MacTavish was the central figure, said there was nothing wrong. Then take division No. 6. We have this man Pritchard going into the box and telling how he switched votes. And I may say here, Mr. Chairman, that there was so much switching of votes and corruption that I do not know to this day whether my vote was counted for the Conservative candidate or not, though I know well how it was marked when I put it into the box. We have a different condition of things when this man enters the box and tells what had happened, and how he was brought into West Elgin, and what he was paying and what he was paid for staying away from that election tribunal. We have that man haggled and hagged by Judge MacTavish, trying to make him contradict the testimony he was giving as to what he did with ballots on the night of the election. We find the judge saying in his report that he does not believe one word of what Pritchard said. That is the kind of commission that we got. The people of Elgin were not satisfied then and they are not satisfied now, and they never will be satisfied. We have a right to say to this government, or to say to the Minister of Justice, that if he is going to preserve the dignity and honour of the bench in the Dominion of Canada he must, in appointing judges to positions of that kind, see that they are men who can rise above party politics and try a case on its merits. This gentleman, who was the central figure of this Royal Commission at Toronto, as he had been in the West Elgin election inquiry, seems to be a man well qualified for little jobs of that kind. If the government do not cease making appointments of that kind they will bring the honour and dignity of the bench into disrepute throughout this Dominion. Now, I am not familiar with the working of this Royal Commission that has been going on for the last year or so, investigating insurance companies and so forth. But I do say this, Mr. Chairman, in all sincerity, as I said at the beginning of my remarks, that they must be more careful of the funds which innocent and confiding people entrust to institutions of this kind. The time has come when a radical change should be brought about in the men you appoint to conduct Royal Commissions if you wish to preserve the respect of the people for the occupants of the bench.

Mr. PORTER. This commission, during nearly the whole of yesterday and to-day, has been treated to a discussion, the occasion

for which should never have arisen, the occasion for which. I venture to say, never would have arisen had this government and its creature the Royal Commission, done their duty, their whole duty and nothing but their duty, namely, to mind their own business. We have to-day witnessed an exhibition of conduct, of ill temper, of spleen, that might very well be expected from a prize fighter in the ring surrounded by toughs, but I venture to say conduct not at all becoming or in keeping with any man occupying the high and quasi judicial position of Minister of Justice of Canada. I can only account for that exhibition of temper which we witnessed this morning by the fact that it is provoked by the consciousness of the minister in being found out in his sins, and the castigation he has received from the speakers on this side of the House with reference to it.

If it is imagined by hon. members on the government side of the House that conduct of that character and speeches such as this House was privileged to listen to from that hon. minister yesterday are going to have the effect of gagging members sitting upon this side of the House and of allowing the tongue of slander, defamation and vilification to wag as it will, I beg to say that any hon. member who has formed any such opinion of the opposition has formed a very erroneous one, and I venture the assertion that the last word in regard to this matter has not yet been said. The minister, in his opening remarks yesterday, was pleased to introduce this subject by a reference to the privilege of a defeated litigant to go outside of the court and abuse the judge. In making that statement he fell into the same error that the gentlemen composing this Royal Commission fell into and one might also detect the fine Italian hand of the minister himself by the fact that both of them, the minister and Royal Commission, have left out the other half of the proposition. The minister says that a defeated litigant can go out of the court and spend twenty-four hours in abusing the judge. That, I say, is only half the statement. He omitted to say that he also had the privilege of appealing to a higher court. That course which the minister omitted, intentionally or otherwise to point out is the one that has been adopted by the hon. member for North Toronto on this occasion. It is not an occasion taken advantage of by him to abuse the commission. That is not the object of the hon. member for North Toronto, as I understood the remarks contained in the speech which he delivered here yesterday, but he is fulfilling the promise he made to the Royal Commission at the time he was before it, namely, that he would avail himself of his right to appeal to a higher tribunal than the Royal Commission, so called—to this parliament and he has availed himself of that privilege, I think, to the discomfort of hon. members on the other side of the House and especially the Minister of Justice. The minister was gracious enough to offer to extend to the member for North Toronto his sympathies in reference to this transaction. Well, Sir, judging from the conduct of the minister during the time he has been privileged to occupy a seat in this House, I have arrived at the conclusion that his stock of sympathy is very, very small and I think there are those very much nearer to the Minister of Justice than the hon. member for North Toronto who require any surplus of that article that the minister may have very much more than does my hon. friend from North Toronto. I think that if that modicum of sympathy is given to the members of the Royal Commission, the quantity necessary to heal the self-inflicted injuries to its conscience, he will have to borrow sympathy from some of those sitting around him if he can find any who have not already disposed of their stock by the liberal way they have disposed of it on behalf of the late Minister of Railways and Canals (Mr. Emmerson).

The minister took the position that the commission was a necessity under the circumstances existing at the time of its appointment. He seemed to assume that or take it for granted. With that proposition I beg respectfully to differ. I think he has confounded the terms by stating that the commission was a necessity with the fact, it may be, that an inquiry was necessary. But it does appear in the history of this government that the necessity of commissions arises at just about the same time as the necessities of the commissioners and just about the same time as this government desires to assist some of its supporters to gain some political advantage. The danger and impropriety of such commissions are well illustrated by the proceedings of the commission now under discussion and the action of the government in regard thereto. I can come to no other conclusion, and I have a fixed and firm conclusion in my mind, that this commission was appointed, as has already been pointed out solely for a political purpose under the guise of acting in the interest of the public. That is a position not for the first time taken by this government when they are afraid to take the responsibility of action themselves on which occasions they bring in or enlist the services of the hired man. One could well believe, from a perusal of the report now before this committtee, that it had been part of the bargain, part of the arrangement, as to the appointment of the commission that the Minister of Justice should, in case its decision or its finding were questioned in this Houses, come to its relief as he attempted to do yesterday during this discussion. The minister was pleased also to compare the actions of this Royal Commission with a well defined, well known and honourable institution of our land—inquests

by coroners, but in his reference to that institution he fell into the same error that I have already pointed out in regard to his first statement. He fell into the same error that the Royal Commission fell into in making its report, namely, that he left out from his consideration and from his comparison the most important element of that institution of inquiry by coroners; that is the powers and duties of the jury.

In inquests held by coroners, the jury perform most important functions, and, examination on the part of the accused as well as on the part of the public is allowed to the fullest extent. Even the jurors, have themselves the right to go upon the stand and testify as to any facts within their knowledge which may be useful to a correct determination of the question. Why, the Minister of Justice should compare the procedure before this insurance commission with the procedure before a coroner's inquest, and try to draw any crumbs of comfort from the comparison, I fail to understand. The Minister of Justice was also pleased to make reference to the tendency of lawyers when advocating the cause of their client, to make use of quibbles and subterfuge. No better illustration of that could be given to the public than the effort made by the Minister of Justice yesterday to shelter his clients the Royal Insurance Commission, from the charge under which they lay. The defence of the commission seemed to require the effort of a gentleman who has the reputation of being the greatest lawyer, or one of the greatest lawyers in Ontario, and certainly the greatest lawyer in the ministry. It is a pretty desperate case when it requires such a desperate remedy. The very fact that the defence of this commission is taken up by the Minister of Justice, to whose department it does not belong, instead of by the Minister of Finance who is responsible for the commission, is to my mind most significant. The Minister of Justice dealt with the position of the hon. member for East Simcoe (Mr. Bennett) and he handled that question very gingerly. He could not find language strong enough to express his feelings of admiration and respect for my hon. friend (Mr. Bennett). And why? Because that hon. member has time and again in this House demonstrated clearly to the mind of the Minister of Justice that had the minister taken any other course he would have found himself barking up the wrong tree. When I heard the speech of the Minister of Justice yesterday, and when I saw his demonstration in the House this morning, it occurred to me that it would not be out of the way to suggest the necessity for such a commission as has been operating in the city of New York; a commission to discover if somebody very near the head of the Department of Justice is not suffering from what is now known as a brain storm. All the discussion that has taken place in this House, in the press, and in public, has demonstrated clearly a want of respect for and confidence in that insurance commission. I venture to say that for every word spoken in favour of the findings of that commission, 100 words, yes 1,000 sentences and thousand paragraphs have been spoken and written in condemnation of it. The object for which that commission is said to have been appointed was entirely lost sight of by that body in its anxiety to vilify somebody or something. The conduct of the commissioners can only be prompted by a desire to justify their appointment or by a desire to make a report that would find favour with the gentlemen who were responsible for the creation of the commission. Lack of respect for the findings of that commission is amply justified by a perusal of its report, and by a consideration of what was supposed to be the real object of the commission. Nobody can deny but that the several life insurance companies in Canada, in their manner of doing business, possess many features that commend themselves to the confidence of the people. It is just as important to the people of Canada that they should know the merits of the various life insurance companies, as that what may be called the failings of these companies should be pointed out. And yet if you peruse that report you will not find one word in it from start to finish, in praise of the manner in which life insurance business is conducted in Canada. That leads one naturally to an inquiry as to what was the necessity for this commission; as to the appointment of the commissioners themselves and the object, and, as to the usefulness of the work of the commission. In such an inquiry as that, one is met at the very threshold with this very important question: What are the rights of the public in connection with this matter, and what power is reposed in this parliament to delegate the authority which it holds on behalf of the people to some irresponsible body? In answer to that it will perhaps be said that there is a statute of this dominion authorizing the appointment of such a commission. It is true, there is a statute recited in the order in council under which this commission is appointed; but that statute, while intended for the purpose of being made use of in the interest of the people of this country, has in this instance been used not to further the interests of the people of this country, but to abuse the right which this government took to itself under that Act of parliament. Now, looking at the commission itself, the report presented to council by the hon. the Minister of Finance recites, as a reason for the appointment of this commission, this:

> That, in view of the widespread interest at present manifested throughout the country——

In what? In the affairs of the Hon. George E. Foster? Widespread interest in the affairs of the hon. member for King's and Albert (Mr. Fowler)? Widespread

interest in the affairs of the Union Trust Company ? No. But the statement is made:

> In view of the widespread interest at present manifested throughout the country in matters relating to life insurance——

Now, had this Royal Commission confined its inquiry to what is stated there, to satisfy the widespread interest of the public in life insurance, I would not be finding fault with its work. But the work of the commission has been in an entirely opposite direction. If that widespread interest was in regard to the private affairs of members of this House or with regard to the affairs of companies not in any manner connected with life insurance, then I venture to say that the report has more than satisfied that widespread interest on the part of the public. But if the object of that commission was to satisfy the widespread interest of the public in regard to life insurance and life insurance alone, then I venture the assertion that that report has fallen far short of satisfying the public desire in that respect. But, Sir, assuming the statement made in the order in council to be correct, that an inquiry into the business of life insurance was deemed to be necessary, then it seems to me that the duty of this government was perfectly plain. The duty of this government was not to my mind to appoint a commission; the duty of this government was not to my mind to shirk the responsibility cast upon them. The duty of this government was to make a thorough and fair investigation itself, and, if evil was found to exist in the quarter to which they confined their inquiry, then to introduce such legislation as would remove that evil. That is a duty cast upon this parliament; that is a duty which is undertaken by this parliament; that is a duty which this parliament has no mandate from the people of this country to delegate to anybody else. I take the position that if an inquiry into the affairs of life insurance was necessary, then that inquiry should have been conducted by this government itself, by a body responsible to the people, and not by an irresponsible body like this commission. The government, in appointing a commission, to my mind clearly shirked the duty which the people of this country put upon them, a duty which they have undertaken to discharge in the interests of the people. It was a violation of the trust reposed in this parliament by the people of this country. When such a condition exists, and we find that the ordinary machinery, well known and approved by the people, is not made use of for the purpose intended, but, instead, the government assumes to delegate its authority to somebody else, one naturally looks for a reason for that action. The only reason that I have heard suggested or that suggests itself to my mind, is the political reason of injuring and defaming a political opponent and gaining some political advantage at the expense of the public. If such an inquiry was necessary, then I say it should have been undertaken by parliament itself, because it is one of the elementary duties of this parliament. Upon this very question, perhaps I could not cite an authority that would be more appreciated by hon. gentlemen on the other side of the House than that of the Hon. Mr. Gladstone, who, speaking in regard to inquiries of this character, is reported to have said :

> He felt bound on the part of the government to thank those hon. members for the constitutional doctrine which they had laid down as to the impropriety of referring to commissions subjects which were connected with the elementary duties of executive government.

The inquiry, as I said before, should be conducted by a body of men responsible to the people who appoint them, in contradiction to the action of this government in appointing a commission who are responsible to no one but the persons who appoint them. That such a course would have been a proper one in this case, let me make reference to the report itself; and what do we find? We find that these gentlemen, who made this report say on page 6 that they availed themselves of the proceedings and evidence taken during 1906 before a Committee of the House of Lords upon certain aspects of the subject of insurance, and also had the advantage of examining the report of that committee. Taking the evidence afforded by this report and which was made use of by these commissioners themselves, we find that in Great Britain the opinion prevails that inquiries of this character should be made by a Committee of the House of Lords or of one of the legislative bodies of that country. That such a system is not confined to Great Britain alone is shown by the report of the commissioners themselves for on the same page they say :

> With regard to United States companies doing business in Canada, the commission has treated, as part of the material before it and available for its purposes, the evidence taken before and the report made in February, 1906, by the Joint Committee of the Senate and Assembly of the state of New York.

This shows again that in the United States when necessity is felt for an inquiry of this nature, they recognize the right of the people to have that inquiry made by a body of men who are responsible to them. And a little further down the same page the commissioners say that they also availed themselves of the report made by the Legislative Insurance Investigating Committee of the state of Wisconsin, showing that not only in the United States as a whole, but in the individual states, the very same principle is carried out. The commissioners further say that they had the advantage of the report of the committee of the Massachusetts legislature. There-

fore we find that principle clearly laid down and acted upon in Great Britain, in the United States and in the various states of the union, and there is ample authority outside of these to show that when an inquiry of this character is to be carried on, it ought to be carried on by a body of men responsible, not only to those who have seen fit to select and appoint them, but to the whole body of the people. And I take it that any contravention of that wholesome doctrine is a violation of the very first principles of self-government, the right of supremacy of the will of the people; and for those reasons, I condemn the appointment and formation of this commission in the manner in which it has been appointed and formed. This royal commission was not appointed by the people of this country. It was not appointed by the parliament of this country. Parliament had no voice whatever in the matter. It was appointed under the authority of an order in council passed on the recommendation of the Minister of Finance (Mr. Fielding). But if further authority be needed for the position I take, let me refer hon. members to the work of a very high authority upon this question. I refer to the work of Mr. J. Tollman Smith. At page 169 of his work, treating on commissions of inquiry, he uses this language:

> No one can even look barely in the face of these essential and unqualified characteristics of commissions of inquiry without at once feeling that such instruments can never be had recourse to for good purposes, or where truth for its own sake is desired, and not feared.

Could there be a more accurate description of the work of this royal commission? The same writer says:

> Such instruments can never be had recourse to for good, and where truth, for its own sake, is desired.

A little further down, on page 170, he thus speaks of commissions of this character:

> The very fact of the appointment of such commissions is, however, conclusive evidence, unless an almost inconceivable ignorance be, in charity, presumed, that simply truth-seeking is not their object.

Again has this learned authority accurately described the character of the work of this commission, and described it in stronger language than I possibly could. Then Mr. Smith says again, on the same page:

> The very fact of the appointment of such commissions, avoiding those legal and regular tribunals and means, and with the characters which have been seen to mark them, is demonstrative evidence of the consciousness of the necessity for a one-sided and irregular proceeding in order to gain some end.

The words of this author I can fairly apply to the Royal Commission on Insurance and the work it has done. Is it not apparent to any unprejudiced man, on reading its report, that the object of that commission was not simply truth-seeking, was not good alone, but, in the words of the author I have quoted, in order that a one-sided and irregular proceeding might take place in order to gain some end. What was the end to be gained? I need not go over that ground again, because it has been well gone over by the hon. member for Toronto (Mr. Foster) himself and by other members of this House. But it is perfectly evident, from a perusal of that report, that those engaged in the work of that commission had resolved to besmirch, if possible, the character and ruin the reputation and the life of the hon. member for North Toronto (Mr. Foster).

It then becomes necessary to look at the personnel of that commission. I need scarcely make reference to the appointment of Judge MacTavish, as that has been dealt with pretty fully by hon. members who have already spoken. In this connection, I wish to say that I do not think that it is proper for this parliament, or any legislative body, to appeal to the judges, to drag our judiciary from the lofty positions they are supposed to occupy and do occupy, to besmirch themselves with the politics of the Liberal party in this country. The principle is wrong. If a commission is to be appointed, in all fairness, in all justice, in all decency, leave the honoured judges of the land clear even of suspicion. For that reason, if for no other, I condemn the use by this government of His Honour Judge MacTavish in accomplishing the object which they apparently had in view.

Let me go a step further in examining the composition of this royal commission. Another gentleman appointed on this commission is Mr. J. W. Langmuir. Now, it is generally believed that if a commission is to be appointed the men chosen should be particularly qualified to perform the duties for which they are required. Will any member of this government, or will anybody else, point out the special qualifications of Mr. Langmuir to act upon this royal commission for the investigation of life insurance? Perhaps it is on account of his long connection with the inspection of prisons and public charities in the province of Ontario. If so, I can only say that the influence of prisons and public charities extend further than I had given them credit for. The last member of the commission is Mr. Kent. I have not the privilege of acquaintance with that gentleman, but I have made some inquiries about him, and I find that he has been very well described to-day—a gentleman who has passed the age limit of activity in life, and one who, in the dim and distant past, has been spoken of as an accountant. That seems to be the only special qualification that Mr. Kent pos-

sessed to justify his appointment on this commission. Now, if, in appointing these commissioners attention should be given so as to appoint gentlemen who are specially and particularly qualified to discharge their duties, I ask where has this government, in the appointment of this commission, shown that it has exercised any judgment whatever on the line I have suggested? It is apparent in the appointment of these gentlemen, as it is apparent in their work, that the object and intention of their appointment was the political one to which I have already referred.

Now, let me call the attention of the committee to the machinery with which these gentlemen, thus appointed as a royal commission, went to work. It has already been pointed out that the privilege of cross-examination was not allowed to persons who were under trial on this commission. I will take the liberty to point out that the machinery of this commission was to enable them to produce such a report as they have produced in this House is of thirteen different parts. Three of these have already been referred to. The first, I repeat is the irregularity in the appointment of the commission itself; the second is that there is no privilege of challenge of the jury either to the array or to the poll, that the Minister of Justice (Mr. Aylesworth) was pleased to refer to. It is the right of every free man in this country who is on trial or who is undergoing investigation to see that the body before whom his life or property is to be investigated is composed of impartial men, men whose sole and only object is to learn the truth of the matter and to render a just and proper verdict according to the evidence given. In the working of the commission, no such privilege was extended to the hon. member for North Toronto, no such privilege was extended to any life insurance company whose proceedings were investigated by the commission. The body was selected by persons who desired to condemn the persons who were to be investigated; no right of challenge was given and no opportunity to change the forum in any respect, but they were bound to submit to the will and to the finding of this body appointed in the way to which I have already referred. Another part of the machinery employed by this commission differing from all other trials in this or in any other country is, there was no presentment of the charge before the adjudication took place. This was a most unfair and unjust proceeding. Imagine how quickly the people of this country would rise in rebellion if such a principle as that were to become a common article of the law of the land. Occasions have arisen, over and over again, in the history of the British nation, when powers such as have been assumed by this royal commission have been attempted to be assumed by those in authority, from the King down. And again and again, the occasion has arisen, as history shows, where the attempted usurpation was resented by the people, in so much that more than once the King of England himself has been forced to sign, in the presence of the people, a declaration of popular rights in this respect. Such a usurpation is a thing which we cannot guard against too carefully. The right of the people to a fair trial upon every and any occasion must be maintained. Now, another piece of the machinery of this commission or inquisition is this,—they had it in their power to take just such evidence as they pleased, and no more.

No man, no matter how much his interest in property is involved, no matter how much his interest in his character is involved, no matter what his interest, he has no right or voice to say to this commission, Hear my evidence and allow me to make a full statement of facts. This inquisition is carried on in the manner I have described, by taking just such evidence and no more as would please this hon. body of commissioners. And what is more, the proceedings of this high court are not carried on as the proceedings of ordinary courts of our land are carried on, in open day light; but the proceedings of this commission are to a very large extent of a secret nature, and in that respect also it has violated the fundamental principle of the rights of the people of this country and as has already been said, there is no privilege allowed for cross-examination of the witnesses as they are produced before this court.

Another part of the court machinery which has been suppressed is the right of any person, of any corporation, to come before that tribunal, and call witnesses, in answer to a charge not formulated, to make answer to the charge, to establish the defence, if defence these companies or individuals have. Now imagine if you can any other trial taking place in this land, this land of freedom we boast of, where a man is refused the right to call witnesses, the right to file documents, the right to make statements that would establish his defence. Counsel have no rights before this commission, that position is emphasized by the statement that was made by the learned counsel who was acting in conjunction with this commission, when application was made by counsel on behalf of one of those interested in this investigation to be allowed the right to defend his client. He was told in so many words by Mr. Shepley that he had no rights before that court, that he was simply there as a matter of grace or courtesy. Can any one imagine, in a free land like this, where we value the rights of trial, where the

rights of Magna Charter are in force, that such a position would be enforced upon any man or any corporation undergoing investigation in this country ?

Another very important thing ; judgment is given in this case in the absence of every person and of every corporation whose interests and property are being dealt with by this high court of commission, given at a time and given in a place where opportunity is not afforded the person accused, to the person who is to be condemned, of even objecting to the finding of the commission, or to the judgment that is given in his absence. That right is afforded in every other court of the land. When the judge upon the bench has delivered his judgment, any person or party interested, any man whose interests or whose property are affected by that judgment, has the right to stand up and then and there make his objection to the findings of the judge. But that right also has been denied to the people who were being investigated on this occasion.

Another most serious objection to the manner in which this commission has conducted its investigation is this, and it is apparent from the opening of the commission to the closing of the evidence. It will be seen almost on every page that counsel, in the presence of a trained lawyer like Judge MacTavish, is allowed to violate one of the plainest and best known laws of evidence, that is to put questions to witnesses suggesting the answer that he desired to get. You will find all through the report, all through the evidence, this manner of questioning, and so persistent was the learned counsel who conducted this investigation, in that respect, that over and over again he puts questions like this, You did so and so, you did think so and so—to get the answer that he desired. And yet a member of this government would have the boldness in the face of an investigation conducted in this way, to stand up in this House, or to proclaim in the country, that this investigation has been carried on with fairness in every respect.

Now another feature of this commission is that they have assumed power to squander the money of this country to an unlimited exent. No limit was put upon them at the time of their appointment, and I am afraid that the limit has not yet been reached, according to the statement made by the Minister of Finance. And for all this, what have the people of Canada got ? What have they gained ? The people of this country have, according to the statement of the Finance Minister, the privilege of paying about $105,000, and I doubt very much if that is the limit of the expenditure. In fact, take the estimates as they have been brought down to this House, and they show a much larger expenditure than that. If I am correct in my understanding of the estimates, the Minister of Finance omitted to include in the expenditure of this commission, a small sum of about $9,-500 which will be required for printing this most valuable report. Add this to the expenses of the commission and you bring it up to about $116,000 ; but with other incidentals I expect that the people of this country will have the privilege of paying anywhere from $125,000 to $150,000.

And what have they got for this expenditure ? They have got about 4,000 pages of evidence and report, on one side of the question, one-sided evidence, an incomplete, unreliable record in every respect. They have got more. They have got a government representing them who, by its conduct in this matter, has not only brought discredit upon itself, but it has brought discredit upon well known institutions of this land. The necessity for this commission appears to have arisen very suddenly. The time was when the hon. member for North Toronto, who is the particular subject of attack in this report, took occasion to expose certain actions of hon. gentlemen on the other side of the House and of members of this government in connection with the public affairs of this country, notably in connection with the 'Arctic' expedition, in connection with the North Atlantic Trading Company, in connection with the Northwest lands scandal, the Saskatchewan Valley Land Company and many others too numerous to mention. The hon. member for North Toronto was most diligent in the interest of the people to expose the wrongdoings of this government in connection with these now notorious affairs. The necessity for this commission seemed to arise very suddenly just at that particular point when these discoveries were made and these scandals on the part of this government were exposed. It seemed to arise just at that particular time and no doubt it was felt on the part of the government that some sort of set off, some sort of equivalent, must be raked up in some manner or form in order that their own wrong-doings and misdeeds might be lost sight of by the people having brought before them the pretended wrong-doings of somebody else. But even this commission was a last resort. Before this commission was appointed and during the discussion of these scandals to which I have referred another attempt was made to defame the good name and character of the hon. member for North Toronto and that old falsehood in connection with the Temperance Colonization Company was trotted out and revamped, it is said, by the hon. Minister of Justice. Even he could not make it do duty and then the resort had to be had to this Royal Commission.

Mr. AYLESWORTH. I would like to ask the hon. gentleman the authority for the statement he has just made.

Mr. PORTER. I have seen it stated in the public press of this country. I did not say that the Minister of Justice was responsible, but I say it is said that he is responsible for it and that this was said in the public press.

Mr. AYLESWORTH. For what?

Mr. PORTER. For revamping, to use the expression of the newspapers, the old time scandal in connection with the Temperance Colonization Company.

Mr. AYLESWORTH. Well then I have simply to say I have never heard of the scandal. I do not know to what reference is being made.

Mr. PORTER. My hon. friend must pay very little attention to the press of this country.

Mr. AYLESWORTH. I do—very little?

Mr. PORTER. This commission was appointed after other efforts had failed, it was appointed as a last resort and made use of, when they were in a condition, as has been described here, of extremis, in order to gain an undue political advantage and to blacken and damage the character of the hon. member for North Toronto and other members of this House. What is the country getting in addition to what I have already mentioned in connection with this whole affair? —a scandal upon this government in connection with the manner of the appointment of this commission, a scandal upon this government in shirking the responsibility that it undertook to assume on behalf of the people of this country, the use by this government of this commission, of this machine, of this engine to obtain an undue political advantage, and, Sir, finally, this country is getting a Bill placed before the parliament of Canada in which the representatives of the people are asked to enact a law upon evidence obtained in that manner and under those circumstances and that is all the people have got. It seems to me, from what has taken place in this House, from my view point of the action of this commission and from the best consideration that I can give it, that there has been a prostitution of the office of the government in the appointment and in the working of this commission. And no doubt when the opportunity is afforded the people will avail themselves of it to punish this government as it justly deserves for the unfair and improper means employed for the accomplishment of the object it has in view.

Mr. BOYCE. Mr. Chairman, I cannot, as a member of this committee, sit silent and allow an item of $75,000, asked to be appropriated by the government of the day, part of a very much larger sum, if we are to judge from what the hon. Minister of Finance (Mr. Fielding) tells us, for the purpose, forsooth, of defraying the expenses of the so-called Insurance Commission, without giving vent to some ideas which I hold upon this subject and without re-echoing and endorsing some other ideas which have been made public to this House during the course of this debate. One has to go no further than to trace back the history of this so-called Insurance Commission to its source to find out the dangerous character of the weapon which was used, the subtlety and craftiness of the weapon itself and the cat-like cunning with which it was foisted upon the Canadian people. When, at the commencement of the session, my hon. friend the leader of the opposition (Mr. R. L. Borden) rose in his place and protested most strongly against the manner in which the Insurance Commission had been issued—what satisfaction did he get from the right hon. leader of the government (Sir Wilfrid Laurier)? None whatever. My honoured leader also further complained not only in regard to the manner in which the commission had been issued, namely, by order in council, but in regard to the personnel of the commission. While naturally saying that he knew nothing personally to the discredit of any of the members of the commission, I remember distinctly, and I will refer in a moment to his words, that he referred the government to the fact that in appointing Judge MacTavish as a member of the commission the government was itself violating a statute which was not more than six months old at that time. This statute was passed in the concluding days of the session of 1905 and of course, my hon. friend the hon. Minister of Justice (Mr. Aylesworth) is quite familiar with it:

> No judge mentioned in this Act shall either directly, or indirectly as director or manager of any corporation, company, or firm, or in any manner whatever, for himself or others, engage in any occupation or business other than judicial duties; but every such judge shall devote himself exclusively to such judicial duties.

There must have been very strong reasons of expediency to necessitate the appointment of Judge MacTavish to that commission in violation of a statute passed by this government with the approbation of the Minister of Justice. What reason prompted the government to introduce this commission in a secret manner? For what reason did the government avoid discussion before this House, first, as to the necessity for the issue of such a commission; second, as to the scope of the commission; third, as to the personnel of the commission; fourth, as to the employment of counsel and as to who should be represented by counsel; fifth, as to the instructions to be given to that commission? It was absolutely necessary that all these questions should be publicly discussed, but the government did not want discussion for some reason best known

to itself, and all the world wondered why. In the secret chamber of council, the document was drawn up; in the minds of the cabinet were the names of men, good and true, who were to be picked out for this job. In the secret chambers of council, the whole arrangement was made and the employment of counsel fixed upon within a few days of the meeting of parliament. And the subtly, the apparent innocence of the wording of the scope of that commission, is where the venom lies. The real object was not to be debated in parliament, it was kept from the representatives of the people and from the press, and it was hidden behind the innocent words that were plastered on the face of the order in council. The ulterior objects of that commission were so carefully concealed that the government ran no chance of making them known. The ingloriousness of the commission only came out when its proceedings commenced, and its report published, and then the people discovered its nefarious and devilish design. And who were the commissioners? Judge MacTavish we know; we have known him of record. The present Minister of Justice knows Judge MacTavish, and has reason to know how useful Judge MacTavish can be on occasions. I think the Minister of Justice is the gentleman who was present, and who subscribed his signature as a witness to the celebrated McNish confession in the West Elgin election; one of the most extraordinary election documents ever published, in which the elected member admitted over his own signature in the presence of the Minister of Justice, that through his agents, his election had been conducted in a notoriously corrupt manner, and that impersonation and switching of ballots had prevailed. Then the Ross government, with which the Minister of Justice admitted at the time he was in close touch, appointed a commission, and at the head of that commission was Judge MacTavish, and in the face of the confession of McNish, Judge MacTavish whitewashed the Ross government, cleared the man who had made the confession of any complicity in the charges, and found nothing illegal in the conduct of that election. No wonder that when the Minister of Justice was looking around for a commissioner, he would naturally think that Judge MacTavish (even though a statute had to be violated), would be the right man in the right place to serve any ulterior purpose. And so they got Judge MacTavish to act as commissioner, and it has been shown by the analysis of the evidence in this House, how useful Judge MacTavish has been to the government. Mr. J. W. Langmuir was another commissioner, and one often wonders whether there was any particular reason for his appointment. I am reminded by my hon. friend from Peel (Mr. Blain) that Mr. Langmuir was one of the gentlemen commissioned by the Ross government to the somewhat difficult task of finding the surplus of the Ross government. How far he succeeded in that, the people of Ontario proved at the last general election. But there was another reason for his appointment. The government well know that the records of all trust companies were to be investigated, and that in such an inquiry the general manager of a trust company would be a fearless and independent commissioner. Why was Mr. Langmuir appointed, except it was to be an additional weapon in the hands of the government and of Judge MacTavish to get at the hon. member for North Toronto, who was the general manager of a rival trust company which was running the Toronto General Trust Company pretty hard at the time.

I must confess that I was considerably astonished at the attitude taken by the Minister of Justice yesterday. I have been astonished at the conduct of the Minster of Justice ever since he has had the honour and dignity of becoming an adviser to His Majesty. He was appointed early in June, 1906. He succeeded a gentleman for whom both sides of the House entertained and showed at all times the highest possible respect, both with regard to ability and integrity; and it is very unfortunate that within ten days after the hon. gentleman took his place in the House there was a scene in this chamber which was unprecedented, and in which I think it is recorded that the hon. gentleman did not take a very creditable part. Charged with the very serious offence of slandering in the public press a member of this House, an honourable member of an honourable parliament, to wit, the hon. member for North Toronto (Mr. Foster), a member of the press gallery was, by order of the House, brought to the bar of the House; and, Sir, I do not know that it is a very creditable thing to record in the annals of the Canadian parliament, that the Minister of Justice, sitting in his place, was one of the first to beat his desk and vociferously cheer when the gentleman appeared before the bar of the House to answer for an indignity committed against one of its members. Was it a sight that lent dignity to the hon. gentleman himself or dignity to this House? Was it one that would elevate Canada in the eyes of all nations and elevate the hon. gentleman in the estimation of his friends? Whatever his personal feelings were, however great his gratification was at seeing the hon. member for North Toronto in an undesirable and invidious position, the Minister of Justice owed it to this House and this country to show more dignity in the position he occupied than he showed by applauding a gentleman charged with a serious offence against the dignity of this House. I wonder whether the hon. gentleman was merely displaying his personal spleen, or whether he would have treated any other gentleman who appeared at the bar of the

House in the same manner. Does any one believe that the hon gentleman would have indulged in that sort of display if any publisher or representative of a Conservative paper had been brought to the bar of this House for using reprehensible and censurable language against a member on that side of the House? Would the hon. Minister of Justice then laugh, beat his desk and cheer? I fancy not. Then where was the justice or the dignity of the Minister of Justice on that occasion? But, Sir, at that very instant the hon. gentleman met a scathing rebuke from his leader. He made a speech which was absolutely a justification of all that had been said in the article of which the hon. member for North Toronto complained. Bit by bit he analysed it; he took up even the sentence in which it was said that the hon. member for North Toronto belonged to a school of lying cant and hypocrisy, and endeavoured to show, in that fine, ingenious, argumentative manner, which has always characterized his arguments at the bar, that that must be read in conjunction with the whole article, and that, therefore, it was not in any way a reflection on the hon. member for North Toronto. Oh, what a specious argument! What a thin, flimsy excuse for the venomous feeling which the Minister of Justice entertained at that moment against the hon. member for North Toronto! And how there was burning in his breast the knowledge that there was a day dawning very soon when he would have his revenge upon the non. member for North Toronto.

At six o'clock, committee took recess.

After Recess.

Committee resumed at eight o'clock.

Mr. BOYCE. When you left the chair at six o'clock, Mr. Chairman, I was referring to an incident in the political career of the Minister of Justice (Mr. Aylesworth) which certainly does not commend itself to this House or country. I have now to pass to another characteristic incident in the career of that hon. gentleman since he has been Minister of Justice. You will remember that when there was a by-election in Quebec county, which was carried by my courageous friend who now represents that county (Mr. Robitaille), the Minister of Justice (Mr. Aylesworth) was in North Grey conducting a campaign in favour of the government candidate. When the somewhat disappointing news came from Quebec county that my hon. friend (Mr. Robitaille) had been victorious despite the great influences which the Postmaster General (Mr. Lemieux) and the Minister of Marine and Fisheries (Mr. Brodeur) personally brought to bear in that contest, my hon. friend the Minister of Justice (Mr. Aylesworth) became so nettled that he lost his self-control and indulged in rather intemperate and indiscreet language. In a meeting held at Wiarton he launched out into a vigorous invective against the hon. member for Labelle (Mr. Bourassa) and those associated with him who had taken part in the contest in Quebec county, as it was their privilege and, as they conceived, their duty. He said that those people were lighting the fires of sectional hatred, and proceeded to indulge in passionate appeals to racial prejudice in the county of North Bruce, in the interests of my hon. friend who now represents that constituency (Mr. Tolmie). But what was the spectacle presented when my hon. friend from Labelle (Mr. Bourassa) came face to face with the Minister of Justice (Mr. Aylesworth). I do not suppose that in the history of this parliament a minister of the Crown ever received from a private member such a scorching castigation as the hon. minister then was given by the hon. member for Labelle (Mr. Bourassa). What did this minister (Mr. Aylesworth), who yesterday was so smug in his averments of his desire to be fair and to avoid any unfair criticism, say on that occasion? When the hon. member for Labelle (Mr. Bourassa) charged the Minister of Justice (Mr. Aylesworth) with having deliberately attempted himself to light the fires of sectional hatred in North Bruce and with having used language in North Bruce which he dared not use in this House or in the province of Quebec, what did he say? If you will turn up 'Hansard, you will find that he did not utter a word in reply, that he never opened his mouth, but simply remained dumb under that accusation. I suppose that, to use the language of Shakespeare, he would plead that 'the silence of pure innocency doth persuade when much speaking doth fail.' I suppose that would be the excuse which the hon. minister (Mr. Aylesworth) would offer to this House for having remained speechless under an accusation, serious enough when applied to a private member, but doubly so when applied to one occupying so responsible a position in the Cabinet.

The hon. minister (Mr. Aylesworth) attempted to justify the proceedings before the Insurance Commission and the inception of that commission. But let us see what course he took with regard to certain attacks made in this House before the report of the commissioners was brought down. We all remember that, in the course of some heated debates, insinuations and innuendoes were continually being hurled across the floor, at the hon. member for North Toronto (Mr. Foster), at the hon. member for King's and Albert (Mr. Fowler), at the hon. member for East Simcoe (Mr. Bennett), and at the hon. member for Prince, P.E.I., (Mr. Lefurgey), regarding what the evidence taken before the Insurance Commission had disclosed and what the report of that commission would disclose. I remember distinctly that the hon. member for Yale and Cariboo (Mr. Ross) indulged in some very pointed remarks against the hon. mem-

ber for King's and Albert (Mr. Fowler), especially with regard to the charges included in the evidence taken before that commission. The hon. member from Carleton, N.B. (Mr. Carvell) gave vent to some very strong language indeed concerning my hon. friend from East Simcoe (Mr. Bennett) to the effect that if the truth were known about his connection with land deals in the Northwest, he would be somewhat more tame than he was.

Mr. CARVELL. Would the hon. gentleman kindly refer to the page in 'Hansard' where I made a statement of that kind?

Mr. BOYCE. I have not the 'Hansard' before me, but the hon. gentleman made statements of that kind several times in this House, and I do not know that he ever withdrew them or attempted to justify them.

Mr. CARVELL. I simply ask the hon. gentleman (Mr. Boyce) to be fair enough to show where that statement was made or else withdraw what he has said. I never made use of any such words.

Mr. BOYCE. Of course I accept my hon. friends denial with the utmost good feeling. I am not going to take up the time of the committee by quoting his exact words. I was not attempting to give them exactly. What I said was that he had indulged in reflections on the hon. member for East Simcoe (Mr. Bennett) with regard to so-called land deals in the west, and we had yesterday from the Minister of Justice (Mr. Aylesworth) an entire exculpation of my hon. friend from East Simcoe (Mr. Bennett) and in fact from the hon. member for Carleton (Mr. Carvell) as well. This shows that all the taunts and imputations hurled across the floor, during the time this commission was sitting, were absolutely without foundation or justification, and were made solely with the object of prejudging the issue and prejudicing people against hon. members of this House before the result of that investigation was known. But while these insinuations and imputations were being made, the Minister of Justice (Mr. Aylesworth) had not a word to say. He heard those taunts. He knew that the commission had not concluded its business, he knew that the trial was yet proceeding—yet what did he say in defence of hon. members thus attacked? What did he do to uphold the honour and dignity of this House?

Nothing. He was amused. He laughed at what was said, but uttered no word of rebuke to his followers. And what has been said regarding the taunts flung across the floor by the hon. member for Yale-Cariboo (Mr. D. Ross) against the hon. member for King's, N.B. (Mr. Fowler)? What justification has been shown, even by the Minister of Justice for these taunts? Not a word. The hon. member for Yale-Cariboo rose in his place last session and attempted in the most outrageous, and I think, the most unparliamentary manner, to injure the reputation of the hon. member for King's, N.B. (Mr. Fowler), the hon. member for North Toronto (Mr. Foster), the hon. member for East Simcoe (Mr. Bennett), and the hon. member for Prince (Mr. Lefurgey), by the introduction of a court pleading in an action pending between them, which was stated to be a friendly action. That sort of slander has gone on in this House long enough. It has been allowed to be altogether too one-sided. When an hon. gentleman can attempt to justify slanderous assertion, of facts notoriously incorrect by the production of pleadings stating a claim of one person against another, it is time that there should be resentment, it is time that hon. members on this side should take notice of the fact and govern their conduct accordingly. So far as I am concerned, I want the Minister of Justice and his colleagues, and all who sit behind him, to understand that that kind of proceeding, even if it be parliamentary—as I think it is not—is unmanly and that I, for one, do not propose to submit to it. When a private gentleman is elected to represent a constituency in this House and become a public man, and when he enters this House and becomes entitled to the privileges of parliament, his reputation is sacred in the eyes of parliament and must be protected. His reputation is not liable, and must not be liable, to be impugned, to be trampled under foot in the unprincipled manner, completely lacking justification, in which the hon. member for Yale-Cariboo, merely reading a statement of claim in a court suit which has not yet been decided—no pleadings on the other side, no evidence, and no judgment—attacked the reputations of the hon. members to whom I have referred. If the honour of this House is committed to the Minister of Justice, in view of the instances I have given, oh, how insecure is the honour of the parliament of Canada!

Now, the hon. Minister of Justice, attempted yesterday, in a speech of great length, to justify the report of the commission to which this country is being asked to provide something like $105,000. The hon. gentleman was somewhat laboured in his attempt to justify that portion of it which was most crucial to him, that which affected the hon. member for North Toronto. Disappointing as it must have been to the hon. gentleman he had to withdraw all that which concerned the hon. member for East Simcoe (Mr. Bennett), the hon. member for King's, N.B. (Mr. Fowler) and the hon. member for Prince (Mr. Lefurgey). But he attempted to bolster up and to support that part of the report dealing with the hon. member for North Toronto (Mr. Foster), and to this effort he brought all his skill as a lawyer whose ability is known and recognized throughout Canada. The hon. gen-

tleman attempted to find more even than the commission itself had found, for, as has been pointed out by the leader of the opposition (Mr. R. L. Borden), the Minister of Justice made the fatal mistake of going too far and attempting to justify and argue matters which had not been raised by the hon. member for North Toronto, showing that they were only in the brief of the Minister of Justice prepared for his answer in this House. In concluding his remarks, the hon. gentleman used some nice, charitable, smooth-sounding language. At page 6494 he said :

Now, Mr. Chairman, I have occupied the attention of this committee at much greater length than I expected, and my only justification for it is that I am here, not as making any attack upon the hon. gentleman who addressed the committee this afternoon——

This refers to the hon. member for North Toronto :

—or upon any person; I am here because from the position in which I happen to be——

That is, as Minister of Jutsice—

—it naturally and I suppose expectedly falls to my lot, to defend the position of the commissioners appointed by the Crown, and one of whom happens to occupy a seat upon the judicial bench.

Later on he said :

That seemed to make it my duty, occupying the position I do, to refer at the length I have done to the facts of this case as spread upon the pages of the evidence and as recorded in the documents that are here. In stating those facts, I have tried to avoid comment. Perhaps I have not succeeded in that effort; but I ask you, Mr. Chairman, and I ask the hon. gentlemen of the committee, to credit me with sincerity when I say that I have to the best of my feeble ability, and in the prejudiced position which I suppose any political public man occupies, tried to present those facts honestly, as they appeared on the evidence before the commission, without setting down aught in malice or without endeavouring anything to extenuate.

These are very smooth-nice-sounding words. They look well as the closing words of a speech which, I suppose, the minister will circulate all through this country as the great indictment of the hon. member for North Toronto. But let me contrast these words with the instances I have quoted in the House and which are spread out in the records of the House, in which the hon. gentleman had the honour of the House in his keeping and deliberately betrayed and sacrificed it ; instances in which he had the opportunity to follow the noble example of previous Ministers of Justice in this government and to uphold the dignity of this House and in which he sacrificed the honour and dignity of this House to his party prejudice and his personal venom against the hon. member for North Toronto. And it ill becomes the Minister of Justice, who, I regret to say, is not now in his place, to endeavour to smooth over a speech so virulent a speech so violent and so full of specious arguments all levelled against the hon. member for North Toronto by explanation tacked to the end of it that he was actuated simply by a desire to do his duty as Minister of Justice of this country—that it was his duty to bolster up the report of the commission which has been shown to be absolutely and diametrically opposed to the very evidence upon which it is supposed to be founded. If the hon. gentleman is so sensitive to the call of duty, why did not he, as Minister of Justice, and as chief judicial executive of the Crown, defend the honour of this House when the private reputations of members of this House were attacked ? He was not smug then ; did not indulge in platitudes then about his duty.

The Minister of Justice will adorn the high position he holds, and will fulfil the duties of his office from a moral point of view, when it will suit his purpose, and when, by so doing, he can attack the reputation of the member for North Toronto, whom he has sworn to bring down from his seat in this House if he can. Now, the hon. gentleman has not so far succeeded very well in the little plot he has hatched. He has possibly suffered somewhat at the hands of the member for North Toronto, and, possibly in the opinion of other members of this House. To a certain extent I sympathize with him in the position in which he finds himself. But I did not think the Minister of Justice was so small a man as to stoop to the tactics he has employed in order to destroy the reputation of the member for North Toronto. Why, Sir, the member for North Toronto has had twenty-one years of parliamentary experience in this House, and during those twenty-one years, as he said himself, he has occupied the treasury benches eleven years as Minister of Finance of this country. And those days were not like these, those were days when the tide of prosperity which was then seen to be coming had not reached its full ; those were the days of small things ; those were the days when the foundation stones were being laid for the great prosperity that Canada, as well as other countries of the world, now enjoys under the blessings of Divine Providence. During those days it was a question of exercising wise statesmanship, of exercising great prudence in order to build the foundation well and wisely for the great prosperity which was due, and which was inevitable in view of the resources of this country. At that time one of the great builders of the Canada of to-day, one who has aided in laying the foundation of the greater Canada that is to be, was the hon. member for North

Toronto. Compare his record with that of the Minister of Justice, who has so venomously attacked him, compare his record with that of other hon. gentlemen who have seen fit to hurl abuse at him, and what is there in it? Is it not the very shallowest attempt that was ever undertaken in any parliament, in any deliberative body, to slander, without justification, the reputation of an hon. gentleman, a man whose reputation stands clear throughout the Dominion of Canada to-day—with eleven years as Minister of Finance, twenty-one years of honourable and self-denying service in the early days of this country, in preparing for her a career as one of the greatest countries in the world. One is led to ask the question: Is this the reward that an hon. gentleman gets for such service to his country, that a gentleman occupying the position of chief judicial officer of this country can, from motives of pure personal venom, endeavour to hatch a plot and concoct a conspiracy levelled at that hon. gentleman in order to destroy a great reputation earned by twenty-one years of parliamentary service? I say, Sir, that if hon. gentlemen in this House at the back of the Minister of Justice are satisfied with that conduct, if they are satisfied with that course of procedure, there is an appeal, as has been said by the member for North Toronto and admitted by the Minister of Justice, there is an appeal to a tribunal over which the Minister of Justice will have no control, a tribunal where justice will be meted out, not by incompetent or prejudiced judges, not by judges who are selected because of the decision it is known before hand they will give, but by the people of Canada, and the judgment of the people of Canada upon that attempt, I fancy, will somewhat differ from the judgment meted out by the Minister of Justice in his denunciation of yesterday's speech.

Mr. Chairman, I wonder whether hon. members of this House, in view of the remarks that have been passed from time to time, and the taunts that have been flung across the floor of this House against these four hon. gentlemen, and especially against the member for North Toronto, and significantly against the member for North Toronto—I wonder whether hon. gentlemen who occupy seats on the floor of this House have ever paused to consider what political reputation means, and whether they attach to it any value at all. I wonder whether hon. gentlemen have ever asked themselves the question whether, after sacrificing their time, their business interests and the position they might attain in the financial world, they should maintain that rectitude which they think they are entitled to require at the hands of fellow-members in this House. I wonder whether they prize political rectitude; I wonder whether, if they were in the position of the member for North Toronto, they would not burn with indignation at the thought that, after having wrought, after having toiled long and faithfully, as the hon. member for North Toronto has done according to the judgment with which Providence has endowed him, to found the nation of Canada and to direct her towards that great future which she is to enjoy, when the time comes to lay down their charge and commit to other hands, than for all that service and self-sacrifice, their only reward should be slander, abuse, denunciation and vilification, and that by an hon. gentleman who has been in this House only two years, and who arrogates to himself all the functions of government, all the functions of the administration of justice, and who, as Minister of Justice, should speak words entitled to weight. I can only say that, for my own part, and my judgment upon that point is very sincere, I never believed it possible that any right thinking people, weighing these facts, would attach aught of consequence to the specious argument that was made by the Minister of Justice yesterday, who endeavoured to support, not the finding of a commission, but the insinuations of a commission, against the hon. member for North Toronto. Because there were no findings of the commission, they were merely insinuations upon evidence which my hon. friend from South Simcoe (Mr. Lennox) showed to be improperly reported, improperly stated, garbled, distorted and disconnected; and that evidence, or the deductions from that evidence, formed the basis upon which the Minister of Justice now seeks to launch forth, in this speech of yesterday, a torrent of abuse and denunciation of the member for North Toronto.

There is a curious fact in connection with the proceedings of this commission worthy of comment, deserving of some more explanation than the hon. Minister of Justice so far has seen fit to give. At times the hon. gentleman is very communicative; at times very taciturn. He finds that political expediency may be served one way or the other. Sometimes he makes mistakes of judgment. He has been known to make mistakes of judgment in this House, but he got rather sentimental in that part of his speech of yesterday in regard to any criticism which might be offered upon this insurance report. I might quote from his speech of yesterday at page 6480 of 'Hansard':

> In these circumstances, it is certainly a poor reward for honest, patient and painstaking effort on the part of this commission to get at the bottom, not only of the transactions which we are discussing to-day, but of the transactions of every kind in connection with the twenty-eight insurance companies which they investigated, that they should be assailed in this House as men who had been false to every principle of honour, and who had performed the duty placed upon them for the purpose of persecuting some supposed political opponent.

In the first place and before I begin to analyse this extraordinary passage in the hon. gentleman's speech, let us see who ever accused the commissioners of having been false to every principle of honour, or of having performed their duty only for the purpose of persecuting their political opponents. Does the Minister of Justice say that those gentlemen who composed the commission were the political opponents of my hon. friend from North Toronto? Is that what we are asked to believe from his words, because they bear that construction? Is that an admission, and I take it to be an admission, because it is in cold type in 'Hansard,' that the gentlemen who composed this commission were the political opponents of the hon. member for North Toronto. Secondly, it is charged by the opposition side of the House as a reason against the acceptance of this report that these political opponents of the hon. member for North Toronto were false not only to their duty as commissioners but that they endeavoured to strangle their political opponent the hon. member for North Toronto. These are not my words, they are the words of the Minister of Justice in an attempt at justification of this report. He comments upon the 'poor reward for honest, patient and painstaking effort on the part of this commission to get at the bottom not only of the transactions which we are discussing today, but of the transactions of every kind in connection with the twenty-eight insurance companies, which they investigated.' Well, now, these are nice adjectives—honest, patient and painstaking. How honest was the commission in connection with the hon. member for North Toronto as a commission? It is a notable fact, Sir, that this commission differed in its method of procedure from all other commissions, even the commission of which Judge MacTavish was previously a member in connection with the West Elgin case. The Minister of Justice is so far familiar with what occurred there that it is unnecessary for me to animadvert at any great length upon what was done and upon what the rule was in that connection, but I would draw his attention and the attention of the committee to what took place before these proceedings opened as referred to in sessional papers of the province of Ontario for 1901, vol. 33, part IX, page 6:

> On the 1st day of March the commissioners opened the inquiry at St. Thomas, West Elgin, and the commission then, after drawing attention to the rules and regulations laid down and to the published notices of the sittings of the commission, stated 'inter alia'.
>
> We have called by way of advertisement upon the public to furnish the commission (any one of us three gentlemen sitting here) with any information they possibly can in regard to the subject matter of the investigation, which subject matter is of course known far and wide. They can also furnish that information to the Crown Counsel, Mr. Watson, who will subpoena the witnesses whose names are given to him and we shall see that the evidence is properly brought out. We cannot emphasize too strongly this invitation extended to the public generally to assist us by giving us all the information they possibly can which will enable us to fully, fearlessly and impartially inquire into the subject matter of this investigation. They need not be at all uneasy in giving the information either to the commissioners or to Mr. Watson. The commissioners will then see that the matter is properly attended to.

What does that prove? That proves that Judge MacTavish, as a member of a previous commission, knew what it was to be fair and knew what fair consideration should be given to the public or to any one else who desired to lay evidence before that commission in order that the work of the commission should be carried out fully, fairly and impartially. He cannot plead ignorance, he cannot plead that he was not within the scope of his duty, because, although it was not within the four corners of the commission itself in the West Elgin case, yet that was the ruling and the dictum of the commissioners themselves—not very well carried out, I admit—but it was the ruling of the commissioners themselves that they should by public advertisement call upon everybody to come forward and have a full, free, open and impartial investigation. Did Judge MacTavish ever intimate such a thing as that in this commission? What are we told and what does the evidence disclose?—that when charges of a heinous nature were brought against my hon. friend from North Toronto, when his name was vilified in bold type by the Liberal newspapers of this country from the Atlantic to the Pacific, when there was in every person's mouth the newspaper reports of the dishonesty which that hon. gentleman was alleged to have been mixed up in, what was the hon. member for North Toronto trying to do in Toronto—a public man, a man of bright intellect, one of the brightest minds in Canada to-day and one to whom Canada owes much? His struggle, I think, is pathethic in the eyes of the whole country. He was trying, in accordance with bare British justice, to get a hearing, either by himself or through his counsel in his own justification. Pathetic! Pathetic! My hon. friend the Minister of Justice has said that there was a member of the judiciary upon that commission. He was there contrary to law, yet the Minister of Justice has appealed to this House because Judge MacTavish was a member of the judiciary and could not defend himself.

As a member of the judiciary Judge MacTavish cannot be excused for the extraordinary manner in which he permitted the hon. member for North Toronto (Mr. Foster) to be slandered before that commission, and for allowing, without justification or excuse, in violation of his oath as a judge and as a commissioner, garbled evidence to be incorporated in the report. There is

absolutely no justification for the learned judge, because he knew better. He has tried many men for petty offences and he had heard civil suits in which the reputations of men less high than the hon. member for North Toronto (Mr. Foster) were at stake, and I venture to say that the judge's cheeks would have burned with shame, if ever it had been charged that he had denied to any petty criminal charged with stealing a bag of potatoes or a pound of carrots, the right to be heard by counsel or the right to state the full facts in his own defence. It is a lamentable fact, and I regret to say it is a fact, that is chronicled upon the records of this country, one side of that defence of the hon. gentleman (Mr. Foster) who was struggling to be heard. In the net of a gang of traitors ; in the net of men who were politically desirous of accomplishing his ruin, the hon. gentleman (Mr. Foster) was the object against which were levelled all these venomous darts. He pleaded in vain to be heard through counsel, he pleaded in vain to be allowed to make a statement ; this star chamber commission denied him the right of justification, the right of plea. And the Minister of Justice now tells us, that this commission had been honest, efficient and painstaking in their efforts to get at the full truth. Oh, the honesty of this commission ! How honest ! to garble evidence in their report, if they ever read over the report they signed. How honest ! to insinuate in their report what they could not prove by the evidence ; how honest ! to permit the government counsel, a man in the pay of the government, to have access to their chairman and to themselves in private deliberation, to advise and confer with them upon the report they were drawing up. How honest ! to send forth a report destined and designed to slander the reputation, private and political, of the hon. member (Mr. Foster). How honest ! to permit any other hand than their own to draw up that report, and to formulate garbled evidence for the purpose of defaming the noble character of the hon. member for North Toronto. That is the honesty of it. And what about the patience shown by the commission? The Minister of Justice says that they patiently laboured to get at the truth. I ask the hon. member for South Simcoe (Mr. Lennox) what amount of practice did he find in his analytical digest of the evidence, what amount of patience and perseverance did he find the commissioners bestowed in garbling the evidence set forth in that report? The hon. member for South Simcoe has stated to the House, and it cannot be gainsayed, that the evidence taken down by the commission was not incorporated in the report as it had been taken down, but was garbled and reconstructed so as to force insinuations upon it. That is some of the patience exercised by this commission, or by the master mind which was controlling the commission, or directing the commission, or at any rate to which the commission lent a willing ear, the mind of George F. Shepley, K.C. This commission was very patient. They had before them an hon. gentleman of great political prestige, a man of whom the people of Canada think highly, a man of great intellect, a man who has done a great work in the building of the Canada we have to-day and of the Canada that is to be ; the commission certainly was very patient while they denied audience day after day, to that hon. gentleman against his solemn protests. They were patient day after day, listening to the evidence and endeavouring to construct a fabric which they hoped would destroy the reputation of the hon. gentleman (Mr. Foster), public and private, and tear him down from the high place he occupied, and still occupies, and will, I trust, occupy until the end of his days, and long may they be. And the commissioners were painstaking. Yes, they were painstaking in the studied cruelty of the star chamber methods they were using to stultify any attempt on the part of the hon. member (Mr. Foster) to be heard, or to put upon the records of that commission one circumstance in justification of the insinuations which were made against him. At whose dictate was all this done? Under whose pressure and at whose spur did the commission act thus from day to day? Who consulted, who instructed, who directed the proceedings of that commission ; who conferred with the chairman of the commission privately as to the scope of the commission; who instructed counsel from time to time privately as to what should be done by that commission ; by whose instruction was the scope of that commission extended beyond what was writ in the order in council? Was it the Minister of Justice ? Did he, as Minister of Justice, direct, control, or suggest to the learned counsel acting for the Crown any course of procedure to be followed by that commission to attain its ulterior ends ?

Does he say that he had no communication? Does he say that he did not communicate with either Mr. Shepley or Mr. Tilley during the course of that investigation? Well, Sir, I can only say that we have the hon. gentleman's own words, that he did communicate with Mr. Shepley and with Mr. Tilley, in matters pertaining to that commission ; and he either feared or did not know enough of the decencies of parliamentary procedure or of the delicacy of the situation in which he found himself, to put those communications on record in the Department of Justice, so that he could maintain his own integrity if a charge were made against him in that connection. It is a very strange circumstance that the hon. gentleman who preceded my hon. friend in the administration of that office, who had

administered with signal ability the Justice Department of Canada up to the time of his resignation from that high office, the Hon. Charles Fitzpatrick, knew as Minister of Justice, all that was involved in that procedure, and how delicate was the position, how scrupulous he must be of his own honour, of the honour of this House, and of the honour of those whose reputations were in the hands of that commission, and therefore kept a record of all that took place in the way of communication with Mr. Shepley or interference with that commission. But the methods of the Minister of Justice in days gone by, the methods of David Mills, the Sir Oliver Mowats, the Charles Fitzpatricks, were not the methods of this new star in the political sky, the present Minister of Justice. What happened? Up to the 2nd day of June, when the hon. gentleman was appointed Minister of Justice, there was kept a record in the Justice Department, showing fairly and openly what communications had taken place between that department and the Insurance Commission and the counsel for the commission. What happened after the 2nd day of June? Where is the correspondence? There is not one jot or tittle of correspondence, not one word, line or syllable of correspondence in that department, although under pressure from the hon. member for North Toronto, the hon. Minister of Justice had to admit: 'I had communications with Mr. Shepley; I had communications with Mr. Tilley; these were not written communications; they were verbal communications.' Now, will the hon. gentleman arise, realizing the delicacy of his position, being charged with the responsibility of the chief judicial executive of this Dominion, and will he be man enough to state what instructions or directions he gave, and what control he exercised over that commission? If it was in accordance with proper procedure as recognized in the Department of Justice under all governments preceding the hon. gentleman's accession to office, that there should be a record of transactions of this kind, by what precedent did he arrogate to himself the right to dispense with that record and hold communications with a so-called independent body, whether verbal or written? I ask the hon. gentleman to be fair to this House; I ask the hon. gentleman not to be silent all the time; I ask the hon. gentleman to speak. He knows the position in which he has endeavoured to place the hon. member for North Toronto, and he has placed himself upon record in the language to which I have referred, as being desirous of being fair in the position which he occupies. Now I ask him to make good his words and be fair, and to state to this House what were the verbal communications which he had with or the verbal instructions which he gave to Mr. Shepley or Mr. Tilley. Of course, he admits that he gave some. He admits that he had communications. My hon. friend the Minister of Justice feels possibly that scornful silence would be his best protection under these conditions; but if he thinks that scornful silence does credit to him, he is welcome to take the credit there is in it. Now, Sir, there was a report drafted of that Insurance Commission. I wonder if the Minister of Justice can inform the House who drafted that report. I wonder if he can inform the House how many times that report was changed. I wonder if he will say whether that report was changed in consequence of anything that took place in this House. I wonder how often he saw the draft. I wonder whether he perused the draft. I wonder whether he——

Mr. FOSTER. Swallowed the draft.

Mr. BOYCE—whether he consulted Mr. Shepley with regard to the draft. My friend from North Toronto says he must have swallowed the draft. If he has not swallowed it all, he will have to swallow it. How many consultations did the hon. Minister of Justice hold with Mr. Shepley, with Mr. Tilley, with Judge MacTavish or with the other members of the commission before that report was finally agreed upon as being the most suitable indictment to send to this House against the hon. member for North Toronto and other members who are touched by it? Of course, all this would be interesting information; and, in view of the frank position which the hon. Minister of Justice desired to occupy in this House, as evidenced by his speech of yesterday, I have no doubt that he will be quite willing to make disclosures in this connection. I may be a little inquisitive; but I am taking for granted that in what he said yesterday he was perfectly sincere, and therefore I am asking him these questions. How often did he consult with counsel about this draft report? What was the necessity for changing the report, if it was changed from the draft, and before it was finally settled and signed by the commission? Was the hon. gentleman himself there when it was signed? Does he know that the commissioners knew what was in it when they signed it? Did the hon. gentleman felicitate with the chairman of the commission, and with the counsel, Mr. Shepley and Mr. Tilley, on the night after the report was finally settled upon and signed? Did he have a little jollification with those gentlemen at that time? I wonder whether the hon. gentleman did, when he admits to this House that he had communications with them, and when in the same breadth in which he says he wants to be fair to everybody concerned, he withholds the nature of those communications, and at the same time hurls insinuations and constructs theories upon evidence not in existence. I wonder that the Minister of Justice (Mr. Aylesworth) does not

make good his expressed anxiety to be fair. Let me take his words upon another point, and that is the comparison he drew between the hon. member for North Toronto (Mr. Foster) and a former bank manager in Ontario, lately convicted of having made fraudulent returns to this government, and who is now serving out a sentence of five years in the Kingston penitentiary. What a comparison that was to be drawn by a minister who says he wants to be fair and who takes advantage of his three years' service in parliament to thus attempt to destroy the reputation of an hon. gentleman who has been a member of this House during twenty-one years and has always enjoyed a high place in the esteem of his fellow members and the public. Was there anything to justify such an unparalleled comparison—a comparison between a convicted felon and the hon. member for North Toronto (Mr. Foster) based on evidence contained in this report of the Insurance Commission ? What did the hon. minister say ? Referring to page 6473 of 'Hansard,' I find he used this language :

> Well, sir, I am not a Forester. I have not the right to complain ; it is not a matter that concerns me personally. But if I were interested as a member of the order, I think I should have every right to complain of what has taken place. Only twelve months ago, a gentleman—one thought to be a gentleman—held in honour by those who knew him, the respected manager of what was then a respected bank in this country, was engaging in a career of investment, or speculation, whatever you choose to call it, in the stocks of established companies. This transaction resulted disastrously, there was no success there——

Fancy drawing such a comparison—

> —there was abject failure and the wreck and ruin of the institution of which he was manager and the loss to many an honest man and many a poor widow and fatherless child, of everything on which they depended for the remainder of their lives. These moneys were imperilled ; the manager who so imperilled these moneys and who failed is to-day in the position we all know. But in this case, moneys which were even more sacredly impressed with the trust of the funds which were to provide for the widow and for the orphan are sunk into the purchase of unimproved land in the new provinces of Canada, which, if they happen to go up in price, will produce a return to those who have put their money in, while on the other hand, if they become dead stock in the market, it will mean the loss of every dollar that is invested and will result as disastrously as the similar efforts as the manager of the Ontario Bank have resulted in the last few months. That is what I would call imperilling funds.

Let the Minister of Justice (Mr. Aylesworth) deny it if he can. He there drew an invidious comparison between the late convicted manager of the Ontario Bank and the hon. member for North Toronto (Mr. Foster), and hurled that as one of his venemous darts across the floor of this House to be chronicled and recorded as an insinuation against the hon. member for North Toronto (Mr. Foster).

But if the Minister of Justice (Mr. Aylesworth) is going back into the history of embezzlement and misconduct generally, I would suggest that he need not go farther afield than the four walls of this Chamber in order to find instances. If he were desirous of exercising himself in the punishment of embezzlement and meddling with the moneys of the people, he need not go outside these walls or the scope of his office as Minister of Justice. The hon. minister has an extraordinary record, and that record does not bear out his professions of fairness and impartiality and just dealings. I remember a question which was discussed in this House in connection with the Galway cattle ranch deal, in which a member of this House was proved to have received a remission from the government equivalent to $2,400, besides making large substantial profits on transactions in the public lands of this country. There was evidence taken in that case, and if I mistake not the minister rose in his place and voted to defend that deal. Again there was the Moncton land deal in which there was an illegal profit of $8,000 paid to a middle-man. Did the hon. minister raise his voice against that ? Not at all ; he voted for it. That is the sort of thing he likes to encourage. Then we had the Merwin matter, the North Atlantic Trading Company contract involving a loss to this country of between $200,000 and $300,000. Did he say that that was a scandalous transaction for which somebody ought to go to jail ? No, he voted for it. Then there was the case of Phillip Wagner, and here we come down to the case of a convicted felon. Phillip Wagner had been convicted of embezzlement as an employee of this government. He had been convicted of robbing and preying upon the immigrants with whom he came in official contact by virtue of his appointment as an officer of the Department of the Interior. Wagner was tried upon five indictments and convicted and served his time in the Stonewall penitentiary of Manitoba. What became of him when he came out ? He did some election work for this government and in consequence was promoted and his salary increased. He was thus rewarded for his labours in the Liberal cause. He had stolen money, he had embezzled, and had been convicted, but he had done it in a good cause, and was well paid, and this Minister of Justice (Mr. Aylesworth), who has drawn this comparison so unfair and injurious to the hon. member for North Toronto (Mr. Foster), rose in his place, when we asked for a commission of inquiry into these facts regarding Phillip Wagner, and voted for the retention in office of that same embezzler. There is another case, the case of Mr. Joseph Nixon, with which the hon.

minister is familiar. That is the case of the embezzlement by a public servant of some hundreds of dollars, which was supported by evidence and put before the minister in the strongest possible light. What did he do on that occasion ? He supported the cause of Joseph Nixon, and there is not a man on the government side who did not rise to defend the transaction I have referred to. I want to remind the hon. minister of another little incident. I refer to the incident of the postmaster at Thessalon, who is reported by the inspector to have been short in his accounts and to have appropriated to his own use over a thousand dollars of public money. The inspector recommended that he be forthwith dismissed and called upon to make restitution. He was dismissed and he did make restitution. He engaged in a Dominion election in Algoma and also in an hysterical attempt to support the Ross government in their spasmodic effort to regain their hold upon the people of Ontario. Then, immediately afterwards, he was reappointed postmaster at Thessalon. There is another case that the Minister of Justice might look into. Now, here are three instances in which the public moneys of this country have been tampered with and in which the Minister of Justice has been brought face to face with the facts across the floor of parliament, and yet does nothing. But he does not hesitate to compile a document full of insinuations and innuendoes levelled, as to many of its important statements, at the hon. member for North Toronto.

Now, the hon. member for King's, N.B. (Mr. Fowler) has been the subject of a great deal of adverse comment in this House up to a certain period. The hon. member for North Toronto (Mr. Foster) has continuously been the butt of all sorts of insulting and degrading innuendoes. But, Mr. Chairman, let me point out to the hon. members of this House that there were taunts insinuations, innuendoes, charges, revilings, hurled across the floor of this House against my hon. friend from King's, N.B.—up to a certain time. Do you hear them now, Sir ? No, Sir ; there is not an hon. gentleman on that side of the House who would dare to open his mouth to utter one charge against that hon. gentleman (Mr. Fowler). And why? Well, Sir, the hon. Minister of Justice knows why, and his colleagues know why, and the leader of this House (Mr. Fielding) knows why. The reason is that the hon. member for King's, N.B., called the bluff. He said : You dare to make insinuations against me, and I will make reprisals ; I will stand up for my own honour, and I will strike back. Not a word said now. The hon. member for North Toronto (Mr. Foster) appealed to the decency and honour of this House, and what was the result ? there is the contrast—in one case absolute silence following a threat ; and in the other a bitter personal attack instigated, formulated, directed by the Minister of Justice, supported by specious argument, arranged with the ingenuity which his long practice at the bar and his skill as an able lawyer has given him—unjustifiably, mercilessly and relentlessly endeavouring to tear from the hon. member for North Toronto that prestige which, I am thankful to say has not and will not suffer as a result of this attack.

There is a marvellous exhibition presented to this parliament of independence on the part of some of its members. There are hon. gentlemen I see before me now who were elected as members because, in order to gain the confidence of the electors, they pledged themselves to pursue a certain independent course and not to favour one party or the other. I have referred, briefly because I do not want to take up the time of this House, to certain political crimes which, I say, no man of independent spirit could possibly condone and save his conscience or his political reputation. Yet these gentlemen have stood in their places, and, have violated the very representations upon which they were elected by voting to support the government in these crimes which were a disgrace to Canada. There are gentlemen sitting here with the promise of preferment and appointment in their pockets who vote upon the questions to keep this government in power—and the greater the crime to be condoned, the greater the alacrity with which they vote. I do not want to be very personal, but I do want to say a word or two with regard to the attitude of some hon. gentlemen who have promised to take an independent course in this House. I have particular reference to some hon. gentlemen who are of the so-called labour classes. I see the hon. member from Nanaimo (Mr. Ralph Smith) looking at me. Perhaps he may think I am referring to him as being one who came here pledged to support whichever party is right, and particularly pledged to support compulsory arbitration of labour disputes. It may be that the hon. member is included within the indictment I have made. This hon. gentleman went before the people and induced them to vote for him upon the representation that he did not belong to either one party or the other, but would stand fairly between the two parties and would be in touch with both. I wonder whether he will recollect his words. Here they are(:

If elected he will be entirely independent of the two great parties in Dominion politics, and yet be on such friendly terms with each that he will be able to approach their leaders and lay the needs of this constituency before them in a manner that will be received by them as coming from one who is not an opponent or supporter of either party, but one who will give a cordial support to any measure brought forward by any party in the interests of the people.

Did the hon. member (Mr. Ralph Smith), as an independent member of this House, vote against any of the political crimes to which I have referred? Or did he subserviently cast in his lot with the government which has been so paternally kind to him and who, if rumour certifies correctly, has so richly rewarded him with the promise of the gubernatorial chair of Yukon? Then, we have also the hon. gentleman's platform to which he pledged himself. In that platform is the following :

Public ownership of public utilities.
Compulsory arbitration of labour disputes.

I wonder where compulsory arbitration in labour disputes went at the hands of the hon. member for Nanaimo during the debate on the Labour Bill. The hon. member for Comox-Atlin (Mr. Sloan) similarly pledged himself with regard to that policy, and yet neither of these hon. gentlemen—

Mr. TALBOT. Is this discussion pertinent to the question before the chair ?

Mr. BOYCE. Yet neither of these hon. gentlemen, Mr. Chairman, have in any way fulfilled their promises.

Mr. SLOAN. May I ask the hon. gentleman to what he is referring there ?

Mr. BOYCE. I am referring to the hon. gentleman's representations to his electors, or would be electors, with regard to compulsory arbitration.

Mr. DEPUTY SPEAKER. I think the hon. member for West Algoma (Mr. Boyce) is wandering a little away from the subject.

Mr. SAM HUGHES. He is as near to the point as some of the insurance investigation was to the question.

Mr. BOYCE. If my hon. friend is very anxious to get it from me he can get it.

Mr. TALBOT. I appeal to the Chair whether the hon. gentleman is allowed to bring into the discussion any matter he pleases.

Mr. BOYCE. Well, if my hon. friend is very anxious to hear his own words I think I can give them to him.

Mr. DEPUTY SPEAKER. I fail to see how the remarks of the hon. member for West Algonm (Mr. Boyce) are relevant to this question. The hon. member knows the rules.

Mr. BOYCE. I will promise to satisfy the hon. member from Comox-Atlin at a later date when I should be in order.

Mr. RALPH SMITH. It is in order for the hon. gentleman to take back what he says about the member for Nanaimo.

Mr. BOYCE. It may be in order for me not to say any more, but I do not think it would be in order for me to take back anything I have said. Now with regard to this herculean effort of the hon. gentleman towards independence, I was going to read a comment that has been made by eminent labour authority with regard to the attitude of the independent labour party in the Canadian parliament, I refer to J. Ramsay McDonald, a member of the Imperial parliament, in an article he wrote with regard to the labour movement in Canada. My hon. friend from Nanaimo, my hon. friend from Comox-Atlin, and any other hon. gentleman holding similar views, will find the article in the November issue of the 'Busy Man's Magazine.' After discussing the whole situation and the difficulties that exist in the way of the labour party in Canada, the article concludes in this way :

But the most formidable of all these tasks of a Canadian labour party will be to get hold of the agriculturalist, and without him it will be impossible to send more than a dozen to a score of labour members to Ottawa. With him, however, the Canadian labour movement will cohere, and the magic will then operate. A good many of the immigrant farmers from the United States have been influenced by the Populist and Bryanist movement, and some of the wiser labour leaders—particularly those in Winnipeg—are looking hopefully to Saskatchewan for political developments. Moreover, the circumstances of Canadian agriculture necessitate a vast army of workers being upon the fields in autumn. In the winter that army is encamped in the cities, living as it best can, subject to the fermentation of idea which goes on in towns.

Mr. TALBOT. Mr. Chairman, I appeal to you again, is this pertinent ?

Mr. DEPUTY SPEAKER. The hon. gentleman knows that he cannot read anything that is not relevant.

Mr. BOYCE. I am merely dealing with the question of the independence of these hon gentlemen. I will conclude.

Finally, one comes to what after all is the grand determining factor in what the future of the Canadian labour party is to be. In discussing matters with men here and in getting into instinctive touch with the life of this new nation, one feels a silent but solemn conflict going on far down beneath the surface. It is the conflict between the British and the United States tones of life. As this conflict affects the labour movement here it presents problems like these. Will public life become more corrupt ? Will the machine fed by patronage become more powerful ? Will expressions of the national will become more brutally boastful and selfish ? Will plutocratic instinct become predominant ? Will the labour leader continue to leave the labour movement for more lucrative commercial or political employment ? If so, the labour movement will remain in the back water of class conflict, revolutionary methods, Marxian socialism, where it is in the United States to-day. This is one of the most fascinating studies in the evolution of the Canadian spirit, but it is too complicated to be discussed at the end of an article on the prospects of the labour movement here.

I refer to this matter for the purpose of showing how difficult, how impossible, it will be to get from this House a free expression of opinion from both sides, which opinions they are free to express in the corridors, upon their platforms and in their own constituencies. I have shown how hon. members represent one state of things to their constituents and then come down here and vote in a different way, and here we have a case directly in point. An effort has been launched by this government, an attempt has been made, a diabolical attempt it is, to dethrone from the high position in public esteem which he holds, the hon. member for North Toronto. That attempt, Sir, will go down to posterity as one of the most diabolical outrages that ever disgraced Canada. It will be characterized in days to come by our children and by our children's children as a vile and malicious plot, and a little one at that, destined to recoil, to prove a boomerang, upon the party that launched it, and it will meet with the condemnation of a people who will appreciate true merit and true ability better than these hon. gentlemen.

Now, Sir, how mournful must have been the meeting between the commissioners and their counsel when they found that the evidence had turned out-so-unsatisfactory, when, by torturning it, by garbling it, by misplacing it by taking a piece here and tacking it on to a piece there, they could only formulate a pack of insinuations which the Minister of Justice is pleased to call a report. How sorry that meeting must have been, and I think it might be due to the House and the country if the Minister of Justice, like Pecksniff, realizing the duty he owed to society, had suggested to the insurance commission an addition to the report of the things that were in the minds of the commissioners and the Minister of Justice, for instance, the disappointment that was felt, the chagrin that was felt, because, despite all the efforts of the commission to burk inquiry, to prevent the production of evidence that would clear the imputation resting upon the honour of members of this House, despite all the efforts they could make to prevent the member from North Toronto from being heard himself or by counsel, there was so little upon which they could build the insinuations so artfully twisted and tortured by the Minister of Justice in his speech of yesterday into a so-called indictment. In this way they might have said something which would be in accordance with the facts, and they might have put upon this report a concluding paragraph something like this :

The commission were impressed with the extreme importance of establishing that Mr. R. L. Borden was interested in the purchase of 200,000 acres of land from the Canadian Pacific Railway Company, and beg most regretfully to report that their efforts in that regard were not crowned with success. They might have gone on to add, and I have no doubt that with the ingenuity displayed by the Minister of Justice, he will see that it is done yet: With equal regret the commission beg to report that, notwithstanding their persistent and vigilant efforts, no evidence was obtainable to establish the contention of the prosecution that the four Conservative members of parliament interested in these transactions were guilty of any misconduct or improper dealing in connection therewith. There would then have been something in the nature of truth, something in the nature of evidence of what the commission was really after in formulating the report. Possibly the idea has occurred to the Minister of Justice, and he may yet see to it that a report may be got to read in that way. I would suggest, though, that before he asks us to vote $105,000 to the commissioners and to the counsel for this work, he look a little more closely to the ethics of the situation, and determine whether it is in the interest of the people of Canada that such an expenditure should be foisted upon them.

Mr. W. F. MACLEAN. Mr. Chairman, for two days the committee have been largely occupied in discussing the political, personal and partisan side of this insurance report. While I do not wish for the present to discuss that, I do intend to ask the indulgence of the committee while I look at the evidence and look at the finding from the view of the policy-holder, who has a hundred million dollars of his hard earned savings in the hands of these insurance companies. I wish to look at the matter from the point of view of the policy-holder and of the public, who have to pay this $75,000 and the other charges in connection with this investigation. I think the attention of the House can well be given for a little while to the interest of the policy-holder. The policy-holder is an important factor in the country. He is going to judge of this case, not only from what is said in connection with what might be called the partisan view of this discussion, but he is going to look at it from his own point of view and from the point of view of his savings, and how we, who are members of parliament, are handling his money. There is in connection with this report, in connection with this evidence, and in connection with the finding of the commision an arraignment, and I wish to ask the attention of the committee to it. That arraignment, I may say first of all, is an arraignment of the Insurance Department of this country and it is also an arraignment of the Finance Department which has charge of the administration of the insurance laws. There is furthermore an imperative call to this parliament for legislative action in connection with this great subject of life

insurance. I wish for a few moments to bring the interest of the policy-holders and the responsibility of this House in this connection to the attention of the House and of the country. I do not know that I can bring the subject to the attention of the House in a more concise way than by quotinf from a letter that Governor Hughes of New York state wrote the other day in connection with the desire on his part for a change in the superintendent of insurance in the state of New York. I have an official copy of the letter which Governor Hughes wrote in connection with this subject. Governor Hughes, as every one knows, was the solicitor who was given charge of the investigation in regard to the life insurance in the United States and there certainly was no charge of partisanship that could be laid against him. Since that investigation took place he has been elected by the people of New York largely on his insurance record to be governor of the state and upon going into office he felt that, having taken a very prominent part in that investigation, it was his duty to try and find out how the public interest could be served as a result of the findings of that commission. So, after careful study of the situation he decided that the present superintendent of insurance in the state of New York ought to give up his office. To that end he wrote a letter to the Senate of he state of New York and it is because of the exact statements in that letter that I wish to read one or two paragraphs to the committee.

Mr. FOSTER. Is that Kelsey ?

Mr. W. F. MACLEAN. Yes.

Albany, February 20, 1907.

To the Senate :

I recommend the removal of Otto Kelsey from the office of superintendent of insurance.

With respect to life insurance, New York is easily the most important jurisdiction in the United States, if not in the world, and the vast interests involved imperatively require, and it should be a point of honour for the state to maintain, a fearless and efficient administration of its supervising department commanding the confidence of the people.

I recommend Mr. Kelsey's removal because as head of this department he conspicuously has failed to perform obvious duties of the first importance, and his neglect has demonstrated his unfitness for the trust confided to him.

Mr. Kelsey took office on May 17, 1906. His appointment was made soon after the investigation by the joint committee of the legislature which disclosed gross irregularities in the management of life insurance corporations. Official position had been used for private gain, and the money contributed by the policy-holders for their mutual protection had been wasted in a scandalous manner. Extravagant salaries had been paid, favorites had been permitted to enrich themselves at the expense of the policy-holders, an elaborate system had been established for the purpose of controlling legislation in this state and throughout the country, and enormous sums had been secretly disbursed without proper vouchers.

The revelation of those grave abuses in connection with our greatest fiduciary institutions shocked the civilized world, and by the discredit which justly attached to the administration of the insurance department, humiliated our state.

Every one of those things which was proved to have taken place in the United States occurred in this country and this commission, which may have been partisan as has been shown here, disclosed the fact, with the assistance of an able actuary who came from New York state, that all these things exist in this country in connection with our life insurance. Incompetency, maladministration, and neglect to administer the insurance laws are also characteristic of Canada, and I say it is the duty of this House to pay some attention to the condition of life insurance in this cuuntry and it is imperative that we should try to remove the enormous evils which do exist at the present time. The governor of New York state went on further to say :

Similarly, in the case of the New York Life in 1904, the same examiner reported :

The result of this work I believe amply justifies the conclusion that all disbursements found to have been made incidental to the expense of conducting business were in no sense excessive, unreasonable or not unwarranted. The officers and representatives of the company gave your examiners full and free access to all its records and aided them in every way in their endeavour to accomplish the work thoroughly and expeditiously.

Those facts were presented to the legislature in the report of its committee, which concluded its review of the work of the department with this statement :

Most of the evils which have been disclosed by the investigation would have been impossible had there been a vigorous performance of the duties already laid upon the department, a vigilant watchfulness in the interest of policyholders and a courageous exercise of the powers which the statute confers.

Everything there pointed out obtains in this country. If there had been a vigorous observance of the law, if the examination of these insurance companies had been made as the law directed, if the public had been supplied with the actual facts we would not have found the abuses which we did find. But, we did exactly what was done in New York. We neglected to investigate these companies ; we did not know the facts or if we knew them we allowed the evils to continue. And to-day, on behalf of more than one hundred thousand policy-holders of Canada who have over $100,000,000 of their savings in the hands of these insurance companies, I demand that this parliament shall legislate immediately to remedy the abuses that exist. I call on the government of this country to follow the example of Governor Hughes of New York state, and to remove every man in office who has failed in the discharge of his duty in con-

nection with this life insurance. The present superintendent of insurance made a sorry exhibition of himself before that commission; he had not the situation in hand; he did not find out things he should have found out; if he did find them out he took no pains to have them rectified or to call public attention to them. If on the other hand he called the attention of the government to these abuses, and the government took no action, and the abuses grew in number and gravity, then the government is to be condemned. I quote from the letter of Governor Hughes on life insurance:

> But the more important the work of the department, the greater the need of making it efficient and trustworthy. The assiduity of a departmental chief in attention to the details of routine cannot compensate for the lack of administrative capacity. The passage of laws will amount to nothing if they are not executed.

Here again I am at issue with the government to tell us they are going to make a new insurance law. What is the good of making new insurance laws, if you do not enforce the laws you already have. On that point Governor Hughes says:

> Provisions for publicity will not avail if the supervision of the state be feeble and inadequate. If examinations in the future are to be of the same description as those in the past, the administration of the department will not prevent a recurrence of the old abuses. Doubtless in former years superintendents and their assistants have been burdened with work, and before the legislative committee much was said of the extent of their activities.
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> It is my desire that the administration of the Insurance Department should be worthy of the state of New York, and that the reputation of its administration should be redeemed. With the unparalleled size and importance of the interests committed to its care, it should represent the highest degree of administrative efficiency. There should be no taint of past scandal upon any person connected with it. For the sake not only of the policy-holders, but of all those in any way connected with the important business of insurance it should be above reproach.
>
> I have been compelled, with regret, to reach the conclusion that Mr. Kelsey is not the man to have charge of this department. His past neglect and his want of force and initiative already displayed, make it unsafe to accept assurances for the future. The excuses that he now makes serve only to place in a more prominent light his misconception of his obligations, and of what the people of the state have a right to expect.

The people of Canada expect that these abuses shall cease, and that any man in office who like Kelsey is incompetent, or has failed in his duty, shall immediately be driven from office. The country expects that a stricter law shall be passed. The policy-holders, and the people of Canada who are paying for this investigation, expect that those men now in office in connection with life insurance companies, who have been proved by this commission to have been guilty of breach of trust, who have been proved, as they have been proved by this report, to have misused these insurance funds to their own advantage; the people of Canada expect that such men shall be retired from office as they have been compelled to retire from office in the state of New York. The presidents of these great New York companies who were exposed in the New York investigation were forced by public opinion and by the action of the authorities to retire from office, and the same thing must happen in Canada before we pass any new laws. As Governor Hughes says, what is the use of more new laws or more executive officers, if there is not an enforcement of the law and a thorough inspection of the business of these companies. It is all very well to talk of the political view of this Insurance Commission, and the partisan effect of the report, but what about the policy-holders whose savings are at risk, and who are exposed to the wrongs that have been proven to exist? What does the policy-holder care for a new law if there is not to be an enforcement of the existing law against the men who have control of these companies, and who have misused their trust. From the beginning I have followed the insurance inquiries both in New York state and in Canada, and it is patent to my mind that nearly every abuse that was disclosed in New York has been shown to exist in Canada. I contended last year that the investigation should be made in parliament, where we would all have been much more cognizant of the facts, and where we would have been competent to deal with the evil, and to have applied a remedy. Now, after this Insurance Commission has been more than a year in existence, and notwithstanding the awful revelations made, we are asked to allow this session of parliament to pass without a remedy being applied. I have had procured at my own expense, a very able man in connection with insurance, to keep a close tab on everything that was disclosed, and to make a very careful study of the revelations made in the United States and in Canada. This gentleman has prepared for me a list of these disclosures, and first of all, it has been disclosed that insurance in Canada is much more costly than it should be. Another thing disclosed is that we are over-insured in this country and that there has been an unhealthy stimulation of insurance. And Sir, if the evils connected with life insurance cannot be cured, my advice to the people of Canada, and I have reached the conclusion after careful study, is, that they had better put their money in the savings banks. But there are a great number of people to whom life insurance is attractive, and I would like to see it continue, but best

of all I would like to see it continued under the direction of the state. I would rather there was no life insurance in this country than that the evils disclosed by this commission should be allowed to continue. Another thing disclosed, and it is a shameful thing, is the greed of the shareholders of these companies. That is a great abuse which must be remedied. It is on record that the shareholders of one of these companies, who were drawing 8 per cent on their capital stock, doubled that capital stock by their own vote, without paying any money in, and from that day to this they are drawing 16 per cent on their original investment.

And they took this 16 per cent out of what they called the accrued profits of the company, which they professed belonged to the policy-holders, but which the shareholders themselves were all the time absorbing. Now, that was a great wrong, which had its origin in the greed of these shareholders. Then it was proved in connection with these companies, and in connection with an hon. gentleman belonging to another House who made a defence of himself the other day, that there was over capitalization on the part of one of these companies, whereby the profit fund of a great insurance company of this country is most unnecessarily taxed for an eight per cent dividend on an unnecessary million dollars of stock. $50,000 is all the stock required to conduct a life insurance company in this country, or $100,000 at most; but here is a company whose capital stock, by reason of one-man power, was unnecessarily increased to $1,000,000. Does the government propose to interfere with that over-capitalization, and does it intend to demand that these shareholders, who have unnecessarily increased the capital of this company, shall pay back that money to themselves, if they ever paid it in, and shall reduce the capital of the company to a reasonable amount? Now, that unnecessary capitalization of companies, caused by the greed of shareholders, has been proved to exist in this country. It has not been proved to exist in the United States to the same extent that it exists here. But it is one of the evils that have been exposed, and what the policy-holders of this country are asking is not quite what has been discussed here in the last day or two, although that may be a pertinent subject, but what the Minister of Finance, through his department of insurance, proposes to do about this greed of shareholders and this over capitalization of insurance companies.

Then, what else have we? That the policy-holders have no effective voice in the management of the companies, not even of the mutual companies, and no power as to the handling of trust funds. A hundred millions of trust funds, the absolute property of the policy-holders; and yet these policy-holders have not any substantial voice in the control of those funds. That is an evil that exists, and that has been pointed out in this report. What does the Minister of Finance propose to do with that evil?

Then they say that the interests of the policy-holders are many hundreds of times greater than those of the stock-holders; and they go on to say that men who were extravagant in conducting the business of their companies have been found to be careless and reckless in the handling of trust funds, and that there are unmistakable proofs that there has been graft in handling these trust funds; that there has been most unfair, unjust and discriminating treatment of policy-holders in respect of their insurance contracts and in respect of profits; that in most cases the management have entrenched themselves in power beyond the possibility of being dislodged without some radical changes in the insurance law; that there are flagrant cases of nepotism. There seems to be nepotism all over this country. There is nepotism in the government as well in the conduct of these insurance companies. Nepotism was exposed in the American insurance companies, and it was also shown to exist in the Canadian insurance companies.

Mr. WM. ROCHE. I have no doubt the hon. gentleman has been studying this question, and I would like to ask him which would be preferable—that the policy-holders should have the right to representation on the board of directors or the right of appointing one of a number of trustees?

Mr. W. F. MACLEAN. When we come to discuss the Bill which the government may introduce, I shall be prepared to give my opinion. It is a very difficult thing to effect what is called the mutualization of these companies, but it has to come to this, that if there is not a proper representation of the policy-holders in connection with the management of those trust funds, then I am willing to see the state take over the administration of these trust funds and hold them for the benefit of the policy-holders. If the Minister of Finance had the capacity and the courage to take over this insurance business, he would not have had to make the confession which he made to-day, that he was not able to get money to meet the country's obligations.

Mr. FIELDING. Did I say that?

Mr. W. F. MACLEAN. No, but that money was very tight and that this was the worst possible time to make a loan or to retire loans now due.

Mr. FIELDING. It is better to-night; the bank rate is down.

Mr. W. F. MACLEAN. Well, perhaps the little discussion of this morning helped to

reduce it. The point I want to make is this : I am not afraid to say that I would like to see all these trust funds in the hands of the state, even if there were private companies engaged in insurance and then, some means should be devised by which the policy-holders, the men who own these moneys, should have a great deal to say with regard to their investment.

Then they say : That trust and syndicate organizations operated as subsidiary or tributary to insurance companies flourish and abound, though contrary to the spirit of the Insurance Act and foreign to the very idea of investment. Now, that has been proved. These little donkey engines in connection with these great insurance companies have been found to exist here just as they have been proved to exist in the state of New York, and instead of being administered for the benefit of the policy-holders, they have been administered for the benefit of the directors of these insurance companies, especially the managing directors of those companies. The investment of these funds was made through these little donkey engines, and the profits went into the pockets of the men who had control of these trust funds. That was a most wrongful breach of trust and a breach of the law, a thing that could not occur in England to-day. If it did occur there, there would be immediate proceedings in a criminal court. Here our law is wide enough not only to put these men out of office, but to put them in the criminal courts for the way in which they have handled these moneys belonging to the policy-holders. Another and probably the most important point in this insurance problem is the fact that for a good many years there has been in use a very clever invention that was made by an insurance expert. That is the kind of policy called the profit participating policy. It is a bad policy ; it is a wrong policy. It was introduced into this country from the United States. It has been found to be wrong, and it ought to be abolished, and made illegal in this country. Has the government any proposal to make in regard to that ? Policy-holders all over this country have been induced to go into this profit-participating proposition on statements handed to them showing that enormous profits would accrue and that every five years there would be a division of the profits between them and the shareholders. There is not a company that has not disappointed its policy-holders in this respect, and that has not made a shameful use of this scheme. Does the government intend to abolish this profit-sharing policy and substitute a simple policy in its place ? The people of this country want to know that. They want to know if the Minister of Finance is going to give them a benefit of that kind in return for the $105,000 which he is asking this House to vote for this report. And I thought that when the Minister of Finance (Mr. Fielding) came to this committee and asked us to give him the $105,000 which this report has cost, he would have given us some declaration of policy with regard to the putting an end to these abuses which this Insurance Commission has exposed. Have we had any statement such as that in connection with the demand for this money ? When the Minister of Finance (Mr. Fielding) comes before parliament with his budget, he is bound to explain what the money is required for and what the public are going to get for it. Are we, in return for this expenditure, only to get a blue book ? I ask the Minister of Finance (Mr. Fielding) to tell the people what he is going to give them in the way of insurance reform in return for this money we are now asked to vote.

I have not given all the exposures made by this Insurance Commission with regard to these insurance companies, such as over capitaliaztion and stock watering, both to the prejudice of policy-holders. Does the Minister of Finance (Mr. Fielding) intend to tell the people that this over capitalization and stock watering shall cease ? Let me point out another of the findings given in this report :

> The tendency of insurance companies to become aggregations with financial rather than insurance aims.

That is the evil of the great trusts, the multi-millionaire combinations—these great trust companies in connection with insurance companies, which are becoming the engines of financial concerns rather than conducting their business in the interests of their policy-holders. Who is this man that is being exposed in New-York in connection with the consolidation of railways ? It is Mr. Harriman. And who are the associates of Mr. Harriman in all this vulpine work of his ? They were the men who were associated with him in the management of the trust funds of the great insurance companies of the United States. And this attempt to consolidate the railways of the United States into the hands of three or four great plutocrats or multi-millionaires was brought about by the skilful manipulation of trust funds in connection with the insurance companies. Almost the same thing has been exposed in this country. Men in high finance in Canada have been found out to have wrongfully used these insurance trust funds in order to advance their other financial undertakings in contravention of the law on the statute book.

Mr. WILLIAM ROCHE. With regard to the powers and the independence of auditors, has the hon. gentleman any views on that subject ?

Mr. W. F. MACLEAN. I have not come to that yet but I will give him an answer later on. Let me give in brief some more of the findings of this commission.

The Canadian system of insurance modelled on that of the United States.

The British system, ideal in its freedom from legislative control, at present impossible in Canada.

In Great Britain life companies usually managed by scientific actuaries.

These are other findings of that Insurance Commission. In England they have actuaries who are very scientifically trained. In Edingburgh of all cities, they have what they call a Scotch director who has the most honest conception of what a trusteeship is and what fidelity to trust is; and the main thing wrong with our insurance system is that we do not appear to have actuaries, so scientifically trained, and who have this high conception of what a trust fund is in connection with our insurance companies. These facts having been brought out, what does the Finance Minister (Mr. Fielding) propose to give the people, in the way of curing these abuses?

In Great Britain a large body of trained actuarial opinion, is brought to bear on insurance questions but in Canada the conditions are quite the opposite.

Non-participating insurance 'for a fixed amount and at low rates'; the simple and normal form.

Participating insurance more or less speculative.

Permissible investments should be confined to the bounds proper for trust funds.

There must be no 'wide open door' for investments.

Present powers of investment ample, and in certain respects should be curtailed.

These are all findings of the commission. These are all wrongs which the commission has reported against. I again ask the Minister of Finance (Mr. Fielding) what is he going to give the people in return for this $100,000 he is asking us to vote? Does he intend to reform these abuses? Does he intend to exact fidelity to the trust funds and to insist that those men shall be removed from office who have been exposed by this commission as guilty of breach of trust in connection with these trust funds? These are questions that come home to every policy-holder in this country. Every one of these policy-holders has a vote and every one is a constituent of some hon. member in this House, and they are asking for an immediate answer to this question. They want to know, first of all, if the insurance branch in connection with the department of Finance is to be reorganized and more competent men put in it. And they want to know that right away. I asked the hon. Minister of Finance (Mr. Fielding) at the end of last session if he proposed to do anything with reference to these revelations and he said not yet. Does he propose to do anything now, in view of the evidence given and the incompetence shown by some of these officials? Does he intend to remove the incompetents from office? In view of the revelations made by this commission, he would be authorized in sending a letter to the directorate of every insurance company asking them: Do you intend to remove your officials who have broken the law and those directors and presidents who have equally violated it or do you intend continuing them in office? And in the name of the people of Canada I notify you that if you do not remove these men, this department will refuse you a license to continue your business. In view of the findings of this commission, it is his duty to send such a letter to every one of the companies which has done wrong. When that is done, when he has put his department in proper shape and has compelled these companies to put themselves in proper shape, and when he submits to us a law which will correct these abuses that are shown to exist, he will be giving the people some return for the money he is asking from them. I say in all seriousness, on behalf of the people of this country, and particularly on behalf of the policy-holders of this country, that this Insurance Commission has done good work. I say that there is great value in its report. I want to give the commissioners and their counsel and that expert actuary from New York, Mr. Dawson, credit for all the good there is in that report. That report shows that there is great call on this parliament to do something in the way of legislation for the benefit of policy-holders. I give the government credit for that report in so far as it exposes the abuses of insurance in this country. Are these abuses to cease? Do we intend to try and get a better law in this country and put a stop to these abuses even as they are trying to put a stop to them in the city of New York? I see that the Minister of Justice (Mr. Aylesworth) is not in his place but the Minister of Finance is there, and I again raise the question, which has now become an old one, which I have frequently raised in this House, namely, the enforcement of our laws in this country.

The President of the United States and the Attorney General of the United States are engaged in enforcing the interstate commerce law of that country and are bringing the greatest magnates before the courts for their violations of the statute law. And Mr. Hughes, who exposed these abuses in the state of New York, is to-day the Governor of that state, and as Governor, is insisting upon the reform of these abuses. He insists upon having a commissioner of insurance who will report what is wrong and will correct the abuses that he finds to exist. Now, if this work is being done by the administrative authorities in the United States, why may we not do the same in this country? But we have had the confession here time and again—at one time by

the Prime Minister (Sir Wilfrid Laurier), then by the Minister of Justice (Mr. Aylesworth), then by the Minister of Finance (Mr. Fielding)—that the enforcement of federal laws is to be left to the officers connected with the provincial administration. If this parliament is worth anything, it can only justfy itself, not merely by making laws but by insisting upon having an administration that will enforce and execute the laws it makes. I hope that in a short time there will come into office in this country—I care not whence they come—men who will not merely make laws in the interest of the people, but will enforce those laws for the benent of the people and who, if they find a federal official neglecting the enforcement of the law, will compel the retirement of that official from the public service. What is the use of passing more insurance laws if this absurd doctrine is to be preached and maintained? As things are to-day, we are hanging between Heaven and earth ; we do not know where we are with regard to these laws. The time has come when this foolish doctrine must be abandoned, and when this policy, or lack of policy, must cease, as regards this important question of insurance which is now before us. Here is a clear-cut report which shows that certain abuses exist affecting over $100,000,000 of the hard savings of the people of Canada. I say, it is incumbent upon the government to act. It is incumbent upon the Minister of Finance to tell the people of Canada—now that he is asking for this $100,000 to pay for the commission—what he intends to do for the removal or mitigation of the abuses which this report of the commission shows to exist in this country.

Mr. FIELDING. Mr. Chairman, I shall only occupy a moment. The hon. gentleman (Mr. W. F. Maclean) has asked me a good many questions and I fear he would charge me with discourtesy, or with not giving due consideration to these matters, if I failed to reply. He has probably not been able to attend in his place in this House so regularly as some hon. members, and so it may have escaped his notice that an intimation was given some time ago that it was not the intention of the government to introduce any insurance legislation this session.

Mr. W. F. MACLEAN. I hear that, it was an answer given to me.

Mr. FIELDING. I think that statement that there will be no government insurance legislation this session must be taken as the answer to about nine-tenths of the hon. gentleman's questions. When the legislation is brought down it will be time enough to criticise it. In the meantime, I must ask the hon. gentleman to have hope and also a good deal of faith. One reason why I rise is to protest against the statements the hon. gentleman has made reflecting upon the superintendent of insurance and his officers. I do not mind his criticisms of the Minister of Finance—that is all in the game. But when the hon. gentleman denounces the superintendent of insurance as incompetent, and his staff as incompetent, I say that that is entirely unwarranted in fact, and I say that nothing in the Insurance Commission's report, so far as I have had an opportunity to study it, justifies such a statement. It is true that I have not had an opportunity to study the report as carefully as I would like to do, but I think I am safe in saying that there is nothing in it that would justify him in attacking the superintendent of insurance. The superintendent of insurance is a capable, energetic and faithful official. He is not an appointee of mine, but was appointed nearly a quarter of a century ago by Sir John Macdonald. Many difficulties arise in the administration of insurance laws. It is easy to say that the superintendent should do this or that he should do that; but, I believe that those who have given the matter careful consideration have satisfied themselves that in every case that has arisen Mr. Fitzgerald has endeavoured to do his duty to the utmost of his power. With referenece to the other gentlemen of the staff, I can say that they are very competent men and that there is nothing that justifies the reflection that the hon. gentleman (Mr. W. F. Maclean) makes upon them.

Mr. W. F. MACLEAN. Just a moment in reply to what the hon. gentleman (Mr. Fielding) has said : I say that the exhibition that was made by these officers, as shown by the record of the evidence before the commission, is not to their credit ; it shows that they have no proper knowledge of the insurance situation of this country. I was in the House and heard what the minister said as to the government's intention concerning bringing in a Bill relating to insurance. But what I say is that, in asking for this vote of public money to pay the expenses of this commisison, he ought to give assurance to the people of Canada that he intends to remove the abuses which are shown to exist, and to reorganize the Department of Insurance, as the Governor of New York is reorganizing the department in that state—and the department in New York is no worse than that in Canada. And, I repeat, the hon. minister should assure the people that these abuses shall cease to exist ; he should assure the people that it is his intention to refuse a license to every company that has been proven guilty of wrong-doing according to this report. If he cannot do this, he cannot justify himself in asking for the people's money to pay for this commission.

Mr. LEFURGEY. In view of all that has been said both in and out of the House, with regard to the conduct of hon. mem-

bers as referred to in this inquiry—or rather inquisition, as I think it should be called—I feel it due to myself to make a few remarks upon the situation. It sounds like a laudable and proper thing for the government to appoint a commission to investigate the subject of life insurance in Canada. If this commission had been carried on in the way all royal commissions should be carried on, a great deal of the discussion that has taken place in this House need never have appeared on the pages of 'Hansard.' The ostensible object in appointing this commission was to assist the government by collecting information regarding life insurance and to make recommendations for the improvement of the insurance law. It is a fair subject for discussion whether the commissioners have exceeded their powers or not. I think that any hon. member of this House or any other person who has access to the evidence taken before the commission and to the report which we have before us to-day, will declare that a great deal of this evidence and report has no relevancy to the subject before the commission. I have some knowledge of the subject, at least so far as I figured in the investigation myself, for I was a witness before the Insurance Commission. My own private affairs and those of some other members of parliament were dragged before the Insurance Commission, and have been dragged before this House and before the country. I wish to point out that calling me as a witness before the Insurance Commission, and some other members of the house, had absolutely nothing to do with the insurance inquiry, and with finding out what evils may exist in regard to insurance. Now as this report is certainly an endeavour, through its insinuations, especially with regard to the Union Trust Company and the Foresters' Company to blacken the reputation of the hon. member for North Toronto, and in that regard I think the hon. member for North Toronto has fully justified all his transactions and all his relations with the companies mentioned, I shall not dwell upon them to any extent. The Minister of Justice, however, in his speech last night, among other irrelevant and uncalled for remarks said, on page 6473 :

> Well, sir, I am not a Forester, I have not the right to complain ; it is not a matter that concerns me personally. But if I were interested as a member of the order, I think I should have every right to complain of what has taken place.

Then he goes on to make some other entirely uncalled for remarks in an odious comparison between a bank defaulter and the hon. member for North Toronto. That stricture has been dealt with in this House, and I shall not refer to it further. But with regard to the Foresters, I think when the report is considered in the country, and people realize that during the time the hon. member for North Toronto had charge of the Foresters' company, its earnings in five years amounted to some $526,000, the Foresters who are interested will not have much complaint to make. We have not only the word of the member for North Toronto with regard to his management of the Foresters' affairs during that period—the member for North Toronto has pointed out that the transactions in which he invested the funds were legitimate investments of trust funds—we have also the word of Mr. Stevenson, who is very high in the regard of the Foresters throughout the country, and who is I believe to be their next supreme chief ranger. Mr. Stevenson, addressing the Foresters a short time ago, said :

> Mr. Stevenson then proceeded to deal with the Northwest land deal. Although there were some unpleasant features about this, he said the order had made very large profits on it. Last January the order had owned nearly 400,000 acres, but had sold 325,000 acres at a profit of almost $750,000, and still had 75,000 acres left. They had been accused of speculation, but the results undoubtedly were good. The order had millions piling up in its surplus, and it didn't seem to them to be speculation to pay four or five dollars an acre for western lands—it was like buying gold dollars for fifty cents.

I do not intend to dwell upon that phase of the subject, because the member for North Toronto has fully vindicated his position before this House, and when the public come to know the facts he will have fully vindicated himself in the country. Now I wish to call attention to the part which I had to play myself in this insurance investigation. I shall give some instances which will show to any fair thinking man that the action of this Insurance Commission in calling myself and some other witnesses in connection with the Northwest lands transactions, was simply an attempt to drag into the affair, not only certain members of parliament, but even my respected leader the hon. member for Carleton, Ont., (Mr. R. L. Borden), with the hope that the Liberal party might get some capital from it throughout the country. Now associated with Mr. Fowler, Mr. Bennett and myself in this transaction, was Mr. A. G. Peuchen, of Toronto. This gentleman living in the city of Toronto, was at the beck and call of the Insurance Commission at any hour they wished to have him, during the whole course of that inquiry, and although Mr. Peuchen knew just as much about the transactions as I did, he was never served with a summons and never brought before the commission. He was not asked to give evidence, although Mr. Lefurgey, because he was a member of parliament, was served with a summons and brought before this commission ; and because he did not appear just at the moment of his service, though he sent a lawyer there to represent him and to say that he was

ready to give evidence, the Insurance Commission had the audacity to say that Mr. Lefurgey was showing contempt to the Royal Commission, and that he together with Fowler and others should be punished. Mr. Peuchen I think was at one time a Conservative, but I believe he did yeoman service for the Liberal party during a certain by-election, and of course it was not deemed advisable to call upon Mr. Peuchen. Again when I take up the report of the Insurance Commission in connection with the Foresters and in connection with the Northwest land transactions, do we find in this the name of Mr. A. G. Peuchen who was fully as much connected with it as any member of parliament ?

Let me read from the insurance report:

> Late in the fall of 1903 Messrs. Rufus H. Pope and George W. Fowler commenced negotiations with the Canadian Pacific Railway Company for the purchase of a large tract of railway subsidy land on behalf of a syndicate including Messrs. W. H. Bennett and A. A. Lefurgey.

As I say, they never mentioned the name of Mr. A. G. Peuchen, although Mr. Shepley was perfectly cognizant of the fact that he was in the same position as Mr. Bennett and myself. I point out these things to show that instead of this Royal Commission being unbiased, and desiring to find out the pros and cons of the insurance question, and to report to the House thereupon, it evolved into an inquisition to prosecute and endeavour to injure the reputations of members on this side of the House. The hon. gentleman who was conducting the examination had in his possession, wherever he got it, the evidence that I had given in a preliminary examination in Toronto in a private suit ; Mr. Shepley faced me with this evidence in his hand. He had read over the evidence, he knew perfectly well that the evidence contained the truth, the whole truth and nothing but the truth, under oath; and he knew perfectly well that there was nothing in that evidence that had anything whatever to do with the insurance inquiry which he was carrying on. Yet that gentleman, not satisfied with having the report before him and knowing its irrelevancy, dragged me into the situation as a witness, and as the leader of the opposition pointed out last night, for the sole purpose of trying to drag his name into the situation in some way.

I could go over the evidence showing this, but it has been gone over before in the House. Mr. Shepley tried in every way possible to drag Mr. Borden's name in and when he found Mr. Borden's name could not be dragged into it in any way and that there was nothing to be gained by dragging his name into a legitimate transaction he to some extent desisted. I protested to Mr. Shepley and I protested to the commission when they asked me to produce papers in a private suit that it should not be done, that they had no right to call for these papers, that these papers had nothing to do with this inquiry, that their production was exposing a case that was pending in the court. But, Judge MacTavish ruled that objection out of order and said that I should produce every paper in my possession. But further, the crowning imposition of the situation and showing fully the vindictiveness of this investigation and of the way in which it has been carried on, they had the audacity, the effrontery to call in the Canadian Pacific Railway to find out if perchance these members of parliament had got any advantages that the outside public could not have had. I shall give the committee a sample of the evidence which Mr. Shepley endeavoured to secure from Mr. Griffin, the Canadian Pacific Railway Commissioner from Winnipeg. The calling of Mr. Griffin to give evidence in this insurance inquiry as to the price we paid for these lands and as to whether we got any special favours had absolutely nothing whatever to do with the abuses of insurance or the investment of the funds of insurance companies. So long as they were getting value, so long as their investments were being made with due care, so long as they got valuations of the property which, as my hon. friend from North Toronto said they could easily have obtained if they had called for them, they had no right to go into this matter at all, and they had no purpose in doing so except to drag the names of hon. members of this House into it notwithstanding the fact that the transaction in which they were engaged had nothing to do with the insurance inquiry. This examination of Mr. Griffin puts a different face upon what Mr. Shepley and those who were behind him instigating him wished to work out. Mr. Griffin says, in reply to a question by Mr. Shepley :

> I have no hesitation at all in saying that the sale that was made was a more advantgeous sale than a sale of the same quantity of land in what would necessarily be a somewhat wider territory, through the same character of district from between Saskatoon and Edmonton at $5 an acre. That is, if Messrs. Pope and Fowler had gone and picked 200,000 acres of land, picked sections through all that territory at $5 an acre, they would have obtained a better bargain than they did.
>
> Q. And it would have been a correspondingly worse bargain, you would say, for the Canadian Pacific ?—A. That is my opinion.
>
> Q. Then, my learned friend will not mind my altering the form of these a little ?
>
> Mr. CREELMAN. Oh, not at all.
>
> Mr. SHEPLEY. Did Messrs. Pope and Fowler——

Mark you this happens before an insurance commission.

> —receive any special consideration at your hands for any reason whatever in connection with this sale, or did they get just the terms that any other persons of substance with the

money to pay could have got ?—A. They received exactly what I would have recommended in the case of any other purchasers.

Q. Did you receive at all from anybody in authority in connection with the Canadian Pacific any instructions or any suggestion that you should reduce or lower the price to these gentlemen ?—A. I never received even a suggestion from anybody that I should give Messrs. Pope and Fowler any special concessions that would not be accorded to others.

Q. Then I think that is all I have to ask Mr. Griffin.

I ask any hon. member of this House if that had anything to do with the insurance investigation, and I ask any hon. member if that is not absolute proof that this investigation into the affairs of the Union Trust Company and the dragging of the names of hon. members of this House and their private transactions into it was a political investigation to throw some possible stain upon the characters and names of members on this side of the House ?

My position in regard to the Northwest land situation is a very simple one and it may be stated in a few words. A number of us were in the west and like hundreds of other people who had gone to the west, we decided to purchase land and formed a company to do so. We went to the Canadian Pacific Railway, or those who represented us went to the Canadian Pacific Railway, and negotiated for the purchase of land. Was there anything wrong in that ? Is there any hon. gentleman who will say that there is anything wrong in going to the Canadian Pacific Railway ? They are the great owners of land in the west. They are the people who own nearly all the land available for purchase. I do not think there is a business man in this country or a member of this House who would get up and say that there is anything wrong in the fact of my having been identified with that transaction. I made a statement to the country shortly after I had given my evidence before the insurance inquiry because there were a lot of garbled statements going through the press and I will just read this statement to the House at this time. I said :

In view of some newspaper comment which has come to my notice, I would like to point out

That I was concerned in a land transaction in an open market.

That I advanced all assessments out of my own pocket.

That I personally had no knowledge of any special favours—if such were granted—when I acquired my interest in the lands.

I have called the attention of the committee to the evidence of Mr. Griffin. I did not interview the Canadian Pacific Railway upon this question but you have the sworn testimony of Mr. Griffin that there were no possible favours given to the gentlemen who applied for this land any more than there would be to any other person who approached them. I further said :

Mr. LEFURGEY.

I had nothing whatever to do with directors of the Union Trust Company as such.

My position, as a member of parliament, I maintain is not at all compromised by my connection with the land transaction. It has never affected any vote which I have cast, and for the future it shall not do so.

I bought my share of the land in the open market. I paid all that was demanded for it with my own money ; out of my profits there arose no transaction that I desire to hide. My connection with the whole affair, my attitude towards all parties was that of an honourable business man, participating in a legitimate mercantile deal.

Do the hon. members of this House believe that statement ? Is there any hon. member on the other side of the House who will get up and challenge that statement? If so I call upon him to do so now.

While it is said in this House that there was nothing wrong in any transaction with which I had to do, there has been a lot of yellow journalism, particularly in the Liberal papers and especially in the organ of the Minister of Agriculture, the Montreal 'Herald,' in reference to this transaction. Are the members of this House, whenever any newspaper in this country misrepresents them or states falsehoods concerning them, to be expected to call for an investigation before the Privileges and Elections Committee or to sue for libel ? If so, then most of the members of this House would have no time left to attend to their private or public business. I refer to some of these articles in the 'Herald,' because the hon. gentleman from Labelle did us the favour of moving a resolution in which he included newspaper comments, and declared he would give us a chance to clear our honour. I thank the hon. gentleman (Mr. Bourassa) for his thoughtfulness, although for my part it was gratuitous. I was perfectly satisfied as to my own conduct, and I challenge any hon. gentleman to impugn my honour in connection with any transaction I ever engaged in, whether of a public or a private nature. The hon. gentleman (Mr. Bourassa) referred to some hon. members in this House by name. Mr. Bennett asked him if he would say that he (Mr. Bennett) had not invested his own money in these lands, and Mr. Bourassa replied :

So far as that is concerned, I immediately say to my hon. friend that I do not see any impropriety in it.

That is, referring to making investments in Northwest lands. And Mr. Bourassa continued :

As far as that is concerned, I immediately say to my hon. friend that I do not see any impropriety in it. Again, as in the case of the hon. member for North Toronto (Mr. Foster), as in the case of the Hon. Senator Cox, I have not come here to charge these hon. gentlemen. But what has happened ? That evidence had scarcely gone to print before the whole Liberal press of the country took it up and branded those three hon. gentlemen as being unworthy of seats in this House.

Why that is what the insurance investigation was started for, and that was the legitimate result of its work.

Let us lay aside, if you like, the accusations which were made before this session; but since the opening of this session, indeed, in this month of March, the Montreal 'Herald,' one of the most respectable organs of public opinion in this country——

I must to a large extent disagree with the hon. member for Labelle in that respect.

—although a party organ, one that has always been regarded as an impartial one among the party papers, has published eight or nine articles, in which it accuses in so many words the hon. member for North Toronto, the hon. member for King's, New Brunswick, the hon. member for East Simcoe and the hon. member for Prince, Prince Edward Island, of improper conduct.

In view of such a statement being made by the hon. member (Mr. Bourassa) I shall quote two articles published in the Montreal 'Herald,' and perhaps when the hon gentleman has heard them he will not have such a high idea of the standing of that newspaper as he has had. The Montreal 'Herald' of February 22 says:

Indeed, it is pretty hard to see how any discussion that may take place in parliament on this subject can be anything more than a continuation of the discussion started in the press. There was nothing in the evidence, that the 'Herald' can recall, which exposed any member of the combination to the censure of the House, or which would justify a member on the Liberal side in demanding the resignation of either Mr. Foster, Mr. Fowler, Mr. Bennett or Mr. Lefurgey. They, or some of them, may have done things which would weaken their reputation with the general public, but that is surely more the affair of the newspapers than of parliament.

It will be seen that the Montreal 'Herald' was not calling for an investigation which the hon. member for Labelle had asked for; in fact it says there was nothing for which to call to account these members of parliament But on March 22 just a month later, they experience a volte face, and the 'Herald' wrote:

If Mr. Fowler, Mr. Bennett or Mr. Lefurgey had as a high sense of what is required in a member as Sir Wilfrid Laurier has of what is required in a Prime Minister, they would have demanded as soon as Mr. Bourassa took his seat that the report of the evidence showing their financial dealings with Mackenzie and Mann be sent before the Committee on Privileges and Elections. They stand pilloried before parliament and before the public, upon their own confession, for having received secret information from Mr. Mann, the possession of which enabled them to hoodwink even the Canadian Pacific Railway authorities as to the value of certain lands in the west; and with having accepted the financial assistance of Mackenzie and Mann, to the amount of $42,000, up to the time when they were able to dispose at a profit, of the option they had secured. The Privileges and Elections Committee might not be able to try Messrs. Fowler, Bennett and Lefurgey for acts committed during the last parliament, but Messrs. Fowler, Bennett and Lefurgey certainly ought to invite such action as the committee can take.

Here are two leading articles in the Montreal 'Herald,' one diametrically opposed to the other. I say that the last of these articles contains falsehoods and an absolute misstatement of the evidence, and I say that if those who control the Montreal 'Herald' had taken the trouble to read the report of the commission they would have seen that at least Mr. Lefurgey and Mr. Bennett put up their own money and received no financial assistance from Messrs Mann and McKenzie. And further, neither of these gentlemen on any occasion interviewed Messrs. McKenzie and Mann, nor the Canadian Pacific Railway, nor did they obtain any secret information, and for that matter neither did Messrs. Pope and Fowler get any secret information either from McKenzie and Mann or from the Canadian Pacific Railway. Mr. Griffin stated in his evidence that he knew perfectly well where these lands were; that he knew perfectly well where the Canadian Northern Railway was being built, and when newspapers in yellow journalistic style try to make political capital by misleading people to think that Messrs. Pope and Fowler went to the Canadian Pacific Railway with information that nobody else knew of, they are stating an absolute falsehood. If the 'Herald' had read the evidence of Mr. Griffin, it would have known that the statement it published was false. Mr. Mann himself in a published interview, stated the facts about that, and if Mr Shepley had been so very desirous of finding out whether any secret information had been given, he could have put Mr. Mann on the stand. What did Mr. Mann say in an interview in Montreal:

The information to Mr. Fowler, M.P., was neither secret or confidential, it was given to him just in the same way as it was given to others, with the view of settling the lands along our line of railway. The same information was given to every one who asked for it. A great many people inquired about the location of the Canadian Northern, and in every case it was given to them.

This information was given so that the lands along the line of the Canadian Northern, which were owned by the Canadian Pacific Railway Company, would be sold and settled up, as this was absolutely in the interest of the Canadian Northern Railway. But, as I have said, the 'Herald' has been calling for an investigation. Well, we are perfectly willing to have any investigation which this House is ready to give. Both sides of this House have taken the position that unless there is some public scandal concerning the public business of this House, we have no right to investigate the private transactions of members of this House; but if there is anything that I have

done that would contravene in any way my position as a member of this House, let anybody get up and make the charge. Let the hon. member for Labelle (Mr. Bourassa), who wants the situation investigated, get up and make a charge, if he sees anything wrong in my dealing in western lands or in having bought lands from the Canadian Pacific Railway Company. Let the Minister of Agriculture, whose paper calls for an investigation, get up and make a charge ; or let the hon. gentleman who has just spoken (Mr. W. F. Maclean), whose paper has also been somewhat noisy in the matter, get up and make a charge. We invite any hon. member to get up and make a charge, and he shall have all the investigation he requires, either before the Privileges and Elections Committee or before any other committee of this House. As I understand, the only possible thing that can be said against Mr. Bennett or myself or anybody else in this syndicate is that we bought land from the Canadian Pacific Railway Company, and afterwards, as the Montreal 'Herald' puts it, voted against the Grand Trunk Pacific. That was a heinous crime, voting against the Grand Trunk Pacific ; but if there was anything which I carefully went into, and in regard to which I considered myself as casting an intelligent vote, it was my vote against the Grand Trunk Pacific scheme as passed by the government of this country, as I think a very few years more will prove to the people of this country. Now, the only question that can arise is, whether there was any unfair advantage given to Messrs. Pope and Fowler and those who were associated with them in buying lands from the Canadian Pacific Railway Company? Is there anybody here who is prepared to say that there was, in view of the evidence of Mr. Griffin, in view of the statement of Mr. Mann, or in view of the price that was paid for those lands ? If you are not prepared to make that charge and take that stand, then you are simply throwing mud. You have to take the one situation or the other ; you have either to get up and take that stand, or the imputation that you are a mud-throwing lot of representatives will have to be applied to you ; or else acknowledge the corn, and take it back. Speaking of the price of the lands, we paid $3.50 an acre for 200,000 acres. I have it on good authority that the Canadian Pacific Railway Company about the same time offered land much under that price to a syndicate who were considering taking up a million acres. We have only to take the case of the Saskatchewan Valley Land deal or steal, as I would call it, that was put through just about the same time by this government, in which they gave away some 250,000 acres of the public lands of this country for $1 an acre to a company which afterwards sold them at a profit of from $10 to $15 an acre. And yet hon. members of this House and the press of this country will get up and howl because we bought lands from the Canadian Pacific Railway Company and sold them at an advance of $1 an acre, or rather 75 cents an acre and took stock for 25 per cent. I was unfavourable to selling those lands at the time. I wanted my friends who were associated with me to hold on to them. If we had held on to them, we certainly would have made some money. Then there also is the Robbins Irrigation Company to which a short time ago 10,000 acres of the public lands of this country that were worth probably from $15 to $25 an acre, were handed over for $1 an acre. Do you find the virtuous Liberal press of this country arraigning their own party for such transactions ? No ; they are silent as to these things, when the public domain of this country is handed over to private individuals ; but because I and other members of parliament buy lands from a corporation that is liable at some time to come back to this House and ask one thing or another, we are to be branded as a lot of grafters and thieves who have no right to a place in this parliament. If you are going to carry out such arguments as that logically, the members of this House would not be able to do business at all, because nearly every business venture we go into is in connection with some corporation that has a charter from this parliament and that is liable at some time to come back again. Every time we go to a banking institution and ask for accommodation, we are asking from a corporation that has a charter from this parliament what you may be pleased to call a favour, but which is probably something in the line of legitimate business. Not only to banking institutions, but to trust companies and all other companies incorporated by this parliament, you have to apply the reasoning of certain members on the other side of the House and of the public press. So that a man would be debarred from doing business altogether, or else you would have to brand all the members of this House who do business with any of these corporation as a lot of sharks.

Now, Mr. Chairman, with regard to this investigation. The Montreal 'Herald' says we should have an investigation. Well, the hon. member for Labelle (Mr. Bourassa) brought this question up in the House some time ago, and I, in conjunction with other members whose names were mentioned, said that we were perfectly willing to have an investigation. Shortly afterwards the hon. member for Labelle (Mr. Bourassa) moved a resolution and did us the honour of calling our names to the attention of the House. In this resolution he asked for an investigation, but the right hon. leader of the House (Sir Wilfrid Laurier) said that there was nothing mentioned against myself or the hon. member for King's and Albert (Mr. Fowler) or the hon.

member for East Simcoe (Mr. Bennett) which required to be investigated. The hon. member for Labelle (Mr. Bourassa) must see something that calls for inquiry or he would not have made the motion he did, or perhaps, like the Minister of Justice (Mr. Aylesworth), he was simply sympathetic and was giving us a chance to clear our reputations from Grit newspaper imputation. That resolution was voted down although the hon. leader of the opposition stated that every facility should be given for inquiry as to members on this side of the House, and I stand here to-night perfectly willing as before to have an investigation. I have held out and am holding out no threats to hon. gentlemen opposite which need prevent them from voting for a most thorough inquiry. I have no charge to make against any one of them, so that they need have no fear on that score. I have nothing to say against the private business and reputation of others in this House and do not want others to bring up my private affairs before this House. But if anybody wants to make a charge that I have done anything wrong in my private business that would reflect on me as member of this House, I have a perfect right in this parliament to ask him to say what it is and he may have all the investigation he desires. But if none of them will do that, let us stop this mud throwing. I wish to state further that, so far as I am concerned, I see nothing wrong in my investing my money in any legitimate transaction, in my buying from any corporation whether that corporation has its charter from this House or any other legislature. Provided I put my money up and go into business in an honest and legitimate way, I am not amenable to this House or anybody else. If there is anything wrong in any of my private transactions I am amenable, as is every other man, to the courts. That is the place in which to thrash out the private transactions of members of this House or anybody else and not here, and the private transactions of myself or other members should not be dragged before the public. But as regards either my private or public transactions, there is not an hon. gentleman, either in or out of this House, who can place his finger upon any dishonourable act of mine. On that point my conscience is perfectly clear. What then are we going to do about this investigation? Some of those gentlemen opposite who are so anxious for investigation must make a charge. Surely they do not expect me to make a charge against myself. If there is no one here prepared to take the onus of making a charge against me, then the only other place in which I can possibly be called upon to account for my conduct is my constituency. And I am perfectly willing to go before my constituents and explain to them the case of the Northwest land transaction and take the consequences. The people whom I represent know me from my youth up, they know my business reputation, and I do not think that there is the slightest possibility that they would give a verdict against me in connection with any of the insinuations which have come from hon. gentlemen opposite. I do not know that I need say anything further. I have done everything possible to make it clear that I am prepared to meet any charge or any investigation. And if the English language contains any stronger words than I have used to invite hon. members opposite or anybody to come forward and point to any wrong that I have done, I would ask this House to consider that language as having been used by me. But there is one thing I would say to hon. members and to the press of this country and that is: If you have not got anything to say against me, then retract what you have said and do me the justice that I have acted in the only way possible.

Mr. FOSTER. At this late hour and before the item is put to the committee, I have a few words to say in reply to some statements that were made by the hon. the Minister of Justice (Mr. Aylesworth) last night. As I said to the committee yesterday, it was impossible for me to traverse the whole question then and it is equally impossible for me to traverse the whole of it to-night. The fact of the matter is that this debate has just fairly well begun. This is only a prelude, so far as I am concerned. I do not propose that it shall stop here. So long as any man in this House has anything to say with reference to that Insurance Commission which is directed in any way to myself, I shall meet him and take up the discussion and carry it on just as far as it is taken by any one else. I have nothing to fear from discussion. The more this mattetr is discussed, the better I shall like it. I have already asked hon. gentlemen, who have been very free before this time in insinuation, in charge, and in statement of what took place and of what they would do—I have invited them all to be ready at this time and before this tribunal to make good their statements. And what is the spectacle which we have seen? Not a single man of them who has had anything to say with reference to this commission and its treatment of myself and the companies to which I have belonged or has stood sponsor for the commission or has done anything towards substantiating their insinuations and charges, with the single exception of the Minister of Justice (Mr. Aylesworth). Well, the Minister of Justice had some remarks to say with reference to myself last night, and very briefly I wish to traverse some of them that seem to be the more important. He seemed to take it amiss that I had been courteous to the pro-

secutor and the commissioners and that after a long period, partly of waiting and partly of evidence taking, when I bade them good-by, I expressed my thanks to the chairman of the commission and the prosecutor himself for the courtesy which they had shown me.

A man can be very unjust, a man can go to the verge of injustice, a man can use power arbitrarily to invade your rights, and yet may do it with courtesy—even with kindness. I suppose I gave way to the promptings of a gentle nature, and a tender heart, when at the last, in bidding the commissioners good-by, I thanked them for the courtesy they had shown me. Perhaps, in my association with my friends from the province of Quebec—who are always courteous—I have assimilated some of their kindness of manner. At any rate, I expressed myself as I thought becoming a gentleman. But the Minister of Justice does not seem to look at it in that way. But even though it is not pleasing to him, it is certainly not an answer to me. He also thought a witness who was taken before that commission had no right to ask anything except the opportunity to tell the truth, the whole truth, and nothing but the truth. That sounds well, but it rests on no basis. When you are before a commission which does not allow you the benefit of counsel—which this commission did not—when the prosecutor before that commission has undeclared charges against you which he is pressing to a conviction with all the ingenuity and skill gained in a long lifetime in the practice of the arts of the advocate and prosecutor, what the witness is called upon to do is not to tell the truth, the whole truth and nothing but the truth, but he is called upon to answer the questions that the prosecuting attorney puts to him, and to answer them as they are put and not otherwise. Any one who cares to read the evidence will find that over and over again. I told Mr. Shepley concerning questions asked of me by him: I cannot answer that question by a categorical 'yes' or by a categorical 'no'; if you will let me answer the question in my own way I will give you the truth. 'I want you to answer the question that I have put to you,' that is what the prosecuting attorney or lawyer always makes his witness do. The examples which were quoted this morning from the evidence by my hon. friend from South Simcoe (Mr. Lennox), who is himself a lawyer, and well understands the art and methods of a strong and brilliant lawyer, brought out before this committee the ingenuity—looking towards a certain end, demanding to get a certain result—expressed in the peculiar turn of the questions put, admitting of answer only in the way desired. If I cared to take up the time of the committee I could show question after question where there was no opportunity for a man to tell the whole truth when he was confined to the answering of the question. So, while, as a glittering generality, this statement of the Minister of Justice may pass muster, yet, when you come to look into it, you find that this idea that a witness is only expected to tell the truth, the whole truth and nothing but the truth has no application to the facts in this case; for I was required to answer the questions that were put by the prosecutor and had no chance to have questions put to me by my own counsel by way of cross-examination, or to do the same in the case of other witnesses.

Now, the Minister of Justice seems to think that I had no grievance in the fact that I was not called sooner. He said that the head of the order, Dr. Oronhyatekha was the proper man to be first called. No one will dissent from that. Certainly, I never expressed dissatisfaction on that score. But when Dr. Oronhyatekha was asked with reference to the Great West Lands business and the Kamloops business, he stated that he knew comparatively little about these things, and also that Mr. Foster would know all about them and could give evidence. Now, on that opening, what was the excuse for not calling me, but, instead of that, keeping me there on undeclared charges which were being pressed by evidence of other witnesses, that evidence being built up into theories, expressions, insinuations and apparent facts? Mr. Stevenson was called next, and his examination almost immediately went into Great West Land dealings. And Mr. Stevenson, although a member of the Board of Directors, had nothing at all to do with the Great West Land transaction in its inception, for the reason—given by himself—that until 1905 he took very little interest in the management of the Union Trust Company, and as to Foresters affairs and interests, these were left to Doctor Oronhyatekha and Mr. McGillivray. So, the only knowledge that Mr. Stevenson had of that transaction was a knowledge that he got at second hand and from documents. Yet he was examined minutely on that whole business by a skilful examiner. It was an easy matter for that skilful examiner to create impressions by the examination of a man who had not first hand knowledge, making a case which prejudiced me—and was used through the party press to prejudice me—in the eyes of the public. And all the time, I was there and ready to be examined; and I knew the facts of the case and was ready to give them. My hon. friend from Prince (Mr. Lefurgey) was also examined with reference to the Northwest Land business before I was brought on. Whilst my hon. friend from Prince knows a great deal about that matter so far as his first venture in lands there was concerned, it is not reasonable to believe, and it is not contended, that, with reference to the dealings of the company, he had, or could have, the knowledge

that I had. And yet, by the greatest ingenuity these were called and their evidence was brought out in the way the prosecuting attorney wished to bring it out to make a certain impression. And I was kept waiting. Why? Because, under instructions, I was to be kept there until the whole train was properly laid and the bombs were ready to be exploded—and then, and not till then, was I to be called in evidence before that commission. I protested against that, and I carried my protest to the chairman of the commission in words as strong as I could make them, and with due respect, and I think probably as as a result of that protest I was called probably a little before I would otherwise have been. Naturally I felt that if this was an inquiry and not a prosecution, if what they wanted was knowledge of facts and not a conviction, there was no reason in the world, when they subpœnaed me last August and I appeared in direct obedience to that, ready with my facts, that I should not have been called and given an opportunity to state my facts and to state in evidence what I knew in reference to it. It may be I was wrong in that, I think I was right; I felt so, I stated so, and I state so yet.

But the Minister of Justice last night tried to create the impression that I was unalterably opposed, that I was strenuously opposed, with my counsel who advised with me, to the getting of information with reference, we will say, to the Great West Land Company, and that the commission and Mr. Shepley, poor man, had to fight and struggle as if in a battle with Titans in order to drag the information that they wanted to get away from myself. No greater travesty of the actual facts could have been exhibited to a listening audience. They are so far away from the facts that I wondered whether it was because the Minister of Justice had them in a brief prepared for him, and, with his small knowledge of the events, which he pleaded guilty to last night, in comparison of my knowledge of events as being an actor in them day after day and year after year, had led him into that error, a very natural one if he had not read the evidence himself, or whether he was trying to produce an impression upon this House which he knew not to be a proper impression.

Without reading the evidence as given by myself contained in this book, let me shortly say what my position was, a position in which I was supported by the chairman of the commission, to a large extent, himself. I was the secretary of the Great West Land Company, the custodian of its books and of its papers, and I did not propose, and so told the commission, to hand over to them for their investigation books and papers belonging to a company having no connection at all with the Foresters, or the insurance of the Foresters, of a company which simply had a loan from the Union Trust Company, which loan was secured by a mortgage, which mortgage was guaranteed by the Trust Company and endorsed to the Foresters as a security. I said that I thought if every facility was given before that commission by everything that I knew and every paper I could produce to enable that commission to go on up to the body of the security which was held for the mortgage to the lands themselves, what was paid for them, their valuation, everything in connection with the security, which was everything that could be asked for in order to validate or otherwise the security, that that was all it was proper for me to give, and I did profess my willingness, and I carried it out, by giving the documents themselves. The only thing I stopped at was the stock book of the Great West Land Company, which could have no bearing at all with reference to the security held by the Union Trust Company and endorsed to the Foresters, which was the property of the company, and I did not consider that it belonged to the investigation or that it should be called for. Now those are the facts of the case. I said there to the commission, to Mr. Shepley; all the information that I have at my command that you want with reference to validating that security and tracing it to its ultimate source, shall be at your disposal and will be freely put at your disposal. Now, Sir, I do not know but what I should read exactly what I did state; but I have given a fair paraphrase of it, and in reference to the time of the night and the patience of this committee, I make the statement rather than read the evidence, which can be found in the pages of the report.

Now, when it came ultimately to the ruling by the commission that the stock book also should be given up, I had the ruling of the chairman of the commission. It was arbitrary, it was an unjust ruling, it stepped beyond the powers of the commission, without the shadow of a doubt; but it was the ruling of a constituted commission, that book had to be given up or the consequences had to come. What were the consequences? The consequences simply were that if that was not given up, the person who refused to give it up would be committed, I suppose, for contempt of court; he would go to prison, he would be taken out by some process of habeas corpus and the case would be carried to a higher court, and the powers of that commission would be determined by the higher court. That is exactly the position that, on principle, I should have taken, holding the views I did. But I did not consider that it was worth making a martyr of myself to that extent, and I bowed to the ruling of the chair, that is of the commission, arbitrary and unjust though I considered it to be, and stated that at the proper time I would

appeal on that matter to a higher tribunal, that tribunal being this House of Commons. Now, Mr. Chairman, do you perceive that I was the cause of a great struggle on the part of the commission to get at the information ? My counsel, Mr. Nesbitt, put it in exactly the same way. He went even further, and he said: I am even willing to admit for my client that the English practice shall be carried out, and that with reference even to private matters such as the stock book, for instance, if the commissioners themselves want to see them, I am willing to go so far as to hand them over to the commissioners. The commission can satisfy themselves on any point, have the knowledge which they desire for the purpose of their investigation, and to show the people the benefit of the commission and its work and its results. But on the other hand, they are not to parade that to the public, or to make these private matters known to the great outside. That is the English practice, I am informed.

And that is a practice that has many good points about it. Many a man who has nothing to conceal at the same time has the right of a man to have his private matters kept private instead of being paraded to the public, and it should be possible for such a man to say; look into the whole matter, see if whatever you as a constituted commission want is there but do not parade it before the commissioner before the public. It is not necessary that the whole country, however, curious it may be, should know the private business of every man. I appeal to the members of this House ; how many of the members of this House would care to disclose their private affairs to the whole country ? Take the Minister of Justice himself ; he has lived for fifty or sixty years, he has had many dealings, and he may stand up and say : I have had nothing happen that I am ashamed of in my whole career. Then, if you have not will you just put all your private business for the last fifty years, carried out in your firm, carried out with your clients, carried out in election matters, carried out in business matters, before the public and let them run riot with it ? Would the Minister of Justice think that he should at once agree to do that? Would he care to do that, would any man at these boards care to have that done ? There must be a point beyond which no court, no commission, arbitrary though it may be in its powers, must go, a point at which it must stop, and my view of it was that it must stop when it got beyond what was absolutely necessary to validate or otherwise the security for the trust company or the security for the Foresters whichever it was. What was beyond that, I contended, was private and should be kept private. If the commission for their own knowledge wished to look into that to see whether it had relevance or not, there it was but it was not to be paraded to the public. Does this committee think this position was a fair one or a business position ? I have no doubt of it and I have no doubt that if I appealed to man after man I would get in every instance an affirmative answer in reference to the matter. The plea was made by the Minister of Justice that a great deal of space was given to the Foresters' work and the Foresters' company because it was the greatest of the fraternal companies. Let us examine the plea. Other companies have few policies, but the Foresters now have two hundred thousand and odd policies ; therefore the investigation must necessarily be longer and take up more time because there are so many policies. But, in reference to the Foresters, as in reference to any other system of insurance, there is only one basis of insurance to be looked at, there is only one law of insurance to be looked at, there is only one set of expenses to be looked at, there is only one class of investments to be looked at and unless the Minister of Justice can show that that commission took that immense amount of time over the Foresters in examining these two hundred thousand life policies which he paraded before this committee he has gained nothing by saying that there were more policies and that therefore it took more time. Did they examine one single policy of the 200,000 of the Forester's insurance system ? I look through the pages of the report and I look in vain for one single tittle of evidence to show that they examined one single policy of the 200,000. But, Sir, my contention is that where this commission made its blunder was that it devoted not too much time to the Foresters' system of insurance and the laws of insurance and the expenses and investments but that it made it its business not to devote its attention to companies so far removed in parentage or alliance from the Foresters' insurance system that there could be no relation between them except of borrower and lender or except that of an intermediate society. Because that was done, Sir, in the case not only of that but of other companies subsidiary in the same way there was very much time taken where it did not count, that is where these days were eaten up, the hours grew, hour upon hour, the expenses went on day after day in tracing up what had no earthly relation or anything whatever to do with the work of the commission which was to investigate life insurance systems, life insurance laws, expenses of management, the investment of their funds and other allied questions. As was shown by my hon. friend the leader of the opposition (Mr. R. L. Borden) last night in all that examination that Mr. Shepley took my hon. friend from Prince (Mr. Lefurgey) through, and my hon. friend from King's-Albert (Mr. Fowler) through up into the Northwest Territories on a political tour, looking about the country and making

investments in the country with a hundred, yes, a thousand impertinent and unnecessary and unrelated questions, that was where the time of the commission was wasted, and it is in doing that that the 638 pages of evidence are shown in reference to the Foresters, twice as much space nearly as was given to the Canada Life, the greatest insurance company of Canada, the Manufacturers Life, a most important one, and the Imperial Life also an important insurance company. So, it does not seem to me that the Minister of Justice made anything particular out of his plea that more time was given to the Foresters necessarily because they had 200,000 policies where other insurance companies had a much less number of policies.

Now, Sir, as to responsibilty I made that, I think, very clear last night to the Minister of Justice. One thing that excited my wonder in the commission was as to what earthly reason Mr. Shepley had in reading some very good letters that I addressed to Dr. Oronhyatekha as to the work and formation of the Union Trust Company. Those letters were read and put into evidence with great gusto ; they were read and put before this committee last night with equal gusto. For what conceivable purpose? Was it a good or a bad suggestion that if you are going to organize a trust company you should have a good strong capitalization. That is what I advised. Is it a good or a bad piece of advice to say that if you are going to have a trust company you should get the very best possible set of directors to govern and manage that trust company? That is what I advised should be done. These letters were spread broadcast, as though forsooth, there was some malevolent and deep laid design on my part in writing these letters to the gentlemen who had already brought the trust company to its birth and asked me to help clothe it and put it into working form. Ah, but, said Mr. Shepley, in his insinuating way in a question put to Mr. Stevenson : There seemed to be an idea in Mr. Foster's mind that you should deceive the people, because in his letter he suggested that the directorate should be strongly representative of the public outside of the Foresters, and that although the Foresters absolutely controlled the company it should not appear to the public a solely Foresters' concern. I do not see that there was anything wrong in that, when you take the basis of the negotiation which neither the Minister of Justice, nor Mr. Shepley, was very careful to lay before either the commission or the public. The letters show it, the evidence of Mr. Stevenson shows it, the evidence of Dr. Oronhyatekha shows it. What was the first idea? Not that the Union Trust Company should be almost entirely, if not entirely, owned by the Foresters and manned by capital contributed by the Foresters ; the first idea was that that company should be a company in which the Foresters held control by holding at least 51 per cent of the stock, and that the general public should go into that trust company by contribution to the capital stock and become partners with the Foresters in the working of a trust company, appealing to the general public, as well as having the Foresters behind it. On that score I advised that the directorate while being sufficient to guard the Foresters' interests (a majority if you please) should have upon it the name of those that could be got to present to the public that it was not simply a Foresters' trust company, but that it was a general trust company, naturally the Foresters by their contribution of capital having the majority and consequently the control. That idea was started out upon. Mr. Mathew Wilson subscribed for $50,000 worth of stock and paid for it and had it in his possession, and other gentlemen were making their subscriptions when Mr. Stevenson and Dr. Oronhyatekha, thinking, as they said in their evidence that if it was to be a paying concern, why should the Foresters not hold all of it or as nearly as possible all of it, instead of allowing the general public to come in. That idea prevailed against my advice and Mr. Wilson was negotiated with at once and his stock was rebought from him by the Foresters, with a proper addition of profits so far as they had gone, given to him whilst he was the holder of that stock. For that reason and on that ground, I advised that it should not be made an entirely Foresteristic board of directors but that it should present to the public the names of trusted and good men outside of the Foresters' organization in order to give it that general character. There was no guile and there was no deceit about it, and it has passed my wonder, how, Mr. Shepley, or the commission, or the Minister of Justice having the whole knowledge of the facts as they must have had, could see the slightest thing in that to make it necessary that it should be exploited and commented on.

Now then, let me state again what I said last night and which is indubitably true, and I don't think any man can doubt it, that the responsibility for the formation of a trust company into which the Foresters should put their money as capital subscription to the stock of that company, was not my design, was not my idea ; but was the idea of the Foresters themselves. It was brought into absolute action and form before I was approached in any way, shape or form to take hold of the position as manager. What I did do is what I said yesterday I did ; that is, I gave good advice and whatever suggestion I could and worked with them in putting it into proper organized shape. For instance, the idea at first was to carry on the old Provincial Trust Company. I objected to that because, I said, you had better take a new name and not have to shoulder any of the errors or reputation

of the preceding company which had failed. That prevailed, and so the company which when I went with it was formed—not absolutely by charter, that was got a few days possibly after I came to Toronto—but was formed in idea and formed in absolute practice, because the provincial Trust Company's assets had been taken, and was in operation as a trust company. I say, that measures my responsibility and that alone. A newspaper to-day holds me still responsible for having improperly invested Foresters' trust funds under the guise of capital of that company, a trust company when I invested them in the absolutely required and allowed securities of a trust company. Now, I don't think that is fair. I did not go there to run the Foresters or their trust funds or to manage them in any way. I went there to manage a trust company, under trust conditions, under trust law, and under trust directorate; and I did it; and I made the challenge yesterday—it has not been accepted; I make it again to-day—for any one to show a single instance of investment of the capital funds of that trust company which was outside the limits of the law and of the charter that the trust company has.

Now, in all fairness, put the responsibility where it lies. My duty my undertaking, was to work a trust company. I did it with the capital provided. The responsibility of providing the capital was not mine. The responsibility of the investment which provided the capital was not mine. With reference to the surplus outside of what the Foresters put into the capital, there is a difference of opinion evidently between the Minister of Justice and myself. I am right; he is wrong. I think I showed him that by reading the agreement. He ran away with the idea that all the surplus funds from month to month accruing in the Foresters' organization were absolutely to be invested by the Union Trust Company. Nothing at all of that kind. When the contract was being made I was there. I have the advantage, as the minister admitted of greater knowledge of the facts, because of my being one in connection with the transaction. I, as manager of the Union Trust Company, would have liked to have got, and pressed to get, an absolute contract by which all the surplus should be invested through the Union Trust Company. The authorities of the Foresters flatly rejected that proposition, and said: We will make a contract with you to invest such of the surplus funds as are not otherwise invested, but we will not cut ourselves off from the right of investing these funds ourselves in any securities that we are pleased to think are proper and good securities; and we never did get all the surplus of the Foresters to invest. The $133,000 that was loaned to the land syndicate known as the Montague syndicate, was surplus of the Foresters which was not entrusted to the Union Trust Company, not a dollar of it. That was reserved by the Foresters themselves, and invested by themselves in the way that I stated, and stated with particularity and I think with plainness, yesterday. Now, I think the minister will not contravene that statement of the case, but here is the clause of the contract:

> That the Supreme Court doth by these presents agree with the Trust Company: and does hereby appoint and constitute it its agent for the investment from time to time of so much of the surplus cash funds of the Supreme Court as shall remain uninvested.

Now, if technically you might say, that means all of them, practically I know that it did not mean all of them and was not intended to mean all of them. As a proof there is the $133,000 which was invested by the Foresters without any intervention, any authority, any power, any action of the Union Trust Company at all, and done, as I said last night, in 1902. Of the very same character were the funds that went to buy the additional lands of the Montague syndicate, which were provided in exactly the same way, out of the surplus of the Foresters, by the Foresters themselves, and without the intervention in any way, shape or form of the trust company.

Mr. LENNOX. And in connection with which the commission arose.

Mr. FOSTER. Yes, and that was the case in connection with which the so-called commission arose. My hon. friend says it does not matter whether they were the trust funds of the Union Trust Company or whether they were the Foresters' funds. It does matter materially. With great gusto the Minister of Justice read a resolution passed by the directors laying down the principle that no officer of the company, that is, the Union Trust Company, should take any commission on any business that he was transacting as an officer of that company and for the company. I was asked in the commission if I assented to that. I answered, I think, that I not only assented to it, but that I was at the board that passed it. I more than assented to it; I gave it my most hearty support. I believed it to be right. It matters, then, that you should draw a distinction between what was Union Trust Company business and what was absolutely outside of the Union Trust Company, when you hurl against me the charge of contravening that resolution of the directors, and as an officer of the Union Trust Company taking a commission on business which I did for the Union Trust Company. No such thing ever took place in the history of the Trust Company. I explained last night exactly what that was. The Trust Company appears in it, in what way? As simply a holder of titles, nothing more, nothing less. Is it necessary to demonstrate that by reading the document?

I think I had better, possibly. Now, bear in mind that in March, 1902, as I stated yesterday, the Foresters lent to a syndicate of four, of whom I was one, not by virtue of being managing director of the Union Trust Company or anything of the kind, the sum of $133,000 to purchase lands for that syndicate, to be managed by that syndicate, and the profits thereon, after the mortgage to the Foresters which secured the loan was paid, were to be divided equally amongst the members of that syndicate. That is what was done. Somebody had to hold the titles to those lands. Dr. Montague held the titles. In holding those titles, his duty was simply to hold the titles to the lands, and as it was sold to make the transfers to the people who bought. That was his duty as holder, nothing more. That duty afterwards, as I explained yesterday, was transferred to the Union Trust Company. It might have been transferred to John Jones or James Brown, and the transaction would have been exactly the same. The Trust Company was to hold the certificates of title and was paid its fee for doing that; and outside of holding the titles, it had no duty in any way, shape or form. Here is the document which transferred from Dr. Montague—who held, as I have already explained—to the Trust Company, as holding trustee, and the main clause is this:

> The said trustees are to hold said lands and conveyances thereof subject to the joint order of the grantor and the said society.

The grantor being Dr. Montague and the said society being the Independent Order of Foresters.

> So long as the mortgage indebtedness of said society is not in arrears and in case it should fall in arrears thereupon and thereafter the said trustees shall hold the same——

The certificates, titles and securities.

> To the order of the said society, its successors and assigns.

Instead of the grantor and the said society.

> The said trustees are simply to be the trustees for the purpose of holding the said lands and securities therefor until such time as the said mortgage indebtedness is fully paid off and satisfied, after satisfying themselves of the fact from the said society, their successors or assigns, they the said trustees are to convey the lands and deliver the securities therefor then held by them to the appointee or appointees of the said grantor——

The said grantor being Dr. Montague.

> —his executors or administrators under the written instructions of said grantor, his executors or administrators bearing even date herewith.

The Union Trust Company were not the depositories of the money for the payment of those lands. They had no power and exercised no right to purchase or pay for the lands. They had no authority given them in that trust to keep the books of the company or receive the moneys that came from the sale of the lands or pay them out to the mortgagees who held the securities. They were to do none of these things. The only thing they were to do was to hold the certificates as holders in trust at the indication and order of the grantor and the society which alone were interested.

Now, I come to a technical point. When the syndicate bought these lands from Mr. Whitla, we will say, doing it then through myself as a member of the syndicate—the syndicate coming to their conclusion, agreeing together upon the price, upon the conditions of payment and every thing else for the land we bought then—the lands were to be given into the hands of this holder so that the title might be for these lands just where it was for the lands which had been bought by Dr. Montague before. This could have been done by two processes. Either that the lands should be sold to and the title given to myself or Dr. Montague or any one else representing the syndicate and then that whoever made that purchase should transfer it to the Union Trust Company to hold just the same as it held the other. That is all the Union Trust Company had to do; and to avoid two transactions, I directed the contract of sale and purchase to be made by Mr. Whitla with the Union Trust Company in trust instead of taking two steps and going through two operations. That is all there is in that matter. I thought I made it plain yesterday and hope I have made it a little plainer by my statement just now.

Now I come to a more important matter, which I did not think very important but which the Minister of Justice (Mr. Aylesworth) seemed to think was very important. Am I trespassing on the patience of this committee if I take up a little more time in putting that matter and just what it involved before this tribunal to which I am asked to appeal. A meeting of the Union Trust Company was held on the 7th of November. What was the purpose of that meeting? The Union Trust Company, by the first agreement with the Great West Land Company, became banker for that company and agreed to advance to it all the moneys necessary for the purchase of those lands. It was to take a mortgage upon all the assets. It had also the option to convert its advances into stock in whole or in part whenever it chose so to do. About a year afterwards the Union Trust Company came to the conclusion to convert its advances into stock and did so, but still kept its mortgage lien upon every dollar of the assets of that company. That went on until 1905 when Mr. Stevenson, on behalf of

the Foresters—for reasons which are well known to myself and probably well known to the commission but which make no difference at all as affecting what was actually taking place—came to the conclusion that he wanted to get rid of stock participation in the Great West Land Company entirely and to hold the security as a mortgagee without other interest. Now mind you, whatever insinuation of statement may be made, there is absolutely no doubt that the election to take stock proceeded from the choice of the Union Trust Company directors outside of those who were interested in the Great West Land Company.

Mr. AYLESWORTH. The election to take stock or the mortgage?

Mr. FOSTER. To take stock. In the first instance naturally that would be so, for we who held that stock felt that the lands would bring a good profit and we would gain more by carrying it with a mortgage upon the land than by the Union Trust Company participating in the stock. Therefore, it was not to our interest that they should take stock. But when Mr. Stevenson and the Foresters expressed their desire to take stock, when they made that proposition it was heartily acceded to by those interested in the Great West Land Company. There is no doubt about that. Now, when in 1905 Mr. Stevenson became of the opinion that he would rather revert to the old arrangement and get rid of the stock co-operation altogether and put it in the shape of an absolute mortgage, he had to reckon with a contract made in good faith, signed, sealed and delivered, and which was solemnly binding, namely, that they should take stock and keep their stock which they had elected to take for the advances. It was to our interest, I think, if we believed the venture would be successful, to revert to the mortgage rather than that the Union Trust Company should participate in the stock. If we felt that there was any danger of a loss, it would be to our advantage that they should keep the stock, and thereby share the loss if there was to be a loss. But, absolutely, again by Mr. Stevenson's testimony, frankly and fairly given, he said that we did not interpose any obstacle to their taking that mortgage; that thing we thought it would be more advantageous to the company if it were not taken, yet as they pressed it, it was willingly acceded to.

Now, Sir. that operation of getting the mortgage on the whole of the property involved two things. One thing has not been mentioned yet, before this committee. When the Great West Land Company went to the Union Trust Company for a loan they had no thought of getting more than a three years loan. These lands were to be paid for over a period of years, a certain instalment each year; and the Great West Land Company believed that, with their receipts from the sale of stock and the sale of lands, a three years' advance was all that would be necessary for them to obtain. As a matter of fact, it worked out exactly that way; three years after the transaction began, the land company, with the money advanced up to that time—somewhere about $300,000 or $400,000—would have cleared itself. But, when Mr. Stevenson wanted a mortgage on the whole of the property, a mortgage that he could register and that would carry title, then the Union Trust Company, to enable them to carry out that idea, had to advance the money to pay for all the lands so as to get the title. That is why the total amount advanced was, in the end, $958,000 instead of $300,000 or $400,000 which was all that would have been needed had it not been that Mr. Stevenson was anxious to have the mortgage title only and registerable. Now that, I think, is clear to the committee.

That mortgage was to be executed, and the documents made right, and everything cleaned up, before the end of the year, for then the financial year of the trust company ends, and, if he wanted the security in shape at all, he wanted it so that it might appear in that years' accounts as a finished transaction. Now, there are three things under consideration there—there is stock of two kinds, the bonus stock and the advance stock, and the other consideration, the mortgage. These three things were to be considered. A meeting was held on the 7th day of November, 1905, at which certain of the directors were present. That meeting was regularly called and regularly recorded in the signature book, and, of course, in the minute book. There is no doubt about the meeting of the 7th of November. Nor is there any doubt of the purpose for which it was called. It was called to arrange that transaction so as to provide for the giving up of the stock and the reversion to the mortgage. At that meeting the directors had their consultation. Other matters of business were up and this came up at the latter part of the meeting and was discussed. There was no difference of opinion about that. Some have a more vivid and some a less vivid recollection of this being discussed. Some have no recollection of its being discussed. But the principal actors in the transaction, including Mr. Stevenson, know that it was discussed. It was so recorded in the minutes. And that meeting was adjourned to a specific day and hour—the 13th day of November, at 2 p.m.

Mr. W. ROCHE. Will the hon. gentleman (Mr. Foster) permit me to ask him a question?

Mr. FOSTER. Yes.

Mr. W. ROCHE. Were the mortgage and stock running at the same time?

Mr. FOSTER. Yes.

Mr. W. ROCHE. From the beginning ?

Mr. FOSTER. Yes.

Mr. W. ROCHE. Was land sold to buyers while the mortgage was subsisting over the whole of the land ?

Mr. FOSTER. Yes.

Mr. W. ROCHE. Was that right ?

Mr. FOSTER. Was what right ?

Mr. W. ROCHE. That the mortgage should be over the whole property when part was sold to buyers ?

Mr. FOSTER. Almost every company and every person who buys Northwest lands buys them on a scale of the yearly payments. The title is not surrendered by the original seller until he gets his last dollar of payment. But that does not prevent the sale of every acre of land to buyers in the meantime, and by a perfect legal process by which the rights of all are conserved.

Mr. W. ROCHE. Suppose I bought land outright and paid the money for it, was it honest that a mortgage should be over the whole of the property when a part of it had been bought and paid for ?

Mr. FOSTER. Certainly—perfectly honest—my hon. friend (Mr. W. Roche) shakes his head—perfectly honest, provided the buyer knew the conditions. And the buyer did know the conditions. Whether any transaction of that kind took place I cannot say. But, if a man was prepared to buy and pay all his money, his money would be taken. And we had the right—and now I hope I shall satisfy my hon. friend from Halifax (Mr. W. Roche)—to pay cash for that quarter-section and get release from mortgage. Suppose, for instance, a certain quarter-section was sold outright and paid for— we had the right to go to the Canadian Pacific Railway and extinguish the indebtedness on that quarter-section, get a complete title for it and hand it over to the person to whom we sold it. That, we could guarantee, and that we could do in any such case. I do not think that my hon. friend from Halifax (Mr. W. Roche) will say that that was not a perfectly fair transaction.

Mr. AYLESWORTH. Will the hon. gentleman (Mr. Foster) allow me a question ?

Mr. FOSTER. Yes—any question I shall be glad to answer.

Mr. AYLESWORTH. I understood the hon. gentleman (Mr. Foster), in answering my hon. friend from Halifax (Mr. W. Roche), to say that there was a mortgage from the time of inception.

Mr. FOSTER. Yes.

Mr. AYLESWORTH. Of course, the hon. gentleman knows the facts. But I was under the impression from my examination of the evidence. that there never was a mortgage substituted for the shares of stock until after the year 1904 ; that it was only during the year 1904 that the Trust Company, or its directors, decided to alter their position and substitute mortgage security for the holding of shares of the company.

Mr. FOSTER. The mortgage security was given by the very first instrument.

Mr. AYLESWORTH. I thought—

Mr. FOSTER. I will explain the whole thing. As I stated yesterday, the mortgage security was given by the very first instrument in June, 1903. When the company elected to take the stock the mortgage lien was kept for any advances that the banker might make from time to time, or might make over and above what he elected to take stock for. That never ceased.

Mr. AYLESWORTH. Was there not a new and independent instrument of mortgage—

Mr. FOSTER. There was, in 1904, and it continued exactly the lien which was in the first mortgage in so far as any advances were made by the banker over and above what they had elected to take the stock for. I have the instruments here, I will send them over to my hon. friend if he likes. Yesterday I expressly gave readings from the instruments themselves.

Mr. AYLESWORTH. The question is between what lawyers call a lien and a mortgage as such.

Mr. FOSTER. I explained that as well. I said that I was not a lawyer, but there was a lien, a guarantee, an agreement of mortgage, and that lawyers told me that that was practically equivalent to a mortgage. I simply took that on the legal advice of my friends as constituting a mortgage. I know that no mortgage can be absolutely registered until the property is released absolutely from every claim and from debt. But there was the guarantee, the agreement, and it was perfectly valid, and so considered by our legal advisers. Now these were the subjects that were to be considered on November 7. The meeting was undoubted. That was partially considered, and the minutes stated, 'Left over to the adjourned meeting.' The meeting was then and there adjourned until the 13th day of November at 2 p.m. Now the probabilities would be, would they not, that that meeting so adjourned and authoritatively ordered to the day and hour, would take place, unless there is some evidence to the contrary. Would I be right now in resting my position upon that ? Granted that you have a meeting of directors, that you undertook to consider a question, that they adjourn it until a certain day and date ; unless there is some evidence to the contrary, we must take it prima facie that that meeting did take place. No tittle of

evidence to the contrary was shown or could be shown. The meeting did take place, it took place on the testimony of myself, the testimony of Mr. Wilson, and the testimony of Mr. Stevenson himself which testimony was read this morning by my hon. friend from Simcoe (Mr. Lennox). In the report that testimony of Mr. Stevenson is not given, the quotations from his evidence with reference to these meetings otherwise are given. I think it is necessary for me to read that because it is important for this reason : The undeclared charge against me, pressed with assiduous persistence, was that I concocted meetings, forged resolutions, forged documents, and presented them as the real ones. No getting out of that, that is what it means. The document founded on that resolution put into a mortgage carrying certain securities, was absolutely passed, signed, sealed and delivered. It was either a true one or a false one. If these meetings were not held, it was a forged document and a forged resolution, and I was the man who forged it and concocted meetings for the purpose of covering up the forgery. That is why it is important. That is why I should have thought a commission that wanted to be fair would be very careful to take all the evidence into consideration. Now, Sir, what is said on page 2386 ? In order not to make this tedious I will read all of those portions of Mr. Stevenson's testimony relating to the several matters, then we will know exactly what he said. Mr. Shepley is questioning him and he replies :

I discussed the matter with Mr. McGillivary, Mr. Foster and other members of the board, and indicated a desire to assume the position of simply a lender, having security for our money. . . We wanted to assume the position of having security for our money and not having stock for it.

Q. Before you pass from that, was it intended at that time—was it included in what you speak of as stock which you did not want to hold ? Was this bonus stock, the 237 shares, included ?—A. No, I thought we had earned that by the advances we had made, as far as I was concerned, although I attached very little importance to it. I think at that time we became somewhat concerned about the principal rather than about the profits, and I wanted to secure the principal, that was the first consideration.

Then he is pressed still further :

Q. I quite accept what you say, that the movement proceeded from your side of the question rather than from the syndicate side ?—A. Oh yes, the syndicate seemed to feel from the outset that they were exceedingly—doing us an exceeding great favour by allowing us to come in to participate in the profits, and it was decidedly to their advantage that we should occupy the position of mortgagee rather than stockholders, as their prospect of profits was thereby very greatly increased.

Q. That is what I had in my mind when I suggested to you a few minutes ago that the movement was proceeding from the syndicate? —A. No.

Mr. FOSTER.

Q. You tell me that it is not so, and I accept that fully ?—A. No, it was not.

Mr. NESBITT. Q. They did not make a battledore and shuttlecock of their position ?—A. No, if there was any vacillation is was mine.

Q. They did not, when it was doubtful, say, 'take stock', and when it was certain, 'take mortgage' ?—A. Oh no.

Mr. SHEPLEY. I think Mr. Stevenson's observation put it fairly.

WITNESS. I think it is fair to say in that connection that we had practically decided upon a change of policy, and to get out of all sorts of investments of this kind.

Then the matter goes on as to this meeting of November 13. Mr. Shepley reads the minutes, the concocted minutes, if this charge were proven, of the 13th.

It was decided on motion by Mr. Stevenson, seconded by Mr. McGillivary, that the Union Trust Company should assume the position of mortgage with reference to the advances or payments to or for the Great West Land Company (reads down the words 'as set forth in the agreement of June 22, 1903'). That is put as your motion, seconded by Mr McGillivary.

That is the way the minutes have it, that is what Mr. Shepley said to Mr. Stevenson. What does Mr. Stevenson say :

There is no doubt that the first move to take security was my motion, and Col. McGillivray seconded it.

That was at the meeting of the 13th. How could he move to take the security and have Mr. McGillivray second it if there were no meeting on the 13th and if no such transaction took place? The minute of the 13th, the concocted minute under the charges I have mentioned, is that this did take place. Mr. Stevenson, in his testimony, said:

There is no doubt that the first move to take security was my motion, and Col. McGillivray seconded it. In what I said about the other matter, I have no hesitation in saying that while I did not understand the other matter was concluded or considered at all, I had no hesitation in saying the other gentlemen thought it was, or that minute——

The minute of the 13th.

—would not appear in that way. But I did not understand it in that way.

His recollection was clear in reference to the change to the mortgage, that he moved it, that Mr. McGillivray seconded it, that it was done on the 13th of November according to the minutes which were read to him just before by Mr. Shepley. So far as Mr. Stevenson is concerned this is absolute testimony from him that the meeting did take place, and that that particular part of the business was moved by him and seconded by Mr. McGillivray; but at the same time his recollection was that it did not include the bonus stock transfer. For the purpose of proving the meeting that does not count. The fact of the meeting being held on the 13th is proved by the motion and

the seconding in accordance with the minutes.

Mr. W. ROCHE (Halifax). May I ask my hon. friend——

Mr. FOSTER. If my hon. friend will allow me to make my statement——

Mr. BERGERON. Sit down.

Mr. W. ROCHE. I am not speaking to the hon. member for Beauharnois. I am speaking to a gentleman.

Mr. FOSTER. It is not that I do not wish to answer the hon. member but I would ask him to allow me to make my statement through and to defer his question until I finish.

Mr. W. ROCHE. Certainly.

Mr. FOSTER. Now, Mr. Shepley, puts this next question with reference to the minute of the 13th November.

Q. You were not moving that ?

That is as to the stock. Mr. Stevenson replies :

I did not have that in mind.

Q. Do you say your mind was not directed to it, or that you had in mind the retention of that stock ?—A. Well, I had not in mind the giving of it up, although I did not attach much importance to it. The question that was in my mind was to get security, a first lien on the property for our advances.

The dominant thought in his mind was in reference to the security in the shape of a mortgage the resolution as to which he had moved and had moved at the meeting of the 13th of November, which it has been assumed to be shown was a concocted meeting, that I concocted it and therefore forged the minute. Now, let me go a little further. As a result of that resolution and of the direction of that meeting on the 13th an agreement was drawn up by the solicitor, and that provided for the transfer of the stock and for the giving of a mortgage. Now, Mr. Shepley goes on :

Q. I suppose you were not aware of the terms of this agreement before it was executed ?—A. No, I was not in the country when it was executed.

The afternoon of the 13th November, when that adjourned meeting was held—and according to Mr. Stevenson's evidence it was a hurried meeting—he left for New York on his way to England.

No, I was not in the country when it was executed.

Q. Then, when the resolution was passed, which you were put down as moving, did you write down the resolution or was it reduced to writing by some one else ?—A. Oh, no, the meeting was a hurried meeting, just on the eve of my departure, and I have no doubt it was an oral one.

Could any testimony be stronger? He says I moved the motion and I have no doubt it was an oral motion and not a written one.

Q. And that somebody, perhaps——A. I think the minute was made up subsequently.

Q. Was there at that meeting in connection with the resolution, which you are said to have moved, any discussion, any mention, to your recollection, of this bonus stock being given up ?—A. My recollection is that it was not. I simply say that because when the matter came to my notice that it had been done, it was a surprise. I may say that I talked the matter over with Mr. Wilson since that time, quite recently, and Wilson thought I was a party to this agreement, and that I had approved of the agreement itself and was very firm that the matter was within my knowledge. All I can say is that I did not understand it so.

Recollect that it is in reference to the bonus stock transfer. There never was any question as to the mortgage and the validity of the mortgage security to be given, or the transfer of the stock taken for advances. Later on :

Q. Mr. Nesbitt asks me to put a question to you in this form : assuming that it will be stated by Mr. Foster that not only was the matter mentioned, but that it was thoroughly discussed before the resolution was passed, would that change your view at all, change your recollection ?—A. That is rather an equivocal way to put it. I have given my recollection. That cannot be changed. Mr. Foster will state his recollection.

Q. I should not have put the question on my own responsibility, but my learned friend wants it put ?—A. And in saying that I may say I have great confidence in Mr. Foster's word.

Q. Just one other question, and this one I father myself. If it had been present to your mind distinctly at the time of the discussion that that was the intention of what was going on, would you have assented to it, or would you have protested against it ?

That is in reference to the transfer of the bonus stock in connection with the mortgage. The answer of Mr. Stevenson is:

As I said before I did not attach great value to the stock, and I am not prepared to say what I might have done. If it was absolutely necessary to forego the stock to get the security, as between the two I would take the security. What I wanted was a first mortgage to begin with. I saw no reason why we should surrender the other——

Meaning the bonus stock.

—and if the only alternative was to take the one or the other, I should have taken the mortgage.

Now, that is clear testimony of Mr. Stevenson's part. That testimony was not transferred to the report ; the testimony by Mr. Stevenson adverse to that was transferred to the report, and that is where I find fault with the report. On the 5th of October in examining Mr. Davidson with reference to this meeting, Mr. Shepley asks :

Q. That is the bonus stock. Did you ever hear such a resolution moved or vote for such a resolution ?—A. I have no recollection of it.

Q. Would you not recollect it ?—A. I think I would.

Q. You would be quite alive to the impropriety of giving up that bonus stock ?—A. I think I would.

'Q. What do you think ? Having regard to all these circumstances, can you say with certainty, having regard to the fact that you do not find your signature in the attendance-book, and having regard to the fact that that subject was never brought to your attention, have you any doubt there never was any such meeting ? —A. I do not think there would be any minutes in the book, unless there was a meeting ; but the minutes would be signed of course.

There is where Mr. Davidson was ; he saw the minute in the minute book and now he says: I do not think there would be any minute in the book unless there was a meeting. There was a minute in the book and therefore the inference would be there was a meeting. Then he goes on to say: 'But the minutes would be signed of course.' Now I appeal to the experience of any man who has done business in directorates, if it is not an often recurring event that a meting of directors will be held, it may be a leisurely meeting, it may be a hurried meeting as this was, the business will be done, but the minutes will not be signed and the next meeting which takes place the minutes may not be signed, but though it would be perfectly regular and proper to have them signed. I myself, in directorates, have taken the minutes to the chairman running over half a dozen or more meetings, and asked for his signature and I have got it. It is not the strictest way of doing business, but I venture to appeal to any business man, if, in fact, that does not take place often. Col. Davidson rested on this assumption : If there is not a signature in the signature book there would be no meeting to my mind; if you do not find the directors have signed in the signature book that is evidence that there is no meeting. Now, Sir, have I made my case good from Mr. Stevenson, that there was a meeting absolutely on the 13th day of November? If I have not I have failed in doing what I consider I have done. I leave it to the sense of this committee. Now, Sir, let me go on to say that corroborating the fact that there was a meeting and a resolution passed, came the arrangement of the documents by the solicitor embodying the substance of the resolution, which provided for the transfer of the stock and provided for the giving of the mortgage. Myself and Mr. Wilson are clear and distinct on the point that that was the agreement, that the stock should be given up in toto, and a mortgage should be taken. Mr. Stevenson says: My recollection is, of course, that the mortgage was to be given, that I know is right. I have no recollection as to the bonus stock, but my dominant idea was to get the security, I placed little value on the stock and if it came to an alternative of not getting the security or of giving up all the stock I would have given up the stock. Now, what I say is this : Following directly on that in the sequence of events, the solicitor carried out the instructions of that meeting and prepared the documents. The meeting was called for November 28th and that meeting is not recorded in the signature book, but the minute is there that the meeting did meet, that the documents were prepared, were read and approved, and an order was passed for a shareholders' meeting on the 11th day of December. The only evidence that that meeting did not meet was that there is no signature in the signature book and that Mr. Davidson does not recollect of the meeting and that Mr Ross did not recollect of the meeting. But Mr. Ross, as his answers show, did not keep tab upon all the business of the Trust Company, knew nothing about any of these transactions at all, and would not be supposed to have a very vivid recollection. But here is the point, there could be no shareholders' meeting held unless a notice were issued. A notice was issued and is a matter of record, and it displays the purpose of the meeting. On the 11th of December that shareholders' meeting meets. Col. Davidson is the chairman of that meeting, the documents as submitted from the directors' meeting are presented, and passed, and I have the document here, and Col. Davidson's signature to that document certifies that it passed the shareholders' meeting.

Mr. AYLESWORTH. Will the hon. gentleman allow me ?

Mr. FOSTER. Certainly.

Mr. AYLESWORTH. That is hardly the way to put it. Col. Davidson does not sign the document ; he signs an endorsement upon the document which is a very different thing.

Mr. FOSTER. Very well. Take it as far as it goes and it goes thus far : That a shareholders' meeting is summoned for a particular purpose, meets and the purpose for which it is summoned is carried out by the execution and confirmation of certain documents. Then you have to have some authority to show that that meeting was held and that these documents were approved of. That is what Col. Davidson does. That is all I ever claimed he did do. There is the document providing for the transfer of the bonus stock, of the advance or acquired stock. Does the Minister of Justice think it does not ?

Mr. AYLESWORTH. It alludes to it.

Mr. FOSTER. Must I read it.

Mr. AYLESWORTH. As far as I am concerned, the hon. gentleman need not delay the committee unless he wishes. It recognizes that the bonus stock is to be, or

has been transferred, but it scarcely provides in itself for the transfer.

Mr. FOSTER. Well, that is the difference between a lawyer's interpretation of it and a layman's.

Mr. LENNOX. Was that document before that meeting ?

Mr. FOSTER. That document was presented to that meeting as prepared by the solicitor. That document was read to that meeting. It was passed by that meeting and it provides : First, that the bonus stock has been transfered. Am I right in that ?

Mr. AYLESWORTH. I think so.

Mr. FOSTER. That the advanced stock will be given up, and that a mortgage security will be given. The meeting confirms it, and Colonel Davidson, as chairman of the meetings, certifies to the fact that that is the document. I think I am strictly within legal phraseology now. The same document was presented to a meeting of the Great West Land Company shareholders, passed by them, and certified in exactly the same way by the chairman of that meeting, Mr. Van Dusen. There is the evidence in brief of that transaction. What is the principal part of that whole transaction ? To get the mortgage security and to deliver back the stock taken as advances. There is full agreement about that. The dispute arises as to whether the bonus stock of 237½ shares was also to be given up, as alleged and provided for in the document, and as to whether the 100 shares in the name of Dr. Oronhyatekha were also to be given up. That is a question of difference between the directors. A majority of them either having no knowledge that it was to be so agreed or declaring that they did not believe that it was to be so agreed ; others with equal honesty and equal certainty believing that that was the essence of the agreement. When you get there, where are you ? You are a body of directors. An action has been taken, a transaction carried out, and when it comes to be reviewed, some of the directors say, we did not understand it that way, while others say we understood it that way. What absolutely must happen ? That they must agree amongst themselves as to it, or that by process of law, which is easy and rapid in a case of that kind, they must have restored what are their rights in the judgment of the court to which they appeal. What business was it of this commission, as to that dispute or misunderstanding that was to be settled by the Union Trust Company directors and the owners of that stock before it went into these two categories—one part as a banker's bonus and the other as 100 shares in the name of Dr. Oronhyatekha ? A mistake is made when it is stated that those shares belonged to the Great West Land Company. They did not. They were shares that belonged to Mr. Wilson, Mr. McGillivray and myself. That is the whole truth as to that. What reason is there for believing that I was the forger of documents? Is it not easier and a fairer conclusion to say that there was a misunderstanding between the parties, resulting in a disagreement which made it necesary that the matter should be arranged in some way or other ? When the commission was in progress, that matter was being discussed pro and con. If it is any sop to the curiosity of this committee, I may say that that matter has been arranged, just as it would have been if the commission had never entered on this devious course, and arranged to the satisfaction of both parties. But what I am particularly desirous of clearing up, and what every man will say I have the right of being desirous of clearing up, is the allegation that these meetings were never held, and that therefore I was the forger and concocter of bogus meetings for a purpose.

Now, one point more. Will any practical man say to me as a member of a directorate, where you have your secretary and your minutes, and where you have an attendance book, and where it is the common practice to sign that attendance book at each meeting of the directors, that if it appears that that book is not on any occasion signed, that is an absolute proof that no meeting could have been held on that day, even though the minutes show that a meeting was held ? I do not think so. Colonel Davidson thought so. The Hon. Geo. W. Ross, when questioned, said he would not say that, as it was quite possible that a meeting might be held although for some reason or other the signature book was not signed. Now, will this committee take an explanation outside of the general course of evidence ? It did not come to my mind at the time, but after I had given my evidence and was discharged, the clerk in the Union Trust Company who had charge of those books came to me and said : 'Mr. Foster, I think I can give you the reason why those were not signed'; and he called to my mind that there was one period towards the end of that year when that signature book was mislaid and could not be found.

An hon. MEMBER. Oh.

Mr. FOSTER. Of course, I do not expect that I am appealing to an unprejudiced jury. The man who wants to believe me a liar has a perfect right to believe it.

An hon. MEMBER. He was only yawning.

Mr. FOSTER. If that is so, it is only a breach of good manners, not an imputation. No gentleman should yawn in the House of Commons ; in fact, gentlemen ought not to go to sleep here ; but we will forgive many things at this hour of the night. I was going on to say that he

recalled that to my memory, and I remembered that some time during the fall of that year that book was out of our possession. It happened in this way, that we held a meeting in an upper room, Dr. Oronhyatekha's room, I had all the documents there, and in some way or other that book was left there when I brought the others away, and it was mislaid, and for some time was not found. Now, Sir, that clerk wrote me a letter detailing that, and said he was willing to go and testify to it. I sent it and a letter covering it to Mr. Shepley, asking him if he would have the goodness to include that in the proceedings in any way in which he thought it could be included, because it threw light to a certain extent on the circumstance of the lack of signatures, the space being left for those two meetings to be filled in. It does not appear in the proceeding, and I supopse Mr. Shepley did not think it was proper to put it in ; but I think he could have just as well stretched a point to put that in in its proper place as not sworn to, as that the commission and he could have spent many hours trying to prove me guilty of concocting meetings because there was not a signature of those meetings in the signature book. A note is given to me suggesting that I should state, what I thought I had stated, that that meeting of November 13 was a hurried meeting. Mr. Stevenson himself left in the latter part of that day, went to New York, sailed on 15th to Europe, and did not come back until the last of January or February ; and the fact that these minutes were not signed is probably due to the hurry and absence of Mr. Stevens and the hurry of the general transactions.

Mr. WILLIAM ROCHE (Halifax). I have no intention of embarrassing the hon. gentleman (Mr. Foster), but I had the idea, from what he said, that there was a mortgage running, from the first, collateral with the stock, and then afterwards he spoke about the Union Trust Company wishing to revert to the mortgage. If the mortgage was subsisting at the time, the Union Trust Company had no need to revert to it.

Mr. FOSTER. Yes, a new instrument was needed. My hon. friend must remember that lawyers live by fees. Laymen like the hon. member and myself would have said that the old instrument was good enough and that all we had to do was to add a little codicil to it. But the lawyers would not get rich if things were done in that way. There had to be a new instrument and that instrument had to be duly made and registered, and no doubt it was proper to have a new instrument and have it registered.

Mr. WILLIAM ROCHE. In Halifax we had precisely a similar transaction, and the Supreme Court held that even when a part of the property was sold, the mortgage still subsisted over the whole property and was not relieved from any portion of it by the sale of that portion. The hon. gentleman gave the impression to my mind that there was a mortgage existing all the time these transactions were going on.

Mr. FOSTER. I am afraid that the more I explain, the more difficult I make it for hon. gentlemen opposite to understand.

Mr. WILLIAM ROCHE. You gave me the impression that there was a mortgage existing all this time, and in that case the sale of any portions of the land could not affect it.

Mr. FOSTER. There are other points I wish to touch. One particularly has reference to the comparison which the Minister of Justice (Mr. Aylesworth) was kind enough to make between me and Mr. McGill. I do not intend to utter one word in reply to that. I simply say that I felt the comparison and noticed it ; and if the Minister of Justice (Mr. Aylesworth) thinks that he was justified and added to the dignity of his position by making that comparison between myself and a convicted felon, he is quite welcome to all the gratification he can get from it.

Mr. BERGERON. The difference is that he is in the penitentiary and you are in the House of Commons.

Mr. FOSTER. I shall not make any criticism. That is a matter of taste and does not call for any criticism from me.

Mr. BERGERON. McGill was a client of the Minister of Justice for years.

Mr. FOSTER. That may be true, but I do not know. I would not say however that the fact that the Minister of Justice was the lawyer for Mr. McGill had any influence on his course. Now, I have numerous other things to speak about, but to do so would be an imposition on the patience of this House, and I leave this matter exactly as it is, with the proviso however that this discussion is not closed and will not be so long as these matters against me are brought up.

Mr. TALBOT. I would like to ask one question. The hon. gentleman complained that throughout his testimony and during all the time he was in court he had no chance to tell the truth, the whole truth, and nothing but the truth. Will he explain how it comes that when once his testimony was given and he was asked if he had anything more to say, he simply replied that he thanked the court for the courtesy it had extended to him and all the chances it had given to him ?

Mr. FOSTER. I supposed that my hon. friend had been listening to me yesterday and had heard my explanation. I made

rather a long explanation of one part and also a shorter explanation of the other. I explained that in the course of evidence, when you are questioned by a prosecuting attorney or a lawyer who has a certain purpose in view, and he frames his questions to satisfy himself, and when you have no chance of cross-examining by a counsellor friendly to yourself, you have no opportunity of getting the whole case out. I did thank the commission, and I did not think that my hon. frend, with his true French feeling, would criticise me for having been polite to the commission. I had no evidence to give in the way evidence was taken from me. I did make a statement, but it was a statement necessarily very partial; and in the beginning of it I said to the commission that I only proposed to take up one or two points of importance, and that is all I did.

Mr. CARVELL. Would the hon. gentleman mind telling the committee what arrangement was made between the Union Trust Company and the land company regarding the bonus of stock ?

Mr. FOSTER. I shall have to answer exactly as I did last night ; that is none of the hon. gentleman's business.

Mr. AYLESWORTH. At this hour I should not think of detaining the committee even for one minute, much less for the five or ten minutes which at most I shall take, but for two circumstances, or perhaps three, of a trifling nature and yet in which I feel personally interested. The hon. gentleman (Mr. Foster) has just alluded to what he speaks of as a comparison or a parallel instituted by me between the case under discussion and the case of the recent manager of the Ontario Bank. I beg to point out to him what is perfectly manifest to any one who heard me and to any one who peruses what I said as recorded in 'Hansard,' that I was but combatting the argument he put forward strenuously in his opening remarks yesterday, namely, that success apparently as contrasted with failure made all the difference in the moral quality of the transactions under consideration. I was endeavouring to point out that the result of the transactions—whether they were disastrous, as in the instance adverted to, or successful as the hon. gentleman says they were in his instance—could be of no consequence in the consideration of such matters as were presented before this commission upon the inquiry it was called upon to undertake. I have no doubt in my own mind—and I think no one who hears me will have any doubt—but that if the operations of the manager of the Ontario Bank had resulted as successfully as the hon. gentleman says his did, we should never have had any such prosecution as took place in the case of Mr. McGill. I spoke of Mr. McGill as a man who, twelve months ago, was considered by any who knew him as a gentleman, and I think, whatever his unfortunate position may be to-day, that is language in regard to him which no one who knows him will gainsay. The other matter that I alluded to a minute ago as the reason for my being on my feet again before this committee is the circumstance that the hon. gentleman (Mr Foster), who has just taken his seat, in the studiedly, careful and courteous observations which he has made to-night, did not refrain from referring to me personally, as I must suppose, when he stated that it was under instructions that he was kept before this commission for a month or thereabout after subpœna and before he was called to the witness stand—until, as he puts it, the train was laid and the bomb ready to be exploded.

Now, in that connection (if the committee will bear with me for a moment) I want to remind this body that I came into this House only thirteen months ago, with no previous experience, and with the feeling that, possibly, every man who enters this House has—much the same feeling, as I take it, that a prize fighter has when he steps into the ring—that he may expect to receive hard blows, that he is prepared to receive them, and that he intends to return them if he can. I came here with as inveterate political prejudices, I suppose, as any man who ever entered this House. I was born that way, and my father before me, and his father before him, and his father before him again, in this country. I yield to no man in the strength of political feeling that I cherish. But I intended, if I could, to fight a fair fight in this House or elsewhere. I had many friends I think, many warm personal friends, among the members of this House who sit to your left, Mr. Chairman, and I think I have many warm personal friends among them yet—I do not know that I have lost any. There were many hon. gentlemen who sit on that side with whom I had had no previous acquaintance of any sort whatever. The hon. member for North Toronto (Mr. Foster) was one. There came an incident in this House, before I had become Minister of Justice, to which the hon. gentleman alluded yesterday, and which he seemed to regard as an occasion when some personal hostility on my part towards himself had developed ;—when that young man was brought in custody to the bar of the House, I joined in the applause with which he was received by a very large number—I think I may fairly say by a very substantial majority—of the individual members of this House. Perhaps I committed a very grave indiscretion upon that occasion. It would seem so, for from that day to this it has seemed to be the basis of a feeling of bitter hostility on the part of the hon.

member for North Toronto towards myself personally. It has been alluded to in the course of this debate as if it were the beginning of attacks on my part on the hon. gentleman, I am in the judgment of this House as to whether there is any reason in fact for that statement. This session began. And whatever the cause—no doubt the cause is manifest in what we have heard to-day and what we read in the newspapers that are supposed to voice the sentiments of the Conservative party—there was not one or two occasions merely, but occasion after occasion when I was made, sometimes in my absence, sometimes in my presence, the target for personal attacks of what I consider a very violent and uncalled for nature at the hands of the hon. member for North Toronto. I made no reply. I think I might have done so ; I think there was plenty of material at my hand to have done so if I had thought it right or desirable that questions of that nature should be debated in this House. Now, in the course of the present debate to-day what has been taken up by different hon. gentlemen who sit upon the other side of the House has been attacks almost wholly of a personal character upon myself. And, just before the House rose at one o'clock this afternoon, in a moment of great excitement arising out of an incident to which I shall not further allude, but which is fresh in the minds of all of us, I was charged by the hon. gentleman (Mr. Foster) in, certainly, no calm language or frame of mind, with standing here as the conspirator. I may say, I think, without impropriety, that I was denounced with outstretched arm and pointed finger and violent gestulation, and with the use of the words, 'There stands the conspirator," or 'See the conspirator.' I replied with a like gesture—I am ready, I think, to return blow for blow whenever blow is given.

Now, I want to say, with reference to the many things that have been uttered by different hon. gentlemen in this House, not merely to-day but throughout the course of other discussions with regard to this matter, what I have already said in more than one shape since this session began. That whatever they may credit me with, whatever they may believe, however firmly they may be convinced that I had some directing hand or instructing word in the conduct of this insurance investigation so far as the Foresters were concerned, or so far as any other company was concerned, that suspicion, that statement, that allegation, is absolutely without any kind of foundation whatever. Any information on the subject of the inquiry which came to my knowledge from any source which I considerd trustworthy, I communicated to the counsel who was conducting that investigation.

Mr. FOSTER. By letter ?

Mr. AYLESWORTH. Any member of the House——

Mr. AYLESWORTH.

Mr. FOSTER. By letter ?

Mr. AYLESWORTH—would have done the same thing——

Mr. FOSTER. By letter?

Mr. AYLESWORTH—and so communicating that information, transmitting it to the hands of the counsel who was concerned in conducting that inquiry, I limited myself to that and never even suggested what course should be taken as to the calling of witnesses, the order in which they were to be called or any other matter connected with the conduct of the investigation, good, bad or indifferent. There was no necessity that I should do so. As I have said in this House before, and as everybody who knows anything about him is well aware, the counsel who was conducting that inquiry is a man who is perfectly capable of conducting any cause whatever as well as I or any other lawyer in this country could conduct it. He needed no suggestions, and none whatever were given to him. So far as the commission is concerned, I never had any sort of communication, suggestion, direction, instruction or any other word you may choose, with any member of it in regard to the business of the commission. That statement I wish to make simply because this whole debate, so far at any rate as to-day's discussion goes, seems to have been based on that allegation.

Mr. FOSTER. The statement of the Minister of Justice renders a word from me necessary. He has not added much to the statement of last night by way of palliation, when to-night he made an addendum, that if McGill's transactions had turned out successfully he never would have been prosecuted and condemned by the courts—which if it means anything, and the minister is a grown man and would not use that expression unless he had a meaning—means that if my investments on lands in the Northwest and in British Columbia, made under the law on legal securities, had proved unsuccessful, I could have been prosecuted and sent to prison as McGill has been sent. That is what it means, if it means anything. One word more, I will say with reference to last night's statement. I took up the organ of the Liberal party in this country, the Toronto 'Globe,' edited by a follower of the meek and lowly Saviour. He preaches on Sunday and indites editorials for Monday morning's paper. In this, as in the work of the commission, he is quick to follow his leader. The first page has this displayed, which I hold up before the committee : 'Two views of trust funds,' with my statement down half way as to my responsibility for the formation of the trust company and the subsequent investigations of the same. The other half is Mr. Aylesworth's polite and considerate characterization of the McGill case and his course in comparison with my name and my case.

Mr. SAM. HUGHES. I am somewhat surprised to hear the Minister of Justice refer to his father, his father's father, and his father's father's father as having been all of the Liberal faith. I was wondering whether the father had stuck to the label or had stick to the principle. It is evidently they have stuck only to the label, because never for one generation at a time have the principles of the Liberal party been the same. I could give a good deal of data with reference to the purchase of these lands by Fowler and Pope, I could give a good deal of information with regard to Dominion lands in British Columbia, to bear out the statements made in this House ; but I will not do so owing to the lateness of the hour. In regard to the comparison drawn by the Minister of Justice betwen the member for North Toronto and Mr. Charles McGill, I have only to point out that it seems rather unfortunate for the Minister of Justice that in his political career he has become mixed up in the notorious West Elgin case, with the notorious Gamey case, with this notorious insurance case, and for years he has been solicitor for the Bank of Ontario, and in each and every instance disaster has followed in his trail.

Mr. AYLESWORTH. The hon. gentleman might add that I have been counsel for a great many of his political friends.

Mr. SAM. HUGHES. I never had the misfortune to have the hon. gentleman as my counsel. I merely rose to move that the item be reduced by the sum of $30,000.

Motion negatived : Yeas, 17 ; Nays, 75.

Mr. BARKER. I was paired with Mr. Carney of Halifax ; otherwise I would have voted for the motion.

Resolution reported.

Mr. FIELDING moved the adjournment of the House.

Mr. FOSTER. What business will be taken up to-day ?

Mr. FIELDING. The acting Minister of Public Works (Mr. Fisher) will move the House into supply, and the leader of the opposition can make his motion.

Motion agreed to and House adjourned at 1.38 a.m. Friday.

HOUSE OF COMMONS.

FRIDAY, April 12, 1907.

The SPEAKER took the Chair at Eleven o'clock.

ROYAL ASSENT.

Mr. SPEAKER. I have the honour to inform the House, that I have received the following letter from the secretary of His Excellency the Governor General :

Ottawa, April 12, 1907.

Sir,—I have the honour to inform you that the Hon. the Chief Justice of Canada, acting as deputy to His Excellency the Governor General, will proceed to the Senate Chamber this afternoon at 4 o'clock for the purpose of giving assent to certain Bills which have passed the Senate and House of Commons during the present session.

I have the honour to be, Sir,
Your obedient servant,
C. J. Jones,
For the Governor General's secretary.

The Honourable
The Speaker of the House of Commons.

QUEBEC HARBOUR COMMISSIONERS.

Hon. W. S. FIELDING (Minister of Finance) moved for leave to introduce Bill (No. 159) to increase the borrowing powers of the Quebec Harbour Commissioners.

Mr. R. L. BORDEN (Carleton, Ont.) Would the hon. minister kindly explain ?

Mr. FIELDING. The Quebec Harbour Commissioners have already power to borrow certain moneys on the credit of their revenues, and this proposal is to extend the limit of those powers. Section 1 provides :

In addition to the amount of two hundred thousand dollars which the Quebec Harbour Commissioners, hereinafter called 'the corporation,' may borrow under the provisions of section 35 of chapter 34 of the Acts of 1899, the corporation is hereby authorized and empowered to borrow for the purposes, in the manner and subject to the conditions in said section provided an amount not exceeding in the whole eight hundred thousand dollars.

The interest thereon is made a charge on the port of Quebec, in the same manner as the $200,000 referred to.

Motion agreed to, and Bill read the first time.

RAILWAY ACT AMENDMENT—RECIPROCAL DEMURRAGE.

Mr. ROCH. LANCTOT (Laprairie-Napierville) moved for leave to introduce Bill (No. 160) to amend the Railway Act He said : The purpose of this Bill is to introduce into the dealings, between railways and their customers something like reciprocity. It is well known that if a car of goods arrives for a merchant he has forty-eight hours to unload it, and if he fails to do so, he is charged one dollar per day for all subsequent days. This charge is also made on the shipper if he is slow in loading the car delivered to him for that purpose. This charge is called demurrage. Thus both the shipper and the receiver of goods are subject to fine, if they do not promptly load and unload the car and allow the railway as nearly as possible the continuous use of the car. Now why should

all this punishment for delay apply only to the shipper and the receiver of goods? Is it not fair to claim that the railway owes a duty to the shipper and the receiver and should be subject to some equivalent fine, if it fails to perform that duty?

Motion agreed to, and Bill read the first time.

FIRST READING.

Bill (No. 161) to amend the Act of the present session incorporating the Residential Fire Insurance Company.—Mr. Fielding.

MILITARY CAMP AT PETAWAWA.

Mr. G. V. WHITE (North Renfrew). Before the Orders of the Day are called, I would like to draw the attention of the government to some correspondence which I have received from residents of the township of Petawawa asking whether the government intends to compensate the township for loss of revenue due to the exemption from taxation of lands required by the government for military purposes. I understand that the township will lose $500 or $600 per annum.

Hon. W. S. FIELDING (Minister of Finance). My attention has not been drawn to the matter, and I cannot speak positively with regard to it. But most of the lands taken by the government were, I understand Crown lands, and exempt from taxation. Were not most of these lands already exempt from taxation as provincial lands?

Mr. WHITE. I understand the government acquired the lands from private parties.

Mr. FIELDING. The general principle governing such matters is that where the government require and take public lands, they are exempt from taxation. I have a case in mind where compensation has been granted, or proposed to be granted, on the ground that the property acquired is still allowed to remain temporarily in the hands of private parties, and not immediately applied for the purpose of the government; private tenants still continue to occupy, the government therefore using the property as a landlord. A case of that nature was brought to my notice recently, and I think we shall ask the House to authorize us to compensate the municipality interested. I would think, off hand, that the case mentioned by my hon. friend does not come within that class. However, if he will be able to give me any further information as to the facts I will be glad to look into them.

INCREASE OF SALARIES TO POST OFFICE OFFICIALS.

Mr. A. C. MACDONELL (South Toronto). Now that the session is drawing to a close, I would like to ask the Postmaster General if he intends to introduce a Bill to increase the salaries and improve the general conditions of employees of the Post Office Department, especially the men employed in the outside service, and more particularly the letter carriers, and officers of that class; and if the Bill will provide not only for increasing the salaries, but also improving the conditions under which these men labour? For instance, take the case of the letter carriers. I know the recent case of a letter carrier in Toronto who has been employed in the service twenty-five years, but a few days ago he was absent for about a week on account of illness contracted in the performance of his duties, and his salary was docked his day's pay. Conditions of that kind should be looked into and improved, if possible. I would ask the minister if he has the Bill under consideration which these officials have asked for, and if we may expect to have it introduced this session?

Mr. T. S. SPROULE (East Grey). I would like to inquire as well whether this government have reached a decision to increase the salaries of postmasters throughout the country. We have a great many letters inquiring about it, and it would not be out of place for the Postmaster General to make a statement about it.

Mr. H. LENNOX (South Simcoe). Before the Postmaster General replies—he will recollect that I mentioned this matter to him a day or two ago—I wish to draw his attention to the question of increasing the salaries of postmasters. I have before me a copy of the Toronto 'News,' of which I proposed to read an extract in connection with this matter on going into Supply. However, I do not need to do that, but I will say that this matter has been, I think, under the consideration of the government for about a year since the postmasters presented their case to the department.

Mr. SPEAKER. A discussion is contrary to the rule.

Mr. LENNOX. I will only add that I trust the Postmaster General will bring down his project at an early date.

Mr. TALBOT. Might I also ask the Postmaster General if he intends increasing the salaries of the postmasters throughout the country? I think they have made a strong appeal to the government for additional consideration.

Hon. RODOLPHE LEMIEUX (Postmaster General). This question has been engaging my attention and is now engaging the attention of the government, and I expect that within a few days I will be in a position to make a positive statement regarding this question.

Mr. FIELDING. The whole question of civil service salaries, not with regard to any one department but to all departments and all branches of the service, has been very much pressed upon the attention of the government, and proves to be a very embarrassing one. It is not easy to answer as regards any particular department, but before the close of the session a statement should be made with regard to the general question.

RAILWAY BLOCKADE IN THE NORTH-WEST.

Mr. GEO. E. McCRANEY (Saskatchewan). I wish to call the attention of the government to two telegrams I have just received from Rosthern and Saskatoon, in my constituency.

Mr. SPEAKER. Does the hon. gentleman intend to ask a question ?

Mr. McCRANEY. Yes, I will conclude with a question. The first telegram is dated Rosthern, Saskatchewan, April 10, 1907 :

G. McCraney, M.P.,
House of Commons, Ottawa.

Have received but two mails past fourteen days. Edmonton trains now running via Warman and Prince Albert to Winnipeg, but refuse to carry mails. Situation now unparalleled here. Incoming settlers in many cases delayed two weeks at one point. Western people think your government might better take up western railway congestion than eastern scandals, as situation here is deplorable.

ROSTHERN BOARD OF TRADE.

The next telegram is dated Saskatoon, April 11 :

G. McCraney, M.P., Ottawa, Ont.

Understand that Canadian Northern Railway have notified American roads not to accept shipments settlers' effects for any points on their system. We have received no mail since March. Merchants entirely out of many staple articles, some necesssities. Prince Albert branch tied up both above and below here. Railway officials say no trains this week. There appears to be great inefficiency or mismanagement on part of railway. Can something not be done to compel more strenuous action by them ? Mails could surely be driven over breaks in line.

JOHN ASHWORTH.

I would like to ask the government if they have any information as to the situation there ?

Hon. RODOLPHE LEMIEUX (Postmaster General). As regards the mail service, I was made aware a few days ago by a number of telegrams I received from Saskatoon and Regina that the railway main service there was being crippled by the heavy storms that they have encountered lately. Immediately the department gave instructions to the inspector in the district to organize, if possible, a conveyance of the mails across the several gaps by means of vehicles, we have done our best. Unfortunately these complaints before being made against the Post Office Department should be first addressed to the weather bureau.

SUPPLY—BLAIRMORE TOWN SITE.

Hon. W. S. FIELDING (Minister of Finance) moved that the House go into Committee of Supply.

Mr. R. S. LAKE (Qu'Appelle). Mr. Speaker, before you leave the chair I desire to call the attention of the House to a question which has been creating a great deal of interest in the Northwest and has been very much discussed in the papers of that country ; I refer to the Blairmore town site. I intend before resuming my seat to move a resolution with regard to that question. Very voluminous papers have been brought down by order of this House. The last of them, consisting of many hundreds of pages, came down only a couple of days ago and it has been impossible to go very minutely into all the details contained in those papers. The general features, however, stand out plainly and I do not think I shall have difficulty in laying before the House the general situation of affairs as shown in those papers. The main features of the case are these :

On the 25th of July, 1901, a patent was issued for 160 acres of land comprising what is known as the Blairmore townsite for the sum of $480, to one Malcolm Mackenzie. Mr. Mackenzie is a lawyer at the town of Macleod, some 45 miles distant. He was the Liberal candidate in the Dominion elections of 1904, and is now a member of the legislative assembly of the province of Alberta. Mr. Mackenzie, according to these papers, had no legal claim whatever to be allowed to purchase this land. At that time Blairmore had a population of between 200 and 300 people ; it had three licensed hotels in full running. The improvements were valued at some $40,000 or $50,000 by Mr. Mackenzie himself. This value was thoroughly well known to the Department of the Interior, but in spite of their thorough knowledge of the subject they were prepared to sell the whole thing to Mr. Mackenzie for $480. Subsequently, however, proceedings were taken to annul the patent. It was formally proved during the course of these proceedings that Mr. Mackenzie's claim was based on certain untruthful statements fraudulently made by one Felix Montalbetti, an Italian. Further, these papers show that before judgment was finally given in the case the Crown withdrew, thus forcing all proceedings to be dropped and confirming Mackenzie in his possession of the land.

Let me go somewhat more fully into the details of this transaction. Blairmore is a town on the Crow's Nest section of the Canadian Pacific Railway, as I said just now, 45 miles distant from the town of Macleod and one mile distant from the well known mining town of Frank. It had a population

on the 31st of March, 1901, of 231 people and in 1906 of 449. It is situated just inside the Rocky Mountains on their eastern slope where the pass broadens out and forms an ideal town site, an elevated bit of prairie land with groups of pines dotted throughout it and mountains rising thousands of feet on either side. In the year 1898 the only residents on the present town site were an agent and some section men who were in the employ of the Canadian Pacific Railway. The district had not been surveyed and was not surveyed until 1900, and up to that year no one put in any particular claim to the land. During the course of that year, however, discoveries of coal in the neighbourhood called attention to this land as being extremely valuable as a prospective town site. In December of that year H. E. Lyon, who had formerly been agent of the Canadian Pacific Railway and who had some months previously quitted that employment, had built a store and had started up in business as a general merchant, put in a claim to the land as a homestead, but was refused on the ground that it was an odd-numbered section, and rightly so, in accordance with the land laws. Two months later he made a formal claim that if he was not to be allowed to retain the land, or to purchase it at the ordinary government rate of $3 an acre on the ground that he was the original squatter on the land, that at any rate it should be put up to public competition so that he might have an opportunity of acquiring it by purchase. But about this time or a little earlier other rival claimants put in claims to the land. The papers are missing in regard to these rival claims, although I notice that they are referred to in some of the correspondence, so that the papers brought down are not complete. I may mention here also that a statement has appeared in one of the western papers that very important papers in connection with this question which found their way into the Department of the Interior have disappeared there and have not been found since. The department then called upon their homestead inspector to report upon the rival claims. There was considerable delay, the homestead inspector had a large district to cover and he did not make the inspection for a very considerable time. The department, however, becoming impatient, on the 11th of June sent instructions that the question should receive immediate attention. About this time yet another claimant to the land appeared, this was Felix Montalbetti, an Italian section foreman who had been in the employ of the Canadian Pacific Railway. He claimed to be the first squatter on the land and while making out his claim, which he did in the office of Mr. Malcom Mackenzie, who finally entered into possession of this land, he agreed to assign to Mr. Mackenzie, any rights or claims which he might have in the land. This agreement was come to on the 7th of June.

The agreement was that Mr. Mackenzie should pay him $1,000 and that he should take all the risks of pressing Montalbetti's claim to a successful conclusion. Montalbetti's claim was apparently forwarded to the department that day. On the 17th of June, ten days later, something had apparently developed, for on that day a telegram was sent to the land agent at Lethbridge instructing him that if the homestead inspector had not already made an inquiry into the rights of these rival claimants his instructions to do so should be cancelled.

The following day a telegram was sent to Mr. Joseph Nixon, at Macleod, instructing him to make an inquiry and a report. And who is Mr. Nixon? He was the subagent of Dominion lands at Macleod; he is the gentleman whose name was brought up in this House some two years ago, and whose case was then gone into pretty thoroughly. It was shown at that time that he had been guilty of misappropriating the funds of the government which had come into his possession, and which offence finally ended in his being dismissed from his office, although by the way, very shortly afterwards he received another and a more lucrative position from the same Department of the Interior. This Mr. Nixon was an intimate friend of Mr. Mackenzie, and we find from the evidence that he discussed this matter with Mr. Mackenzie; that he told him he was going up to Blairmore to inspect and to report upon the rival claims. Mr. Mackenzie was the man who had the agreement with Montalbetti to receive his rights in the land. It ended in Mr. Mackenzie and Mr. Nixon going up together on the same train to Blairmore. Each of them prosecuted inquiry into the claims of the various claimants; possibly each prosecuted an independent inquiry. I do not think the papers say they prosecuted their inquiry together. Mackenzie and Nixon returned together on the same train after each had made his own particular inquiry. It turned out that Mr. Stewart, the homestead inspector, had already been in Blairmore and had made his inspection, although his report had not at that time been received by the department. Finally the two reports got to the department, and they appear in the papers. Mr. Nixon's report was to the effect that Montalbetti was the only one of the three claimants who could be regarded as a bona fide squatter, and that his claim to be allowed to purchase the land was good. Mr. Stewart's report was that neither Mr. Lyon nor Montalbetti had any claim to the land, but that the claim rested in another party or parties. It is difficult to say exactly what the full meaning of his report in regard to these other parties is, because some of the papers are missing. At any rate, he was definite that neither Lyon nor Montalbetti had a prior claim to this land. The then Commissioner of Dominion Lands,

Mr. Turriff, who is now member for East Assiniboia, sat to hear the case on the 18th of July of that year, and legal representatives of the three claimants were present, and Mr. Turriff apparently heard what they had to say. The following day Mr. Turriff made his decision in favour of the claim of Montalbetti, thus accepting the report of Mr. Nixon rather than the report of Mr. Stewart. Why did he do so?

Mr. R. L. BORDEN. Had Mr. Mackenzie at this time received the assignment of Montalbetti's claim?

Mr. LAKE. Yes ; the papers show that before the decision was given Mr. Mackenzie had received an assignment from Montalbetti.

Mr. R. L. BORDEN. So that in effect Mackenzie was the claimant?

Mr. LAKE In effect, the application was in reality on behalf of Mackenzie, as Mackenzie had acquired Montalbetti's rights. Why should the Commissioner of Dominion Lands accept the report of Mr. Nixon rather than the report of Mr. Stewart? Mr. Stewart was a regular official of the department, a homestead inspector, a man accustomed to make such inquiries, and a man who it would be expected would give a report which the department could rely upon. Mr. Nixon, on the other hand, was a subagent of Dominion lands. Speaking in this House a short time ago. the member for East Assiniboia stated emphatically that Mr. Nixon was not in any shape or form an ordinary government official, that he was only in temporary employment by the government, and that he carried on a private business at the same time like any other subagent of Dominion lands. I do not agree with the member for East Assiniboia in regard to that. I consider that the sub-land agents are regular officials, but be that as it may, the fact remains that Mr. Turriff, then Commissioner of Dominion Lands, did not consider that this sub-land agent, Nixon, was a regular official. And yet he accepted the report of this man, who was not a regular official, and rejected the report made by a regular official of the department whose business it was to make such inquiries and furnish such reports.

Immediately that the decision became known protests were put in by the other claimants to the land. On Mr. Lyon's behalf an urgent telegram was despatched, stating that he was prepared to prove there was fraud in the statement of Montalbetti's claim. He went further, and he claimed that Mr. Nixon had been guilty of not making a proper inquiry, that he had conducted that inquiry in private, and that in fact Nixon had been unduly biased in making his award. Applications also were made by the legal firms employed by the other claimants asking that the patent should not be issued until an investigation should be had into these charges of fraud against Montalbetti.

Now, one would imagine, in view of such serious charges, that there should have been some delay, and that a further investigation should have been made. But did the commissioner delay ? Not at all. In just a week's time the patent was issued. I may remark here that this is a very unusual thing. It is very seldom that a patent is issued in less than a week from the time the claim is proved. Why should there have been such undue haste in the issue of this patent ? Why should Mr. Montalbetti, who I presume was the only man who had any rights in the case, have received such extraordinary consideration on the part of the department ? It is perfectly clear from the papers that at that time the department had been put in possession of the assignment which had been made by Mr. Montalbetti to Mr. Mackenzie of his rights in the matter, and I think it must be taken for granted that the department was most anxious that there should be no further inquiry into the question of Mr. Montalbetti's rights, and that nothing should stand in the way of the issue of the patent to their friend and supporter, Mr. Mackenzie. As I said just now, there are frequently delays of many months in the issue of patents. Any ordinary settler in the Northwest who gets his patent within a month of the date when the department has accepted his papers considers himself very lucky indeed. There is usually a delay of many months ; but in this case there was no delay ; the patent was issued at once ; and as Mr. Montalbetti was regarded as the bona fide squatter, if a patent was to be issued to any one surely it should have been issued in the name of Mr. Montalbetti. In the practice of the department a man who squats on land in advance of settlement and before a survey is made is considered to have some right to the land on which he has squatted. In most cases such a settler puts up a home for himself, builds his stables, does his cultivation and accumulates his stock ahead of civilization ; and it would be very unfair if when surveys of the land on which he has taken up his home come in the course of time to be made, and that land is opened to settlement, somebody else should be allowed to come in and make a homestead entry for the land or buy it ahead of him ; and therefore in practice his priority of claim to make a homestead entry for that land has generally been recognized by the department; and in the new Dominion Lands Bill which we have before the House that right is for the first time set out as a definite legal right, and he is given a definite time within which to make his claim good and to make his entry for the homestead. But this appears to be an entirely different matter. Mr. Mackenzie did not even claim that at the time this right to purchase the land was accepted he was living on the land,

that he had built a home for himself, that he had farm buildings and stock on the place. Yet as I said just now, the patent was not issued to Montalbetti, but to Mr. Mackenzie. The assignment of Montalbetti's rights to Mr. Mackenzie was handed in to the department, together with the fee for its registration, and at the same time payment was tendered for the land. Everything was in readiness. Everything was apparently expected to turn out exactly as it did. Mr. Montalbetti's claim was to be recognized and the patent was to be issued immediately. The patent then was issued to Mr. Mackenzie who lived forty-five miles away, and who had never been a squatter on the land at all.

Mr. BENNETT. What is Mr. Mackenzie's business ?

Mr. LAKE. It is that of a lawyer.

Mr. OLIVER. A bad business.

Mr. LAKE. The Minister of the Interior suggests that it is a bad business. He was also the Liberal 'pull' in that neighbourhood which seems to have been pretty remunerative business. The question comes in, had Mr. Mackenzie any legal standing in the matter at all? It is a well know fact, embodied in the present law, that if a homesteader makes an assignment of any rights he has acquired in his homestead before he has actually performed all the duties he has to perform to entitle him to the issue of a patent, and it comes to the knowledge of the department, his homestead entry can be cancelled forthwith, and all the rights which he has acquired up to that date can be taken from him. Now, the homesteader certainly has a legal status. He has paid a fee to the department, got a receipt for it, and has a right to keep trespassers off the land—in fact has entered into the general possession of it. Compare his status with that of the squatter. The squatter has no legal status at all. Simply by the practice of the department he has been given, and rightly so, the right of priority in making application for the homesteading or purchase of the land on which he has squatted. If the homesteader by his legal status is absolutely prohibited on pain of forfeiture from assigning any rights he has in the land until the department is satisfied that he has performed all his duties, and has made a recommendation that his patent be issued, so much the more should the so-called rights or claims of a squatter be extinguished the moment he attempts to assign any such rights or claims. In spite, however, of all the doubtful rights which Mr. Mackenzie had in the matter, the patent was issued with extraordinary haste. The money was accepted on the 25th of July, 1901, and the patent was made out in his name on that day. But the matter was not to be allowed to drop. Mr. Lyon, the original claimant to the land, went to the Minister of Justice and obtained permission of the Crown to take action in the Exchequer Court in order to have the patent set aside. The claim was filed by the Attorney General in the Exchequer Court on the 10th of November, 1902, that the patent had been issued by fraud or misrepresentation. After some preliminary investigation had been made, it was decided to appoint a special referee to make an investigation on the spot, and Mr. Justice Wetmore, one of the judges of the Supreme Court for the Northwest Territories, was nominated as the special referee.

He went to Blairmore, made a very thorough investigation on the spot from the 7th to the 11th August of that year and reported. And his report was to the effect that the untruthful statements and misrepresentations of Montalbetti were of such a character and so numerous that he could not resist the conclusion that they were fraudulently made and that an order should be given for the return of the patent in order that it might be cancelled. The matter came before the Exchequer Court again on the 20th March, 1903. In that court, while Mr. Justice Burbidge concurred generally with Mr. Justice Wetmore in his findings and agreed that a case was clearly made out and that the Crown had been deceived, he did not give final judgment as he was so much puzzled with regard to some of the evidence which had been given by the Commissioner of Dominion Lands. And he desired to have Mr. Turriff again before him to give further evidence and also to have some evidence from Mr. Nixon, the subagent, in regard to his report. In the meantime the then Minister of the Interior (Mr. Sifton) had been writing frequenly to the then Minister of Justice (Mr. Fitzpatrick) with regard to this subject. He had been registering desultory protests against the whole proceedings. He declared that the principle had never been recognized that the decisions of the Department of the Interior could be revised by the courts of the land. Further than that he stated that the Crown was not pressing for the cancellation of the patent in this case although the matter was still under inquiry and under judicial investigation. Mr. Sifton was going away about that time, and had some other business to attend to which prevented his going fully into the matter, and at his request it was laid over for a considerable period and some nine months elapsed before anything more was done. Then, on the 19th December, 1903, we find a letter from Mr. Sifton to Mr. Fitzpatrick, at that time Minister of Justice, in which Mr. Sifton sets forth that the judge of the Exchequer Court had held that neither Lyon or Mackenzie had any right capable of enforcement, and he went on to say that the Crown does not attempt to sell land which has an artificial value as town site or for any similar reason at the highest price obtainable, and

finally asks that the judge be requested to have the case disposed of on the ground that the Crown does not desire to ask for the cancellation of the patent on the ground of inadequacy of price because everything relating to the price was thoroughly well known when the sale was made. Mr. Sifton's representations were listened to, application was made to the Exchequer Court, and the case fell to the ground. The action was dismissed on the 30th May, 1904, without costs, so that Mr. Mackenzie remains in the possession of the land which had been acquired through the medium of fraudulent statements. He remains in possession of a town site which is variously estimated in the Northwest to be worth from $100,000 to $200,000. Where did Mr. Lyon come in in all this? Mr. Lyon claimed to have the first squatter's right. He had put in the first application for the land, and from his early acquaintance with the settlement, for he was one of the earliest in there, he knew probably more about the matter and how it stood than any one else. And he was so confident of the validity of his rights that he was prepared to let every other consideration go to one side and go to all the expense of an appeal to the Exchequer Court to have his rights vindicated. Even when it appeared absolutely hopeless, after the government had withdrawn the case and had finally handed over possession into the hands of a gentleman who is well known as a good Liberal—even then he was not prepared to let the matter drop, but went on spending money in order to see that justice was done even if it could not ultimately end in his obtaining possession of the town site. Mr Lyon had been successful in proving that part of his case which alleged that the town site had been given Mr. Mackenzie through the fraudulent representations of Montalbetti. Then the Crown threw him down. It had been certainly stated by one of the judges at any rate that he had no legal right capable of enforcement. But according to his letter, Mr. Sifton apparently held the view that no one had any rights or claims outside the will of the Department of the Interior and that no one could enforce any rights or claims outside what the department chose to do.

The evidence given by the Commissioner of Dominion Lands tended to show that in the practice of the department, the first person who entered into permanent residence on the land had priority of right, and Mr. Justice Wetmore's decision, based on the eveidence, was that Mr. Lyon had fulfilled that condition. He was the first one to erect a permanent habitable dwelling on the land and go into permanent residence. But I am not arguing Mr. Lyon's case. The wrong which has been done should first be righted by this department. The patent which has been issued to Mr. Mackenzie shoud be cancelled. After that is done, it will be the duty of the government to see that the rights of all the parties concerned are given the fullest consideration, and especially the rights of those bona fide and innocent purchasers and settlers who went in and took up their abode in the town of Blairmore. I think it would be well for me to read to the House the opinion held in regard to this matter even by supporters of hon. gentlemen opposite. I have here the Strathcona 'Plaindealer,' which is a staunch supporter of the present administration, a good Liberal newspaper. In its issue of the 22nd of March last the Strathcona 'Plaindealer' says :

The Lyon-Mackenzie Episode.

We notice that the Lyon-Mackenzie episode in connection with the town site of Blairmore is being ventilated on the floor of parliament at Ottawa. That is as it should be and we hope the matter will be sifted to the bottom. The closing words of Mr. Burbidge, in his judgment dismissing the case were: 'It is very plain that the defendant, Mr. Mackenzie, obtained the land in question through fraud, but owing to the action of the Crown, which I can hardly understand, in withdrawing from the case, I am forced to find that Lyon has no legal right to cancel the patent of Mackenzie, but had the Crown remained in the case I would find that Mackenzie obtained the land by fraud, and immediately cancel his patent. However, I have no alternative in the matter and will dismiss the case without costs.'

Surely this judgment has placed Mr. Mackenzie, M.P.P., for Lethbridge, and also the Siftonian administration of the Department of the Interior under a cloud. Mr. Mackenzie stands in the judgment of Mr. Justice Burbidge as one who has obtained patent for the Blairmore town site through the fraud of another. His explanation of the matter on the floor of the Alberta House was sufficient——

That word, Mr. Speaker, should be 'insufficient,' as you will see by the context.

—to turn the tide of public opinion in his favour, nor can he turn that tide without abandoning the title he holds to the town site of Blairmore, a sacrifice which he seems loath to make.

The use of the word 'nor' there proves that it was intended to say that this explanation was 'insufficient,' and not 'sufficient' as the actual print has it.

Financially, probably no one but Mr. Lyon has suffered loss in this affair, but the country has a right to know what Mr. Justice Burbidge could not fathom, why the Department of the Interior dropped out of the case at the moment when their action prevented Mr. Lyon from obtaining justice. At first blush it appears that Mr. Sifton was bound to pull that $200,000 chestnut out of the fire for his good friend Mackenzie at any cost.

It will be observed that the Strathcona 'Plaindealer' places the value of the town site at $200,000.

It is now up to Mr. Oliver to have the matter investigated and laid bare in parliament as far as the Department of the Interior is con-

nected with it. If Messrs. Sifton and Turriff can justify their action, well and good, if not the stigma of corruption rests on them and the party must suffer.

Now, I do not wish to go further into the preliminary statement of this case, but I would like to make one or two very brief comments. First, I would call the attention of the House to the cost of this whole business to the government and people of this country. Not only did the government hand over to one of their political friends a town site which he himself admitted, if the coal mines went on—and they are still going on—was of a value of $50,000, and which had improvements on it at that time which he himself admitted to amount to another $40,000 or $50,000, for the sum of $480—not only that, but the government has paid very large sums in connection with the various inspections and inquiries in this case. They have paid for two special inspections by their officials; they have paid for special surveys; they have paid for a special judicial inquiry on the spot, conducted by a judge whose home was distant from the town site five or six hundred miles, and all the cost of the proceedings in the Exchequer Court. They have gone further, and, apparently, to throw a sop to Mr. Lyon in the hope of closing his mouth, they paid his costs in this matter amounting to $2,885. Now, we can hardly say that that sounds like good business administration on the part of the Department of the Interior.

Mr. BENNETT. Nor like an honest transaction either.

Mr. LAKE. Nor like a very honest transaction either. Now, what did Mr. Mackenzie get? He got the town site which, at the time the patent was issued to him, had improvements to the extent of $40,000 or $50,000, and the value of which exclusive of improvements he himself, estimated at $50,000, 'if the coal mines go on.' Different newspapers in the Northwest estimate the present value at anything up to $200,000. And I may say, that in my opinion, the value of that town site will increase enormously as soon as this question of the title to the lands is finally set at rest. The Department of the Interior has been threatening Mr. Mackenzie that if he does not square up with the rival claimants it will cancel the patent. So, no person going there knows what right he will have to the land he is improving. It is fair to infer, therefore, that the value of this beautiful town site will be enormously increased over the estimates given at the present moment. And the patent for this property issued to Mr. Mackenzie was obtained through fraudulent statements made by Montalbetti. It is true as Mr. Mackenzie states, that he did not make the fraudulent statement. But he cannot clear his skirts in that way. He is the beneficiary of these fraudulent statements, and surely it is up to him to clear himself completely of any possible question of benefiting by such fraud. Then, what is the position of the two or three hundred squatters who were on that land at the time the patent was handed over to Mr. Mackenzie? They had rights which were certainly greater than those of Mr. Mackenzie who had not squatted on the land, but who lived forty miles away. Yet, all rights or claims which they might have appear to have been handed over with the patent to Mr. Mackenzie. It seems to me that this case is one of the worst of the many very improper deals in lands which have been made by the government during the last few years in the Northwest. And I say, Sir, it becomes their duty ot see to it that the wrong which has been done in this matter is set right and that the patent which was issued by fraud shall be cancelled. It seems to me that it is definitely in the interest of the country, and that it will conform to the moral sense of the people, that the frauds which were perpetuated by Montalbetti should not be allowed to result successfully to a person who rests his rights upon these fraudulent claims. I contend that the fraudulent patent which was thus procured should be cancelled by the government without any further delay. I therefore beg to move :

That all the words after the word 'that' be left out and the following substituted therefor :

The government of Canada took proceedings in the Exchequer Court to set aside a patent issued to Malcolm Mackenzie, as the assignee of Felix Montalbetti, on July 25, 1901, comprising 160 acres, known as the Blairmore town site,

That evidence was taken in the said proceedings before the Hon. Mr. Justice Wetmore as special referee, and it appears by his report made upon consideration of the said evidence, that the said Felix Montalbetti, in making application for the said patent, had made untrue statements as to the material facts and that the said untrue statements were fraudulently made with the intention of improperly influencing the minds of the officials of the Department of the Interior,

That the said finding of Mr. Justice Wetmore as special referee, was approved and concurred in by the Hon. Mr. Justice Burbidge, judge of the said Exchequer Court,

That notwithstanding the said finding the government by its counsel appeared in the said Exchequer Court and withdrew the said proceedings and consented to an order which confirmed the said Mackenzie in his title to the said town site so acquired by fraud,

That the said Mackenzie is a prominent supporter of the present administration and was their candidate at the general elections in 1904, for the electoral district of Alberta, and is now a member of the provincial legislature of the province of Alberta,

That the said town site is very valuable, and is estimated to be worth between $100,000 and $200,000,

That the collusive action of the government through the Department of the Interior in thus confirming a political supporter in the pos-

session and ownership of property obtained by fraud, deserves and should receive the strongest condemnation of this House.

Mr. J. G. TURRIFF (East Assiniboia). As my name has been brought up in connection with this matter I would like to place some facts before the House that it may be able to judge of the merits of the case. The hon. gentleman who has just taken his seat (Mr. Lake) made reference to the fact that the instructions which had been given to the homestead inspector were cancelled and that the subagent was asked to make a report. That was done at the request of the parties who were the applicants, at their own request only. Instructions had been given to the homestead inspector several months before, but the report had not come to hand. The homestead inspector lives at Calgary some two or three hundred miles distant, and as these parties were anxious to have the matter settled, they asked that some one else should be sent. We wired there and ascertained from the agent that so far as he knew the homestead inspector had not been out there, and was not in that part of the country, so the subagent was sent. The subagent at that time, at Macleod, was Mr. James Dickson.

Mr. FOSTER. Who joined in the request that he should be sent?

Mr. TURRIFF. I do not remember who it was. This happened five or six years ago and I cannot remember the details; but there were three applicants for the land, and I know it was one of the three. The hon. gentleman also asked why the subagent's report was acted upon as against the homestead inspector's report, which came in subsequently although the agent at Lethbridge was not aware of the fact. Well, the report of any homestead inspector or of any subagent is not necessarily accepted; if that were the case, there would be no need of anybody else to settle these disputes. This was a dispute like dozens and hundreds of others, a tangle over a quarter-section of land, that came before the officers of the department. As Commissioner of Dominion Lands at that time it was my duty, practically my whole duty, to settle squabbles over disputes as to the right either to homesteads or to purchase a quarter-section of land. In this particular case the very fullest opportunity was given to all applicants. As I said a moment ago, there were three applicants to purchase this quarter-section.

Mr. BENNETT. Who were they?

Mr. TURRIFF. My Lyon, Mr. Montalbetti, and I remember well, a Mr. Moffat. They were all represented at Ottawa by counsel, and each counsel was allowed to go through the files and see all the papers in connection with the case, so each of them could see the claims made by the others. At the request of counsel they asked to be heard, a day was fixed, and they came up to my office and each presented his case. On the evidence given I gave my decision in accordance with the facts that were set before me, gave what I considered then was a right and proper decision, and I have had no reason from that day to this to change my opinion in any respect that that was a proper decision.

Mr. R. L. BORDEN. Does the hon. gentleman know that his decision has been absolutely dissented from by Mr. Justice Wetmore?

Mr. TURRIFF. No.

Mr. R. L. BORDEN. I can assure him that it has.

Mr. TURRIFF. I may say to the hon. gentleman that later on one of the parties who felt aggrieved—and it is customary in a case of that kind that the unsuccessful party should feel aggrieved—through his counsel, I presume, made application for an order to take the matter before the Exchequer Court. That was done, and the action was dismissed.

Mr. BENNETT. Which of the three applicants?

Mr. TURRIFF. Mr. Lyon.

Mr. R. L. BORDEN. It was dismissed by consent of the government.

Mr. TURRIFF. I am not very well versed in legal points, but as I understand the matter, the government gave the right to one of the parties who felt aggrieved to bring the matter before the Exchequer Court. Personally, I did not think that should be done. We have had a good exhibition of the results of that kind of thing this last summer, setting aside patents after they have been issued by the government. My own view of the matter is that the government is bound to take all the precautions that are possible, in so far as they can get information, before a patent is issued; but when a patent is issued that should be final, and the party who buys the property after a patent has been issued by the government should know what he is getting.

Mr. R. L. BORDEN. Even although the patent has been obtained by the greatest possible fraud?

Mr. TURRIFF. Well, I think it is a question whether a good deal more harm would not result from cancelling patents after they are issued than would result even if, in some cases, there is fraud which was not known at the time, and, as the hon. member put it, there may have been fraud. Take what happened at Cobalt a short time ago. Patents were issued by the government, lands that had come to be worth millions of dollars were being bought and sold at Cobalt.

Mr. BRODER. The patents did not carry the mining rights.

Mr. TURRIFF. In this case they were leases and patents, and carried the surface and mining rights. These lands were being sold for millions and millions of dollars, and hundreds of thousands of people all over the country were interested, but when the question of the legality or illegality of the patents came up it brought on a disastrous slump in the value of Cobalt properties, and a great many people suffered in consequence.

Mr. FOSTER. Was the evidence given by the legal representatives of the three claimants, upon which the commissioner gave his decision, taken in writing, has it been preserved, and is it accessible?

Mr. TURRIFF. The evidence was all there on the file, and the counsel for the three different applicants used that evidence that was there on file, and made their argument from the evidence they had each presented.

Mr. R. L. BORDEN. Was it taken orally before the commissioner?

Mr. TURRIFF. Yes, it was taken orally before me, so that I feel satisfied I am perfectly right when I say that the order for taking that before the Exchequer Court should never have been granted any more than patents that have been issued here in Ontario, carrying valuable mineral rights, after they are once granted should be questioned, causing loss to a great many people.

Mr. SPROULE. If the hon. gentleman ascertained that a patent was granted upon absolutely incorrect representations, and by collusion between the individual and the government's own agent, would he still think it right that the patent should not be cancelled?

Mr. TURRIFF. I am still of the opinion that more harm follows from cancelling patents than from not cancelling them. There may be an odd case, we have them in connection with issuing homestead patents, where there was evidence before the department that was conclusive, the homestead inspector made a report and confirmed the claim and the patent was issued. That land was afterwards sold to a third or, it may be, to a fourth party, and eventually it might be proven to the government that the original homesteader of that land had given some false evidence in connection with his application for this patent and his witnesses had confirmed this false evidence, the homestead inspector had been led astray and had not found out that the duties had not been completed, and on some technical ground like that, according to the argument of my hon. friends opposite, that patent should be set aside.

Mr. R. L. BORDEN. The hon. member has very truly said that he does not apprehend, and cannot be expected to apprehend, the practice on information or petitions of right. In a case such as he has suggested, the Crown would never think of granting a fiat after the land had passed into the possession of a third person, but that does not touch the case where it does not pass out of the hand of the man who committed the fraud. This land was in the hands of the man who has committed the fraud to all intents and purposes. I am not saying that Mr. Mackenzie had committed a fraud, but Mr. Mackenzie had obtained an assignment of Montalbetti's right and had not paid him a dollar for it, and up to the time of Judge Wetmore's decision he had not paid him a dollar.

Mr. TURRIFF. That is a thing I do not know, I do not know if Mackenzie paid Montalbetti or not, or what price he paid. That is a point that was brought up by the hon. member for Qu'Appelle (Mr. Lake), who pointed out that a homesteader has no right to assign his homestead, and if he does he is liable to forfeit his homestead. That is true, but that has nothing to do with a case of this kind, it does not apply in any way to a purchase. If any man purchases a quarter-section of school lands from the government and makes a payment, or does not make a payment, after he has been given the right to purchase, he can immediately make an assignment of that purchase to any one he chooses, file the assignment in the department with a fee of $2, and the patent is issued to the assignee. Any one who looks up the regulations knows that is a fact; my hon. friend from Qu'Appelle (Mr. Lake) knows it is a fact.

Mr. LAKE. Certainly I do not.

Mr. TURRIFF. Well, it is information for you that you certainly need on that point. Take the question of a pre-emption, A man cannot assign his homestead; if he does, he is liable to forfeit it, but a pre-emption is a different proposition, it is a purchase, and as soon as he has completed his homestead duties he does not need to pay a dollar on the pre-emption, but can assign it to any one, file the assignment in the department, the assignee pays for the pre-emption and the patent is issued to the purchaser.

Mr. LAKE. He cannot assign that until he has fulfilled his homestead duties and obtained his homestead.

Mr. TURRIFF. No, that is the case here. There were three applicants, and when the applicants came before me I considered that Montalbetti had the best claim, the prior claim, that he was the first man to take possession of the land, and I considered that he should be given the

right to purchase. I gave my decision accordingly. Afterwards he sold his claim to Malcolm Mackenzie, of Macleod, the assignment was filed in the department, the usual fee paid and the patent issued.

Mr. R. L. BORDEN. Why does the hon. member say that 'afterwards' he sold to Mackenzie?

Mr. TURRIFF. I do not know whether it was afterwards or before; I know that the assignment was filed in the department at all events. I cannot remember the dates; this happened some five or six years ago.

Mr. R. L. BORDEN. It was on the 8th of July, 1901, that Mackenzie got this assignment, for which he did not pay one dollar up to the time of Judge Wetmore's decision, and it was on the 19th of July, eleven days afterwards, that the hon. member, then Commissioner of Crown Lands, gave his decision. It is just as well to be accurate about these matters, as they are rather important.

Mr. TURRIFF. That may be correct.

Mr. R. L. BORDEN. It is absolutely correct.

Mr. TURRIFF. But what difference does it make? I do not know anything about this; it is none of my business.

Mr. R. L. BORDEN. Why did you refer to the dates?

Mr. TURRIFF. In what way?

Mr. R. L. BORDEN. You said it was after this.

Mr. TURRIFF. I will not correct it, because I do not know which is correct; it may have been afterwards, or it may have been before.

Mr. R. L. BORDEN. I am reading from the original records.

Mr. TURRIFF. The hon. member gives the dates, well and good. I accept them as correct. But, at all events, Mr. Montalbetti was given the right to purchase, and as soon as he had the right to purchase he had the right to assign.

Mr. LAKE. As soon as he had the right to purchase he had the right to assign; had he the right before?

Mr. TURRIFF. He had the right if he chose to assign before, whatever claim he had. If he had not been given the right to purchase, the assignment would not be any good. If I have a right to anything, I can assign it if I wish; there is nothing to prevent that in any shape or form.

Mr. R. L. BORDEN. Would the hon. member state when and how Montalbetti got the right to purchase? He says that when Montalbetti got the right to purchase he had the right to assign; when and how did he get the right to purchase?

Mr. TURRIFF. When the matter came before the commissioner of Dominion lands and he had decided that Montalbetti was the man of the three applicants who was entitled to purchase——

Mr. R. L. BORDEN. But he had assigned eleven days before that.

Mr. TURRIFF. That does not effect the matter in the slightest degree in any shape or form.

Mr. R. L. BORDEN. All right.

Mr. TURRIFF. A good deal has been said by the hon member (Mr. Lake) about Mr. Lyon not receiving justice. Well, Justice Wetmore and the judge of the Exchequer Court, they both stated Mr Lyon had not any claim, if I understood the hon. gentleman aright.

Mr. LAKE. That he had no right capable of enforcement.

Mr. TURRIFF. The matter comes down to this: if my decision was wrong it could have been set aside.

Mr. R. L. BORDEN. By the Exchequer Court?

Mr. TURRIFF. By the Exchequer Court.

Mr. R. L. BORDEN. It was.

Mr. TURRIFF. The patent could have been cancelled. The matter was brought before the Exchequer Court and I was called to give evidence and if I remember right, to produce the papers on file. I appeared before the judge and gave my evidence and the case was dismissed as I understand it.

Mr. R. L. BORDEN. By the judge of the Exchequer Court?

Mr. TURRIFF. By the judge of the Exchequer Court.

Mr. R. L. BORDEN. I see.

Mr. TURRIFF. Probably I am not right technically. I do not pretend to be well versed in law matters; so far I have been pretty well able to keep out of law, and I do not know as much about it possibly as some other gentlemen. I will not say I am technically right, but the case was taken before the Exchequer Court to have the patents set aside and the case was dismissed.

Mr. R. L. BORDEN. By the consent of the government.

Mr. TURRIFF. The case was dismissed and Mr. Lyon had a right to appeal, and he has had that right all along, and he did not take advantage of it. His counsel in all probability felt they did not have a good case, and they did not go on with the appeal and they allowed the whole matter to drop.

These are the exact facts of the case and they cannot be controverted. So that I say, if I was wrong in my decision it has been backed up at all events by the Exchequer Court.

Mr. SPROULE. On what grounds did the Exchequer Court dismiss the case ?

Mr. TURRIFF. You have to apply to the Exchequer Court to find out. I do not know. I was a witness and was only there for about half an hour. I did not follow the case and I have not heard anything about it or seen any of the papers in connection with it for a good many years, so that I do not know exactly on what ground.

Mr. BENNETT. Is the hon. gentleman aware that by direction of the Minister of the Interior the counsel acting for the government dropped the case ? Is the hon. gentleman aware of that fact or is he not ?

Mr. TURRIFF. I am perfectly aware that the Department of the Interior at no time felt that any wrong had been done. They felt that the decision of the department had been perfectly right and they were not applying. It was not the Department of the Interior that was applying to have the patent set aside ; it was Mr. Lyon, he was applying and the Department of the Interior, I think, stated that they were not pressing the matter and took that ground all through.

Mr. R. L. BORDEN. I have controverted the hon. gentleman several times in his statement, I desire to concur with him now. It is perfectly evident by the correspondence that from the first, the department wanted Mr. Mackenzie to have this land and did not want any question raised.

Mr. TURRIFF. I do not know that the leader of the opposition has any justification for saying that, in any shape or form.

Mr. R. L. BORDEN. I will show it presently.

Mr. TURRIFF. I do not think there is any justification for that statement. Mr. Montalbetti's right to purchase the land was considered the best, and he was given permission to purchase it. The department had nothing whatever to do with Mr. Mackenzie's assignment in any shape or form.

Mr. R. L. BORDEN. There are a couple of personal letters which make that perfectly plain.

Mr. TURRIFF. That may possibly be, but so far as I know the department was dealing with the claim of Montalbetti, and if the decision I gave was wrong, at all events it has been sustained by the Exchequer Court. Now, Mr. Speaker, these are the actual facts of the case, and I do not know whether it is necessary for me to say anything more about it.

Mr. TURRIFF.

Mr. R. L. BORDEN. You have made out a very strong case.

Mr. TURRIFF. When the matter was taken to the Exchequer Court, and when the judge of the Exchequer Court dismissed the action, I felt it was pretty good proof that the decision I had given in the matter was a fair decision. I was settling cases of that kind every day, and I would not undertake to say that every decision I gave was right. I gave the decision to the best of my ability and the best of my knowledge, and I gave it absolutely outside of any consideration of whether the party applying for the quarter-section was a supporter of the government or an opponent of the government. That is one thing I can say to-day ; that in the six years that I administered that department I never in any shape or form turned a man down because he was an opponent of the government, or gave a man what he was not entitled to simply because he was a supporter of the government. These are the facts of the case and I feel quite satisfied to leave it to the judgment of the House as to whether the action taken was correct or not.

Mr. TAYLOR. We know what the judgment will be.

Mr. R. L. BORDEN. He has made a very strong defence.

Mr. A. C. MACDONELL (South Toronto). The statements made by the hon. gentleman (Mr. Turriff) are very much at variance with the facts in the record brought down in answer to an order of the House. I shall deal briefly with the points raised by the hon. gentleman by way of apology or justification for the action of the government. In the first place, the hon. gentleman (Mr. Turriff) has assured us that on the 18th July, 1901, when this reference was had to him as Dominion land commissioner, all the parties had the right to be heard ; all parties were accorded a fair hearing ; the matter was fully threshed out on its merits, and, that justice was done. Let us see, how far that statement of his is borne out by the return. There is a good deal of correspondence in connection with the matter, and just on this point I desire to quote the letter of Messrs. Latchford, Macdougall, and Daly, solicitors, at that time for Mr. Lyon. They wrote to Mr. James A. Smart, Deputy Minister of the Interior at Ottawa, on the 10th of July, 1901, re this property :

We have received to-day information from the department that we cannot be allowed to see the papers in this case with a view of presenting to you the facts which are before you, and which we consider would entirely justify you in refusing to act on the report of subland agent Nixon, until you have heard the other side of the case. The matter, we submit, is not one which Mr. Nixon could possibly deal with in the absence of official documents which are not accessible to him, and which are acces-

sible to your department. We write now to renew our protest against the action which we understand the Commissioner of Dominion Lands intends to take, and to renew our applicaton for a hearing before action is taken.

That letter was written on the 10th of July and that was replied to by a curt letter from the secretary of the department, Mr. P. G. Keyes, on the 6th July, stating that the hearing would proceed at the office of the commissioner in the Langevin block on Thursday next, the 18th inst. Bear in mind that Messrs. Latchford, Macdougall and Daly, who were acting for Mr. Lyon, were in the city of Ottawa, and could not possibly communicate with their client, who was at Blairmore, and get from him an answer with which to meet the material filed by Mr. Montalbetti. They were not accorded that opportunity ; and, on the 22nd of July, we find them again writing a protest against this unfair treatment, which the hon. gentleman to-day attempts to justify. On that date they wrote to Mr. Keyes, the secretary of the department :

We have your favour of the 19th instant, inclosing same, made by the commissioner, who decided to give Felix Montalbetti the right of purchasing this property.

The hearing was on the 18th, and the next day, in spite of that protest, the commissioner makes his ruling in favour of Montalbetti. That is what the hon. gentleman calls a fair hearing. The letter proceeds:

We beg hereby to request that a patent be not issued to Montalbetti for some days in order that our client, Mr. Henry E. Lyon may have an opportunity of proving that the statements of Montalbetti filed with you are almost wholly incorrect. Our client states that he can prove by several uninterested witnesses that Montalbetti, never cultivated an inch of this land, and that he never built a house prior to to this year, having resided in the Canadian Pacific Railway section-house on their right of way.

This evidence could have been produced before the argument took place had we been permitted to see the files and know what was contained in Montalbetti's affidavit. This, however, was not granted us until a day or two before the argument. Our client is prepared, if necessary, to bring the witnesses to Ottawa in order that they may be examined in the department.

This protest was made two days after the ruling of the commissioner, and in face of that protest, on the third day afterwards, namely, the 25th of July, the patent was issued to Montalbetti. Another firm of solicitors in the city, Messrs. Lewis & Smellie, representing Mr. Alexander Moffat, also a claimant for these lands, or a part of them, wrote to the department on the 22nd of July, 1901, protesting against this hurried action, the same day on which Ritchie & Co. wrote their protest, and they conclude their letter in these words:

On behalf of the said Alexander Moffatt, for the above reasons, we beg to ask that this matter be considered by you, and, pending a decision by yourself, that no grant be issued to the said Felix Montalbetti, nor any step taken for the disposition of the surface rights of said quarter-section, and that, before any disposition of the matter is made by yourself, we further beg to ask that we be heard in support of our client's claim.

In the face of that, the wheels of justice move on. The Department of the Interior was moving towards Mr. Montalbetti and as soon as the patent could be rushed through upon that one-sided claim, the government issued the patent of this valuable town site to Mr. Montalbetti in the fact of these protests. I think that pretty well disposes of the statement of the hon. gentleman that a full and fair hearing was accorded to all claimants by him as land commissioner.

In a moment of apparent inadvertence the hon. gentleman referred to the action of the Ontario government in connection with some Cobalt properties. I thank the hon. gentleman for giving me the opportunity to refer to that matter. Now, what was done by the government of Ontario with regard to Cobalt properties for which patents were obtained by fraud and misrepresentation ? The Crown as represented by the Attorney General of Ontario took action in the courts of the province to set aside all grants of mining lands that were obtained by fraud or misrepresentation—and in this they differ from this government. I refer to the case of the Attorney General of Ontario vs. Hargraves, recently decided, in which the Crown entered action with the result that the grant was cancelled. In a further action of the Attorney General of Ontario vs. Brown and others, similar action was taken, with the result that a settlement was obtained by which the government of Ontario obtained an interest of immense value, which to-day is enriching the coffers of that province, but which otherwise would have gone into the pockets of a private speculator who had obtained vast government concessions on the basis of fraud and perjury. How different we find this government acting towards its favourites or even towards anybody who may have obtained a grant or concession by fraud or misrepresentation, as I shall prove that this grant was obtained before I sit down.

The hon. gentleman also, without evidently having any knowledge whatever of the facts of the case or the legal position in which it is now or ever was, says: 'Justice could have been obtained by appealing from my decision; the courts could have reviewed me.' The courts did review him. An action was brought in the Exchequer Court of Canada, where judgment was given dismising the action and confirming the patent. Well, that necessitates an argument of some length to show the different proceedings that were taken, but let it suffice to say

this, that in the first place the Crown as represented by the Attorney General of this Dominion had to be tortured into taking action at all, and that was only during the absence of the then Minister of the Interior. The then Minister of Justice, the late Hon. David Mills, gave a fiat to proceed and I would like to point out that no action can be taken by a private individual against the Crown to cancel this or any other patent or Crown grant or concession without the consent of the Attorney General of the Dominion. Now, what was the action taken in this case? As I have said, after a great length of time the Crown was prevailed upon to allow its name to be used in connection with the action to cancel this patent. The Hon. David Mills granted the fiat in the absence of the Minister of the Interior, but on the return of the Minister of the Interior the fiat was removed. That was the reason for the dropping of the proceedings. Let me advert to the initiation of the proceedings in this case. These are the proceedings which the hon. gentleman who has taken his seat has said afforded a fair hearing. The information was issued by the King upon the relation of Henry B. Lyon, who was the complainant, who set the wheels of the law in motion, and among the other claims we find this:

Paragraph 5. During the course of the investigation there has been evidence that the said Felix Montalbetti falsely and fraudulently represented to J. G. Turriff, Esq., that he located on the land in question in April, 1898, and erected a house, &c.

So that we find the Crown, of its own motion, asserting that Montalbetti had falsely and fraudulently made these various assertions.

Mr. OLIVER. I am not learned in the law, but I do understand that a recital of the charge is an admission of it?

Mr. MACDONELL. This is the plea of the Crown. This is its statement of facts.

Mr. OLIVER. Does the hon. gentleman say that the Crown was asserting these things of its own motion or only for the purpose of bringing them before the court?

Mr. MACDONELL. Here is the title of the action which answers the hon minister——

Mr. OLIVER. If my hon. friend persists in that position, I withdraw my remarks.

Mr. MACDONELL. I just want to make it plain.

Mr. OLIVER. It is quite plain.

Mr. MACDONELL. The title is:

The King, on the information of the Attorney General for the Dominion of Canada and H. E. Lyon, plaintiff, and Montcalm Mackenzie and Felix Montalbetti, defendants.

Mr. MACDONELL.

Now the claim or the relief which is asked in the claim is contained in these words:

That the patent issued to Montcalm Mackenzie on the 25th April, 1901, should be declared to have been issued through fraud or in error or improvidently, and that the same should be declared null and void and should be delivered up by the defendant, Montcalm Mackenzie, for cancellation.

This was the claim for relief. This was the Hon. David Mills' action based on the facts as they appeared before him. And this shows the position in which the government was when it started out. The Crown stated the facts and instituted the action, and we shall see how the Crown disposed of its own claim and what became of the merits of the action.

At one o'clock, House took recess.

House resumed at three o'clock.

PRIVILEGE.

Mr. WM. ROCHE (Halifax). With the consent of the House, Mr. Speaker, I would like to refer to a matter of privilege. In 'Hansard' of yesterday there is a remark—

Hon. W. S. FIELDING (Minister of Finance). I would call the attention of my hon. friend (Mr. W. Roche) to the fact that the House has before it a motion for Committee of Supply and that an hon. member has the floor. If the hon. member for Halifax (Mr. W. Roche) desires to make an explanation on a subject matter not before the House, he should take another occasion to do so.

Mr. W. ROCHE. I have the consent of the hon. member (Mr. A. C. Macdonell) who has the floor, and besides what I have to say will take only a moment. In the 'Hansard' report of yesterday's debate it is stated that I referred to the hon. member for Beauharnois (Mr. Bergeron) by name. The hon. member for Beauharnois did not order me to sit down, and I made no reference to him. From where the reporter sits, and as my hon. friend from Beauharnois has considerable bulk, it may have seemed as though the utterance to which I referred came from him and that I referred to him. But the hon. gentleman did not order me to sit down. I did not say 'the hon. member for Beauharnois' nor did I refer to that hon. gentleman.

SUPPLY—BLAIRMORE TOWN SITE.

Mr. A. C. MACDONELL. The hon. member for Qu'Appelle (Mr. Lake) in his speech this morning pointed out how this valuable town site of Blairmore had been granted by patent from the Crown dated the 25th of June, 1901, for the sum of $480, to Malcolm Mackenzie. Now, let us consider the basis upon which this patent was granted, what

right Mr. Mackenzie had to acquire these lands, and what were the proceedings that were gone through by the government to vest this valuable town site in him. It is to be borne in mind that, at the time of the grant, in fact, in March, 1901, according to the census of the territories, the population of this very piece of land, this very town site, amounted to 230 people. Therefore, it is safe to say, that, at the time of the grant in the following June, the population of this piece of land which was granted amounted to somewhere in the neighbourhood of 300 people. That land was granted, or assumed to be granted, to Mr. Mackenzie by certain assignments, or assumed assignments, given him by Montalbetti, Now, let us consider what, if any interest Montalbetti had in the lands, what right he had to ask for a patent, and what, if any, title passed from him to Mackenzie. I submit that there is nothing in the Lands Act, and was not then anything in the Lands Act, or in the departmental regulations, that in any way authorized the department to grant land of this character to anybody at the ordinary price of $3 an acre. I would ask you to bear in mind that this is not homesteading land, it is not taken up by the first settler that goes and squats upon it. It is not agricultural land in any sense of the word. It is and was a town site,—that is, a site upon which there is a flourishing community ; and were it not for the improper dealings by the Crown with this land and the uncertainty of the titles and the legal holding by the purchaser of subdivisions of this land, it is safe to say that the town of Blairmore would be a very large and flourishing community to-day. It is in the centre of a large coal area ; and the mines are being worked to advantage ; and, in every way, at that time it had great possibilities and gave promise of being a valuable tract of land. It was actually a town site. The railway had built a station on its right of way through the section. It was a prosperous village or town, and was growing rapidly.

Now, let us see on what foundation the grant was made. As I have said there is nothing in the Land's Act to justify the grant. There is nothing in the regulations of the department to authorize the giving of a deed to these lands in the ordinary way at $3 an acre. It is claimed that Montalbetti had some title. Whatever right he had was simply the right of a squatter upon Crown lands, and gave him no title under any statute or regulations in this country. Now, Mr. Mackenzie, we find, dealt with Montalbetti, and received from him at least two assignments of whatever rights he had in this land. There was a bargain between them ; but I submit that nothing passed in the way of title, because Montalbetti had nothing to pass and, furthermore, Mr. Mackenzie gave no consideration whatever for the deed. On reference to Mr. Mackenzie's own testimony at page 86 of the examination which was taken in the suit to which I have referred this morning, that of the King versus Mackenzie, is the following :

> I told him I would give him $1,000 and title to his three lots if I got the quarter-section ; I told him I would not give any more than that, and he said 'All right,' and he went over and dealt with Mr. McNeill.
>
> Q. Mr. McNeill is a partner of yours, is he not ?—A. Yes.
>
> Q. You paid how much, you said ?—A. I agreed to pay him $1,000.
>
> Q. Have you paid him that ?—A. I have not.
>
> Q. Was that to be paid unconditionally ?—A. That is what I understand.
>
> Q. There was no condition that he was to get anything unless you got the land ?—A. That was not my understanding of it. I have not paid him that $1,000.
>
> Q Why ?—A. He has never asked me for it.

That is a marvellous thing.

> Q. Never applied to you at all for that $1,000? —A. No, he never has.
>
> Q. Have you given him any security for it ? —A. I have not—no security whatever.

Now, does that appear to be a transaction of substance, or a transaction that is merely colourable ? Mr. Mackenzie stated to this illiterate Italian—and he is illiterate—that he could get the patent for it. It is alleged that that lies at the bottom of it—that Montalbetti could not get the patent but some body else could. That is a very curious aspect of the case. It has turned out that Mr. Mackenzie has made good the statement that he could get the patent, because he actually did get it. The fact is that Montalbetti had no title whatever, had not a scintilla of right to claim title to the land, not being the first settler on the land, as found by Mr. Justice Wetmore. Whatever application Mr. Mackenzie made for this land, which was made as a basis of grant to him or in the right of Montalbetti, whatever foundation there was for Montalbetti's claim to this land was his own affidavit which was proven in the court to be based on fraudulent misrepresentation. Apparently Montalbetti thought his title was defective, that the grounds he was advancing for the grant were not tenable, that the facts he was stating in his affidavit were not true—at least he had that doubt in his mind. This affidavit of his was and is the application and the basis upon which he, or at least upon which his assignee, Mackenzie received the grant of a patent and he states this : at paragraph 18 of the affidavit.

> That I understand and agree that the sale to me of the land which I hereby apply to purchase shall be void if it shall be hereafter proved that any statement in this solemn declaration is incorrect.

Prophet-like, he had doubts and misgivings about the correctness of his own state-

ment, and apparently he was advised that the best thing for him to do at that time was to insert in his evidence a statement that if it was not true in any respect the grant of the patent would be void.

That brings us to this point that the real purchaser, the man who dealt directly with the government and the only man who dealt with the government, was Mackenzie. These declarations, I may say, were prepared in the office of Mackenzie and his partner, the firm of McNeill & Mackenzie, barristers and solicitors, and I may say further that Mr. Montalbetti's naturalization papers were prepared in the same way by Mr. Mackenzie himself; up to that date apparently he was an alien—so that the real purchaser, the man who really dealt with the government was Mackenzie. It was he who paid the $480, and that is all that was paid. It was to him that the patent was issued, although there is no colour of right to him to acquire the patent or ask for the deed. We find on that point and in that connection the land commissioner's evidence is important. Land Commissioner Turriff, now the hon. member for East Assiniboia, was examined and his evidence was certainly of a most marvellous nature. What was before Mr. Turriff when he decided the application in favour of Montalbetti or Mackenzie? The affidavits and the two reports of the Dominion land agents, Nixon and Stuart. These were the papers that were before him and on which only he could base his decision, because he had no other material before him. Although other applicants for these lands, who had built upon the lands and who had rights there in that respect, asked to be heard, asked that they be allowed to submit evidence to meet the inspector's report and Montalbetti's affidavit, they were not allowed to do so; the haste of the department was so great, the land commissioner was so anxious to hand in his decision, that he rushed it through with the material I have stated.

Mr. TURRIFF. Would the hon. gentleman allow me to make a correction? The other applicants were given every opportunity to bring in any evidence that they desired to bring before the hearing and at the hearing. They did not say then that they wanted to give any further evidence at the hearing; they were quite satisfied at the time and it was only afterwards, when the decision went against them, that they said they wanted to give further evidence.

Mr. MACDONELL. I have already been under the necessity of correcting the hon. gentleman on that matter this morning. The correspondence brought down shows conclusively that on the 10th and 22nd of July, 1901, Mr. Latchford's firm of solicitors in this city protested vigorously against the disposition of this matter without their client being permitted to answer the land commissioner's reports and the affidavit of Montalbetti. Further than that, the letter of Messrs. Smellie & Company, solicitors, representing Moffat, who also had a claim against these lands, was read. He was not allowed to put in evidence to meet the report I have just mentioned. Now, what does Mr. Turriff say on examination? He is asked this question at page 4 of his depositions.

In a declaration filed by Montalbetti in support of his claim, in paragraph 8, he states:

That I understand and agree that the sale to me of the land which I hereby apply to purchase shall be void if it shall be hereafter proved that any statement in this solemn declaration is incorrect.

Q. Do you recollect that clause?—A. I do not.

Q. If I show you a copy I got from the department it may refresh your memory. Look at clause 18. Do you recollect seeing that clause?—A. I do not recollect any of the clauses particularly, I know I had the affidavit before me.

Q. Then you don't recollect if that clause formed the basis of your judgment?—A. No, we would not do anything on the strength of a clause like that in any shape or form.

Q. What do you mean by that?—A. I would not place any strength on a clause of that kind.

Q. No weight was placed on this clause?—A. No.

The land commissioner placed no weight whatever on that clause. Then he further says at page 6 of his testimony:

I did not give my decision on Montalbetti's evidence. My decision would be the same whether Montalbetti's affidavit had been in or not.

That certainly is a most remarkable statement to make and it is commented on by the judge of the Exchequer Court, and I may further comment here by saying that the language of the hon. gentleman's report and the language of the affidavit of Montalbetti bear a most singular resemblance to each other; they are so similar that one who reads them both is forced to the conclusion that the man who made the report had the affidavit in his mind.

Further we will see what Montalbetti has to say about that, just putting in parallel columns the examination of the land commissioner and the statement of Mr. Montalbetti himself. In his statement of defence, filed in this very action he says at paragraph 4, of his defence:

The said defendant, Felix Montalbetti, says that when the said application was made by him for a patent of the lands in question herein, the only representations which were made by him to the Department of the Interior or to the minister or any of the officials thereof, was contained in the said statutory declaration——

That is the affidavit I have referred to.

——made by the said Felix Montalbetti on the 7th day of June, 1901.

The said defendant further says that the statements made in said statutory declaration are true in every particular, in substance and in fact, and no other representations were made at any time to J. G. Turriff or any other official of the said Department of the Interior or

otherwise save those contained in the said statutory declaration.

Mr. Montalbetti is clearly of the opinion that nothing else was represented to the department except what is contained in that affidavit.

With reference to the reports of Nixon and Stuart in the papers brought down we will see how they were obtained. The report of Inspector Nixon is of very considerable significance and we will see how Nixon was kept tab of by Mr. Mackenzie and how closely he was followed up.

Mr. Nixon, it must be remembered was instructed by the land commissioner to make a report on this land, and this was apparently before him at the time he dealt with the matter. It is singular that Mr. Mackenzie was aware that Mr. Nixon had been instructed to obtain a report; it is singular that he was informed of the conflicting claims, and of the particular time that Mr. Nixon was going to make his visit, and all about it. I quote from Mr. Mackenzie's evidence:

Q. Where did you meet Mr. Nixon?—A. I met him in Macleod.

Q. That was before he made his report?—A. Yes.

Q. What conversation had you with him then?—A. He told me he was going to make a report as to the conflicting claims there.

Q. Did he name the claimants?—A. Yes, he did.

Q. Who did he say they were?—A. Mr. Moffat, Lyon and Montalbetti.

Q. What else did he say?—A. I don't know that, when he came back down he said there was no doubt in his mind that there were conflicting claims.

Q. What did he say at that time before he made his report?—A. I don't know if there was anything else said, only he was going to make his report.

Q. There was no suggestion that any one claimant was likely to succeed?—A. No.

Q. Did you tell him at that time that you were interested in it?—A. I think he knew I was interested in it. I am satisfied that he knew I was interested in it.

When did you next see Nixon?—A. I saw him sometime after he came back down.

Q. Would it be a few days afterwards?—A. I don't know, it was very shortly after he came back, it might have been the next day; I don't know whether he was on the train that day I went to Blairmore. I went up on the train the day he went up to report.

Q. Did you see Mr. Nixon the time you saw him in Macleod and the time he made his report?—A. Yes, I did.

Q. When would that be, can you fix the day in any way?—A. It is possible that he and I came back down on the train that day.

Q. Had you seen him before he made his report again?—A. Yes, I saw him in Macleod.

Q. Where was that?—A. If I do not mistake it was in the Queen's hotel.

Q. Had you any conversation with Mr. Nixon after seeing him in Macleod of which you have just spoken on the date of making his report on this land?—A. Yes, I saw him before he made his report, I saw him in Macleod.

Q. What took place then?—A. I understood from him that he would report in favour of Montalbetti as being the first squatter on this land.

This evidence shows a very remarkable state of affairs. It is worthy of note, that the subland commissioner should be accompanied on his trip of inspection backwards and forwards by Mr. Mackenzie, that afterwards they should consult together in the hotel at Macleod, and that apparently Mackenzie pursued Nixon until he elicited the the information that he was going to report in Montalbetti's favour. It must be remembered too, that Montalbetti was Mackenzie, and Mackenzie was Montalbetti, because Mackenzie at that time had an assignment of Montalbetti's right. We can see therefore how impartial Nixon's report was; the report which was so hastily acted upon by the Canadian commissioner of lands. In the same way, as to Mr. Stewart's inspection, he seems to have been pursued by Mackenzie who interviewed him frequently with regard to his report, and who saw Stewart before he went up to make his report and who saw him afterwards. What took place between the two we can only surmise. At all events, I leave to the House to consider the impartiality of these reports upon which the claim of Montalbetti was granted.

Let us look to see what is the value of this land, and it will be fair to Mr. Mackenzie to take his own estimate in that respect. I do not want to do Mr. Mackenzie or anybody else an injustice, or to exaggerate in any way the value of this land, and so I will take Mackenzie's own evidence on that point. Mr. Mackenzie was giving evidence as to the value of this land at the time the grant of 160 acres was made for $480; the grant of a whole town site for practically nothing, and this is what Mr. Mackenzie deposed:

Q. Do you know how many buildings there are altogether, I am told there are about forty?—A. I should imagine there are about forty.

Q. Do you know what the valuation of the improvements on this quarter-section before the issue of the patent would amount to?—A. I have not the slightest idea in the world.

Q. I am informed they are worth about $40,000 or $50,000?—A. That may be, I would not contradict that.

Mr. Mackenzie here admits that the value of the improvements alone was $40,000, and he gave the value of the land itself as in the neighbourhood of $50,000. He was asked as to the value of the lands together with the buildings and this is what he deposed:

Q. What do you consider this quarter-section worth?—A. I have not the slightest idea in the world.

Q. You have some idea?—A. The value of the land depends entirely on whether the coal mines are going to be worked or not, and as to whether the Canadian Pacific Railway will have their permanent station and yard grounds there.

Q. These things being considered, what do you think the value is to-day?—A. I think it is impossible to give any estimate as to what the value of that townsite is. I think it is likely to be deserted some time, and on the other hand likely to be a very good town.

Q. Worth $50,000 ?—A. Yes, if the coal mines go on, it will.

Now, the coal mines have gone on and have become prosperous and are in full operation to-day. The value given by Mr. Mackenzie is the value of the land at that time, and I am not speaking now of the enhanced value since by reason of settlement and development.

In these facts, an action was brought at the instance of the King, upon the relation of Lyon, to cancel this patent. It was felt that a great outrage had been committed ; the people who had built upon the land and who were threatened with the loss of their improvements were aroused, and on facts presented to Hon. David Mills, then Minister of Justice, and which the Minister of Justice deemed proper and adequate he gave Lyon a fiat to proceed to cancel this patent. Under that fiat, proceedings were taken, and Judge Wetmore was appointed referee of the Exchequer Court to visit the district and take evidence. After a very full hearing, the examination of the witnesses occupying seven days or more, Judge Wetmore presented his report dated the 15th of November, 1902, which report is a judgment on the merits of Mr. Montalbetti's claim. I quote from that judgment :

Felix Montalbetti admitted on his cross-examination before me that portions of the statement in paragraphs 6 and 7 of that declaration were untrue in the following respects——

Judge Wetmore refers there to the declaration on which Montalbetti obtained this patent, and he declares that in the following respects the declaration was false.

(a) That he erected other outbuildings than the stable upon the land in question ; (b) that he cultivated a portion of the land in the year 1901; (c) that he erected a stable in the year 1899; (d) that since 1898 he kept upon the said lands and in the said buildings certain stock, including a cow and some calves and some poultry.

I, therefore, find, as a matter of fact, that these statements in the declaration were untrue in the respects above mentioned. I find such declaration to be untruthful in other particulars. As a matter of fact I do not believe that either the defendant Montalbetti or the plaintiff Lyon down to just immediately previous to the time that Lyon placed the store upon the land in question, as hereinafter stated, erected any building upon the land or did any work thereon by cultivation or otherwise with the purpose of squatting on it or permanently locating upon it or of retaining any rights respecting it.

He proceeds further very much in the same strain pointing out in detail the untruthful statements made by Montalbetti in his declaration, and finds as follows :

As to the character of Felix Montalbetti's acts with respect to this land, I find that he came there in April, 1898, as section foreman of the Canadian Pacific Railway Company, with the intention of residing on such land in that capacity alone, for the purposes of his duties as such section foreman.

I also find that Felix Montalbetti did not have a garden on the land.

The untruthful statements and misrepresentations which I have found to have been made in this declaration, as hereinbefore stated, are so many and of such a character that I cannot resist the conclusion that they were fraudulently made, with the intention of improperly influencing the minds of the officials of the Department of the Interior in determining to whom the right to purchase the land in question should be given.

This is practically his concluding statement, and it is final, and yet Montalbetti stated that if his statements of fact were found to be untrue, he was willing that the patent should be cancelled. Why was it not cancelled ? The immense value was there ; why was it that his offer to have the patent cancelled if the statements were untrue was not accepted by the government and the land taken back? There were other fish to fry apparently. Then he proceeds further :

According to the bargain between the defendants, Mackenzie was to pay this $1,000 to Montalbetti in any event, whether the patent was issued to him or not. Of course, if the patent was issued to some other person, he could not convey the lots to Montalbetti. In other words Mackenzie bought out whatever interests Montalbetti had, and took the risk of getting the patent issued to him. That was the arrangement, according to the evidence of the defendant. Although the patent issued to Mackenzie on the 25th July, 1901, not one dollar of this $1,000 has yet been paid to Montalbetti, and he does not hold the scratch of a pen by way of security, or in recognition of such indebtedness. I cannot understand this state of affairs. It is opposed to business methods, and it strikes me as unreasonable.

Further down he states :

I am not in a position to report fully what the nature and character of the evidence or material was upon which Mr. Turriff made his report, because the evidence before me does not establish it. It is clear that Montalbetti's solemn declaration (which Mr. Turriff in his evidence calls an affidavit) was before him, and reports from two departmental officers, Messrs. Stewart and Nixon, were also before him, and the nature of portions of these reports was disclosed in Mr. Turriff's examination. Exhibit No. 5 in Mr. Turriff's examination is a copy of Mr. Nixon's report.

Mr. Turriff, however, referring to his report, testified as follows : 'I did not give my decision on Montalbetti's evidence. My decision would be the same whether Montalbetti's affidavit had been in or not.

Then the judge proceeds to comment on this extraordinary statement of Mr. Turriff. There is much more in the judge's lengthy judgment, but enough has been cited to

show the fraudulent character of Montalbetti's application, to show that he had not only no rights whatever to the indulgence of the Crown, but no rights at the hands of the Crown. Then, on this evidence the matter came up for hearing before the Exchequer Court at Ottawa, where a motion was made by the plaintiffs for judgment; and we find that judgment was given by Mr. Justice Burbidge on the 20th of March, 1903, with the report of Mr. Justice Wetmore on the application before him. Mr. Justice Burbidge says this:

> At the time the sale to Mackenzie was made the quarter-section mentioned had become of very considerable value as a town site, or prospective town site. The Canadian Pacific Railway ran through the quarter-section and the company had built a station building on its right of way.
>
> There does not appear at any time to have been any question of the Crown disposing of the quarter-section at the best price that could then be obtained for it. It is assumed apparently that some one had a right to purchase it at the current rate of $3 an acre; and after inquiry and hearing the parties the Commissioner of Dominion Lands decided the controversy in favour of the defendant Mackenzie, and the patent was issued to him.
>
> Now the evidence that has been taken in this case, and the report of the learned referee, show, I think, very clearly that if one has regard to the quarter-section as a whole neither Felix Montalbetti nor Lyon had any such right, or any equitable claim to the consideration and indulgence of the Crown.

And so forth. The case, however, was referred by Mr. Justice Burbidge to a further hearing for the purpose of obtaining further evidence from the Dominion Lands Commissioner, and the judgment proceeds to dispose of the matter in this way:

> Now with regard to setting aside the patent on the ground that the Crown has been deceived, and that it was issued to the prejudice of the public, I should have thought that a case had been clearly made out, if it were not for the evidence of the Commissioner of Dominion Lands to the effect that his decision would have been the same if Felix Montalbetti's declaration had not been before him. I am not sure that I fully understand what he meant by that, and then it appears that the evidence does not disclose all the material that he had before him when he made his decision. I think all that should be made to appear before the motion for judgment to set aside the patent is disposed of. And if on further inquiry it should appear that the commissioner in making his decision relied on the report of Mr. Nixon, the subagent, then the latter should also be examined to see how far his report was based on information derived from the defendants or either of them. And further, I see no objection, if the Attorney General should desire it, to the inquiry extending to show what the practice of the Department of the Interior is, where application is made to purchase lands on which a number of squatters had put up buildings or made improvements on the land.
>
> Not being satisfied that I had before me sufficient materials to enable me to give judgment upon the motion to set aside the patent in issue in his case, I direct, in accordance with rule 124 of the general rules and orders of the court, that the motion stand for further consideration, and in the meantime the further inquiry suggested may be proceeded with and the further evidence taken before the court.

That is the evidence of the Dominion Land Commissioner, Mr. Turriff, and of the subagent Nixon. The matter was disposed of in that way; that was in March, 1903. So that at that stage we find urgent letters from the then Minister of the Interior to the Department of Justice to have these proceedings discontinued. And right here allow me to refer to the remarks made this morning by the hon. member for Assiniboia (Mr. Turriff), when he said that this action had been disposed of upon its merits. Now, almost immediately following this judgment, when his own further examination was ordered by the judge, we find requests from the Department of the Interior to the Department of Justice to have these proceedings discontinued, to have the King's name withdrawn, because we know that when the King's name is withdrawn the whole action lapses. We find that actually did take place, the King's name was withdrawn, and I have the record of the proceedings here. I will not trouble the House with reading this correspondence at length, it is sufficient for me to refer to the dates. A letter from the Hon. Clifford Sifton to the Minister of Justice on the 1st of October, 1902; that was when he first began these requests. Further a still more urgent letter at great length on the 7th of February, 1903:

> His behalf to have the patent set aside, the Crown is not pressing and sees no reason for pressing to have the patent set aside and the matter reopened.

Another on December 17, 1903, also from the Minister of the Interior to the Minister of Justice, to the same effect:

> The judge of the Exchequer Court has held that as between one another and as agents the Crown, neither Lyon nor MacKenzie, nor any other occupant of the land, had any right capable of enforcement.

That was not correct. The disposition of the matter was that the judge ordered that further evidence be taken; that you will not find in this book:

> The judge, however, states in his judgment that the only point seemingly of importance, in respect of which the public was prejudiced, was the price obtained for the land was wholly inadequate. That, however, is not a reason for bringing suit to set aside the patent, nor can the Crown ask to set aside the patent on the ground that the price is altogether inadequate. The Crown does not attempt to sell lands which have an artificial value, by reason of being valuable for town sites or for any similar reason, at the highest price obtainable, and the whole experience of the department, both under the late administration and under the present

administration, proves conclusively that an attempt to hold land from sale and settlement, under ordinary terms and prices, with the object of selling particular parcels at higher prices, would result in trouble and expense which would more than counterbalance increased receipts, and would cause a great deal of trouble and irritation.

CLIFFORD SIFTON.

These letters show conclusively the attitude of the Department of the Interior towards this transaction and towards the preservation of Mackenzie in his rights. We also find a very notable instance in this proceeding. When action is taken and when the name of the King is first obtained, on an application to the then Minister of Justice for that leave, as is commonly insisted upon, the relator is bound to give security for the costs of the government. That is done because the litigation is conducted for the benefit of the individual, and it is right and proper that the Crown should be indemnified against costs. A bond was given by Mr. Lyon in the sum of $2,000 for the costs of the action. Now, when the name of the King was withdrawn from these proceedings, and when Mr. Lyon was practically within reach of the fruits of his vindication, when the patent was on the verge of cancellation and would have been cancelled had the proceedings been allowed to continue, we find that there was a bill of costs for the solicitors. Now, if the government was rightly and honestly disposed to let the relator pay his own costs, they also should have insisted upon the Crown being paid its costs. But what do we find? A most unusual thing, a most improper thing; we find the Crown actually paying the costs of this whole proceeding. We find in the records of the department, dated 12th November, 1906, this receipt:

Costs of litigation, Department of the Interior, received from the minister of the Crown the sum of $2,585 in full payment of bill of costs as taxed by the deputy minister in the matter of the King on the action of the Attorney General.

(Sgd.) EWART, OSLER & McGARRY.

So the government, having received the handsome sum of $450 for this town site, immediately paid out lavishly the money of the people for costs of solicitors involved in the matter, when there was no legal, moral or other liability to pay those costs, except that the department admitted a wrong had been done to Lyon in depriving him of his right of litigation, that the patent was obtained by a trick which should never have been allowed to stand, and in that view they gave the costs.

Then we find an extremely wonderful solicitude on the part of the Crown that Lyon's claims against Mackenzie and Montalbettti should be dismissed. Why should the Crown be so solicitous for the welfare of Mackenzie and Montalbetti. It is impossible to say, but we find letters in the department which prove that the costs were paid on the distinct understanding that Lyon would not proceed further against Mackenzie and Montalbetti and that the Crown should get a release from Lyon for Mackenzie and Montalbetti. In other words the Crown paid for a release of all claims by Lyon against these parties. I find a letter of Mr. Keyes, secretary of the Department of the Interior, to Mr. Fraser on the 25th of April, 1906, threatening to reopen the whole matter and cancel the patent unless these releases were given. I find a further letter from Mr. Keyes to Mr. Newcombe, deputy Minister of the Department of Justice, dated 27th November, 1905, stating that Lyon must release the defendants Mackenzie and Montalbetti from all claims before the costs can be paid. To say that that is a marvellous occurrence does not do justice to the situation. Then we find protests from that section of country coming in. We find the people there writing to the department a large number of letters of protest—people who had built on parts of the property and whose claims have been ignored by the department to this hour. I find that the people of Blairmore applied to the government for five acres of land for the purposes of a cemetery. That application was declined. There was no available land fit for the purpose, but what could not be devoted to the purposes of a cemetery was given to Mackenzie and who, we have been told to-day, is a prominent Liberal in that section, who was the Liberal candidate at the last Dominion election, and who is to-day a Liberal member in the legislative assembly of Alberta.

We find that this condition of affairs continued, the Crown declining to proceed further in the matter, until at last the action came up for hearing before the Exchequer Court here and by judgment of the 30th May, 1904, was dismissed. It was dismissed on the following consent by the Crown:

The Crown and counsel for the plaintiffs, His Majesty the King and Lyon vs. Mackenzie et al, consent that the action be dismissed without costs.

Then a motion was made on behalf of the defendant for judgment, and counsel for the plaintiff, His Majesty the King, consenting, the action was dismissed without costs. That was done at the request of the Crown. It was done in spite of the protest from the solicitors of Mr. Lyon, Ewart, Osler & Company. Mr. Chrysler, who had been specially retained by the Department of the Interior, appeared in court and asked to have the King's name withdrawn from the proceedings. That was done by the court and the order referred to made, also without costs apparently.

But, as I have pointed out, the costs were

subsequently paid by the Crown without reason or excuse, apparently for the purpose of having this whole matter hidden up or of endeavouring in some way to placate Mr. Lyon by offering him a miserable pittance instead of his rights, and for the purpose of obtaining a release and discharge from Lyon for Mackenzie and Montalbetti.

Now, I am in no way concerned with the case of Mr. Lyon. I am simply viewing this matter from the standpoint of the public alone. Mr. Lyon may have or may not have any rights as against the Crown and Mackenzie on these lands, but the position I take is this, that here was a valuable tract of land, consisting of a town site with buildings thereon, that a foreigner was utilized for the sole purpose apparently of being used as a tool, that the foreigner made an application based on an affidavit which two judges have found was false and fraudulent, that this foreigner assigned—and the Minister of Justice will not contradict me when I say he had nothing to assign—this bogus claim to a prominent Liberal in that district, that this Liberal obtained the patent and obtained it in the way I have pointed out, that proceedings were taken by Lyon and others standing behind him who were interested in the result of his litigation because if the patent given Mackenzie were cancelled, their rights would be admitted, and we find that two judges declared that the application of Montalbetti for the patent was false and fraudulent.

ROYAL ASSENT.

A message was received from His Excellency the Governor General by the gentleman Usher of the Black Rod as follows :

Mr. Speaker,—His Honour the deputy of His Excellency the Governor General desires the immediate attendance of your honourable House in the Chamber of the honourable Senate.

Accordingly, Mr. Speaker, with the House, went up to the Senate Chamber.

And having returned.

Mr. SPEAKER informed the House, that his honour the deputy of His Excellency the Governor General had been pleased to give in His Majesty's name, the Royal Assent to the following Bills :

An Act to amend the Interpretation Act.
An Act respecting La Banque Nationale.
An Act to incorporate the United Baptist Women's Missionary Union of the Maritime Provinces.
An Act for the relief of Osprey George Valentine Spain.
An Act respecting the British America Assurance Company.
An Act for the relief of Celina Kingan Ansley.
An Act for the relief of George William Hadley.
An Act to relieve certain patents of the Nichols Copper Company.
An Act to incorporate the Travellers' Indemnity Company of Canada.
An Act respecting the Lake Superior Power Company.
An Act respecting the Crawford Bay and St Mary's Railway Company.
An Act respecting the Grand Valley Railway Company.
An Act respecting the St. Maurice Valley Railway Company.
An Act to amend the Canada Shipping Act.
An Act respecting the Grand Trunk Railway Company of Canada.
An Act respecting the Midway and Vernon Railway Company.
An Act respecting the Alberta Central Railway Company.
An Act respecting the Klondike Mines Railway Company.
An Act to incorporate the Burrard Westminster Boundary Railway and Navigation Company.
An Act respecting the Canadian Northern Quebec Railway Company.
An Act respecting patents of the International Paper Company.
An Act to incorporate the Ontario and Quebec Railway Ferry Company.
An Act to incorporate the Nipissing Central Railway Company.
An Act to authorize the Exchange of certain Lands.
An Act to incorporate the Bonaventure and Gaspé Telephone Company, Limited.
An Act to incorporate the Protective Association of Canada
An Act respecting the Duties of Customs.
An Act to amend the Yukon Act.
An Act for granting to His Majesty certain sums of money for the public service of the financial year ending the 31st March, 1908.

SUPPLY—BLAIRMORE TOWN SITE.

Mr. A. C. MACDONELL. Mr. Speaker, I shall soon conclude my remarks. I was about to emphasize one point further. The complaint that I have been attempting to give voice to, and the charge that I bring against the government is that they did not cancel this patent although the patent was granted in fraud, or in error, or in improvidence. Whichever of these three may have led to the granting of this patent, there was still the right in the government to cancel the patent when knowledge of the facts was brought to their attention. That opportunity was afforded years ago. The complainant Lyon forced that knowledge upon the government. Even if the government had not the knowledge from other sources, Lyon gave them that knowledge. The judgment of Mr. Justice Wetmore points out errors and misstatements contained in the application. And with that before them, and action having been initiated by Mr. Lyon, a citizen of this country, the government failed to prosecute the action, but had it dismissed by withdrawing from the proceedings. Therefore, the transaction stands as a most discreditable one to this government and to the Department of the Interior particularly. In further proof that the government were aware of these facts, I desire to refer to a letter of their solicitor Mr. Chrysler advising the Department of the In-

terior of the judgment of Mr. Justice Burbidge by which the action was referred for further evidence. Addressing Mr. Sifton on March 20, 1905—the very day on which this judgment was given—Mr. Chrysler says, in part :

The judge of the Court of Exchequer delivered judgment this morning in this case and I attended, having been notified by the registrar that the judge desired my attendance on behalf of the Crown. The judgment is a written judgment, and should, perhaps, be considered either by the Department of Justice or by your department.

The judge intimated that, as between the parties to the suit, Lyon & Mackenzie, he thinks neither is entitled to the patent, but he is prepared to set aside the patent granted to Mackenzie if the Crown desire to do so. At all events that he would do so if some further evidence were given to him as to the practice of the department, and he has directed that opportunity be offered for the giving of further evidence, and intimates that probably the Crown might consider it desirable to take that course, in order to protect the rights of other persons who have built houses upon the property.

I have not ordered a copy of the judgment, but I think one should be obtained and considered either by the Department of Justice or by you, meantime I shall take no further step without receiving instructions to do so.

Thus the solicitor for the government advises the government that they have but to lift their finger to have this patent cancelled, thus restoring to the Crown all its rights in this very valuable town site, worth between $100,000 and $200,000 at least. And, not only that, but the Crown would be in a position to do justice to the large number of other settlers—for there were others besides Lyon and Montalbetti who had settled on the land. The government knows that there are others who made claims, because these people have built upon the land, and because Mr. Mackenzie, anxious to retain his title to as much as possible, would like to give up a great deal to retain the title for them or a portion. Thus, we find Mr. Mackenzie is appealing to the department saying that he is ready to part with such portion of the land as these persons are entitled to. As late as November 15, 1906, writing to Hon. Frank Oliver, Minister of the Interior, he says in part :

When I met your surveyor, Mr. Bray, near Blairmore some weeks ago, he seemed to suggest that I might transfer the whole of block 24 on the plan right out to the railway track to Lyons. I told him I was prepared to do so. Some other people have settled on some of the lots shown on block 24, but if you wish me to do so I have no objection to transfer the whole of this block to Lyons. The people on those lots are simply squatters.

'But if you wish me to do so, I have no objection to transfer the whole of this block.' What has he to do with giving away these lands? If they are the lands of the Crown neither the Minister of the Interior nor anybody else has the right to give them away; if they belong to these other people, Mr. Mackenzie has no right to transfer the title. But it is curious to note that he suggests that these people on these lands should be treated simply as squatters. These people settled there in as bona fide a manner as Montalbetti squatted upon that portion of land which Mr. MacKenzie claims. Now, not only do we find the solicitor advising the department in the way I have indicated, but we find the Department of the Interior itself well aware that it has the right to cancel and set aside this patent. Will it do so? Is there any reason why it should not do so? Who is interested in this transaction? Who is behind this $200,000 town site? Why does not the government set aside the patent? We find the secretary of the Department of the Interior, Mr. Keyes, writing to Mr. Fraser, the solicitor representing Mr. Mackenzie on April 25, 1906 :

Adverting to the departmental letter to you of the 11th of January last, in the matter of the King upon the information of Lyon against Mackenzie and Montalbetti, and to your reply thereto of the 15th of the same month, I am directed to inform you that it has been decided that no further action will be taken by the department toward the settlement. with Mr Mackenzie unless he files here the necessary deeds vesting in Messrs. Pelletier and Lyon the title to the whole of the lands fenced by them.

Pelletier was also a squatter and a claimant.

I have further to say that if these transfers are not filed forthwith, the whole case will be reopened with a view to the cancellation of the patent which has been issued to Mackenzie.

The government there is voicing its own knowledge of its right to cancel the patent, and say it will be cancelled unless the deeds of small fractional parts of acres are given to these parties. The extent of land on which Lyon has built is little more than half an acre. Just what Pelletier claims, I do not know. Unless Mackenzie deeds at once these fractions to Lyon and Pelletier this department is going to take action to reopen the whole matter with a view of cancelling the patent. That is exactly what is being complained of. They have not up to this time taken any steps, the Crown has been put in possession of information which enables it to do so. Not only does it decline to see that justice is done, but it has wilfully perverted justice by interfering in the proceedings and withdrawing them from the court. Now what is the reason for this ? The transaction certainly has a very bad appearance. It seems to me that the government in selling the town site for $480 admits its worth. The transaction is one which well deserves the censure of this House, and I have great pleasure in seconding the resolution.

Hon. FRANK OLIVER (Minister of the Interior). I think perhaps we would get a better idea of what my hon. friend is driv-

ing at if I were to give the House the allusion of the Calgary 'Herald' of February 28 to this matter. The allusion is based I think on the motion dated February 6, by Mr. J. Herron, M. P. for Alberta division in the Dominion House, asking for an order of the House to bring down papers in this particular case. The paper heads the article :

Ventilate the Blairmore town site scandal and the Alberta land department swindle. Member of the provincial legislature holds a title which the judge said was obtained by fraud. Right is not justice—favourites screened.

I notice that the hon. gentleman whose motion was the cause of this statement has not seen fit to father the proceedings of to-day in the House. I presume he was ashamed to do so.

Mr. M. S. McCARTHY. The hon. member (Mr Herron) is in the lumber committee at the present time.

Mr. OLIVER. He was not a few minutes ago. He was along with some of the members of the opposite party at two o'clock last night, I presume. About two o'clock our friends were very scarce on the other side, and I guess the member for Alberta was with them. There have been so many statements made here to-day with regard to this matter, and there have been so many statements made in the papers at other times, that it will be necessary in order to arrive at a thorough understanding to bring these statements down to a concrete form. If I were successful in following the hon. gentleman who just sat down (Mr. Macdonnell) he made three allegations which I desire to allude to particularly. One was that the government charged in a legal document that this patent had been secured by fraud ; the other statement was that Justice Burbidge, in dismissing the case used words of a similar nature to those which are quoted here in the Calgary 'Herald.' I will read the judge's words as so quoted :

It is very plain that the defendant Mackenzie obtained the land in question through fraud ; but owing to the action of the Crown, which I can hardly understand in withdrawing from the case, I am forced to find that Lyon has no legal right to cancel the patent obtained by Mackenzie. But had the Crown remained in the case I would find that Mackenzie obtained the land by fraud, and immediately cancel his patent. However, I have no alternative in the matter, and will dismiss the case without costs.

I take this as a statement supposed to be made by Judge Burbidge in his decision in the case, that Mackenzie had obtained the land by fraud. The third statement I wish to draw the attention to is that the case of Lyon was dismissed because the government withdrew from it. He supported the first statement by reading from a document being the decision by which the case was entered in the courts; and he knew when he read it, and the House knew, at least I am satisfied the leader of the opposition knew, that the statement which was read as being an assertion by the Crown, was not in any sense of the word an assertion by the Crown.

Mr. R. L. BORDEN. Why not?

Mr. OLIVER. Because it was not, that is the only reason. It was a formal statement of Lyon's allegation in the case, but was not a statement on the part of or on behalf of the Crown, except in order to promote the trial of the case, as Lyon desired to have it tried.

Mr. R. L. BORDEN. It is the statement of the Crown on the relation of Lyon.

Mr. OLIVER I can only say that such a contention on the part of any hon. member of parliament is anything but a credit to this House.

Mr. R. L. BORDEN. We defer to the hon. gentleman's legal knowledge.

Mr. OLIVER. With regard to this quotation in the Calgary 'Herald,' I have read what the Calgary 'Herald' has said, and which my hon. friend practically reproduced in his remarks to-day. But there are no such words, they are not the same words, there are no words that will bear any such meaning of construction in the judgment of Judge Burbidge as are published in the Calgary 'Herald.' There are no words or set of words in the judgment of Judge Burbidge which would indicate in any degree that the judge rendered his decision in the case on anything but its absolute merits according to the evidence.

Mr. R. L. BORDEN. I beg the hon. gentleman's pardon, he is entirely mistaken.

Mr. OLIVER. Let me put a question to the hon. gentleman. This case, my hon. friend is aware, has been the cause of a great deal of talk in the country. He is perfectly aware that the only members of this House who know the ordinary circumstances, would have any knowledge of the facts, are the member for East Assiniboia (Mr. Turriff) and myself. And I observe, and the House will observe that if he proposes to take any part in this debate he has been careful not to do it until I have been deprived of the opportunity of reviewing such charges as he may see fit to make.

Mr. R. L. BORDEN. Is the minister referring to me ?

Mr. OLIVER. I am. So that I think any remarks my hon. friend may have to made as to the position which I take, if he wanted to have a fair consideration of this matter, if he did not want to lend himself to that systematic campaign of slander

against private individuals which has been the policy of his party during all this session,—he would have made his charges and listened to the reply.

Mr. R. L. BORDEN. The charges have been made already and as far as I am concerned, after I have concluded my remarks, with the consent of the House, the hon. gentleman may get up and answer them.

Mr. OLIVER. I am very pleased to have the hon. gentleman's permission.

Mr. R. L. BORDEN. Quite so.

Mr. OLIVER. This is not more an attack upon the Interior Department than it is an attack upon Mr. Malcolm Mackenzie. If I understood my hon. friend he intimated to the House that Mr. Mackenzie who, he informed us, is a prominent Liberal, who was Liberal candidate in the constituency of Alberta in the last election, who is to-day the representative of the constituency of Macleod supporting a Liberal provincial government in Alberta,—I may stand corrected if I am wrong—secured the patent to this property by fraud. I think that is the effect of the statement the hon. gentleman made. I say that for a member of this House to use his position for the purpose of so slandering a private individual, a man who is not in the House, is a prostitution of the privilege of parliament.

Some hon. MEMBERS. Order, order.

Mr. SPEAKER. I think the hon. member should hardly suggest that a member of the House was slandering.

Some hon. MEMBERS. Take it back.

Mr. BENNETT. Oh no, that is just western, wild and woolly.

Mr. OLIVER. Mr. Speaker, if it is your ruling that the word is not parliamentary, of course I have to withdraw it. I withdraw it unreservedly; I am only sorry that parliamentary usage will not permit me to call a spade a spade.

Mr. BENNETT. Now a little profanity thrown in.

Mr. OLIVER. These gentlemen are very free with their charges against private individuals.

Mr. CLAUDE MACDONELL. I rise to a point of order; was the hon. gentleman referring to me?

Mr. OLIVER. I was referring to the hon. member for Toronto.

Mr. CLAUDE MACDONELL. Then I beg to call your attention to the fact that the hon. member used the words that I was prostituting my position as a member of parliament in making these statements. I ask the hon. gentleman to withdraw these remarks.

Mr. SPEAKER. I think that these remarks too should be withdrawn.

Mr. OLIVER. Then in deference to your ruling I certainly unreservedly withdraw these remarks and I can only say that I am very, very sorry that the action and attitude of a member of parliament and of a great political party should be such that it cannot be properly and correctly described in a House of parliament according to parliamentary usage.

Mr. CLAUDE MACDONELL. I desire to rise to this point of order. I quoted the judgment of Mr. Justice Wetmore as my observation upon Mr. Malcolm Mackenzie. I made no comment except to read from the judgment and if the words are not appropriate, if they are excessive, Mr. Justice Wetmore is the man who has to be responsible.

Mr. SPEAKER. That is not a point of order.

Mr. OLIVER. I shall take occasion to read from the opinion expressed by Judge Wetmore, and my hon. friend will fail to find any mention of Mr. Mackenzie in any such connection as he has seen fit to allude to in the House. I shall take my seat and give him a minute or two to find the allusion.

Mr. CLAUDE MACDONELL. I have read the allusion.

Mr. OLIVER. Then 'Hansard' will tell whether my hon. friend is correct or not. I say that to use the privilege of parliament for the purpose of attacking private individuals, for the purpose of misrepresenting the position of private individuals, is certainly not to fulfil the purpose for which parliament was instituted. Let me recall my hon. friend's attention to the proceedings of a day or two ago and how careful they were—oh, how they were horrified at the idea that any body should bring their good names into disrepute by questioning any transactions they might be engaged in, although they are before the public, although they have all the protection of the privilege of parliament. Surely these are not the gentlemen who, as I say, use the privilege of parliament at least to attack private individuals who are not here to defend themselves and who have no means of defence against that attack.

In regard to the position of the department in this matter, a case came before the Interior Department. It was of the nature of many cases that come before that department and as I read the particulars, it was dealt with as others are dealt with. As the commissioner who dealt with it said, he might have been right or he might have

been wrong, he dealt with it according to his best judgment and according to the facts as he had them before him. The gentleman who felt himself to be aggrieved in the transaction asked the privilege of having his rights in the matter tried out in the courts. He was given the privilege, his rights were tried out in the courts, judgment was delivered, which judgment did not concede to him the rights that he demanded and these gentlemen hold the Department of the Interior responsible for that action of the court, or for not reversing the action of the court. What do these gentlemen want in the way of administration? What could they have that was fairer than what was done? There was a complicated case, a case of a squatter before survey, a class of case which arises all over the country. There were three claimants, as a matter of fact I believe there were four, and in my opinion, if I may go so far as to express my private opinion, I would think that the fourth claimant, whose name has hardly been mentioned, was the man best entitled to the claim. That is my private opinion but it is not effective at the moment. The right of a squatter before survey is a right which this government in its administration of the Dominion lands has always admitted, has always protected, and while their predecessors have not been as invariable in that attitude, they accepted the principle just the same, that the squatter before survey had a right which should be recognized. And when my hon. friend suggests that there is no difference between the rights of these three men who occupied as squatters before survey, and the men who settled on that town site after survey, he simply sets himself in opposition to all the administrations of all governments that have ever been in Canada.

Mr. SPROULE. I have a case right before me to the contrary.

Mr. OLIVER. My hon. friend will have his opportunity of explaining his case.

Mr. R. L. BORDEN. It is very unfair that the hon. gentleman (Mr. Sproule) did not mention that before the minister spoke.

Mr. OLIVER. When my hon. friend says there is no one else in this House acquainted with the circumstances of this case, if he had desired to be fair—yes, the hon. gentleman laughs, he appreciates the joke, so does the House; he never had a desire to be fair and he certainly is——

Mr. BENNETT. Oh now, order.

Mr. SPROULE. Who are you applying that to?

Mr. FOSTER. It is just a general observation.

Mr. OLIVER. In regard to the value of this town site, this seems to be a matter of importance in dealing with this case. My hon. friend has rolled a sum under his tongue a number of times, and he says the town site is worth $200,000. Possibly it is. We will be very glad if it is. I hope it is worth a million.

Mr. FOSTER. All the better for Mackenzie.

Mr. OLIVER. Surely all the better for Mackenzie and all the better for the country as well. It is on record that Lyon and Montalbetti lived right on this quarter-section, I think, for some years before the idea ever entered into their minds that it was worth homesteading. When they did apply to homestead there was a prospect of it becoming valuable. I ask my hon. friend's opposite do they take the position that because there is a prospect of the land upon which a squatter is settled becoming valuable, that therefore he is to be deprived of his squatter's rights? And yet that is the position these hon. gentlemen opposite take if they take an intelligible position at all. Now, I say it does not make any difference how valuable the land is, if the squatter had a right, the government should respect that right, and I want to say to the House that is the principle upon which the public lands of this country are administered to-day, and have been during the continuance and power of this government. I could not follow all the quotations which my hon. friend read from the return. My hon. friend has read from such papers, out of the mass, such parts as he saw fit. I submit, that by such a proceeding any person with even half the intelligence or learning of my hon. friend could take the Bible and could read into it or out of it any doctrine he might please. There was no purpose in the readings of my hon. friend except to place on the pages of 'Hansard' a slander——

Mr. BENNETT. Now, now; order.

Mr. SPEAKER. That is repeating the same word, it should be withdrawn.

Mr. OLIVER. I apoligize. I certainly should not have used the word.

Mr. FOSTER. You had better go on with your defence now instead of making apologies all the time.

Mr. OLIVER. Well, my hon. friend (Mr. Foster) had his turn yesterday.

Mr. FOSTER. Yes, I had.

Mr. OLIVER. I hope that when I get through I will have more support than he had.

Mr. FOSTER. Your majority will help you out sometimes.

Mr. OLIVER. I will not trespass upon the time of the House by reading at such length as my hon. friend did. I will read, however, some parts from the finding of Judge Wetmore. A fiat was granted; the case was

taken to the Exchequer Court; Judge Wetmore was appointed to take evidence on the ground. I shall quote from the judge's report, and following the example of my hon. friend opposite I shall read such parts as suit the case I am presenting. Judge Wetmore reports:

I find that this storehouse and root-house——

Which were the improvements first put upon the place by Montalbetti.

I find that this storehouse and root-house was erected as stated and occupied by Felix Montalbetti as a storehouse and root-house before the plaintiff Lyon ever came to the land or vicinity, and therefore before he commenced the erection of his house upon the land.

Establishing beyond question that in the mind of Judge Wetmore Montalbetti was the first man to make improvements upon the property. Now, it is true that Judge Wetmore did not consider that that was sufficient to entitle Montalbetti to the patent, but it is also true that according to the ordinary practise of the department in adjusting the rights of the squatter, the man who has made the first improvement is the man who gets first consideration.

Mr. R. L. BORDEN. Did not the learned judge also state that Montalbetti did not make these improvements with any bona fide intention of squatting upon the property?

Mr. OLIVER. Yes, certainly he did. I have already said I am only reading from these documents the parts that suit the case I am presenting. I am following the example of my hon. friend on the other side, who only read the parts which suited the case he was presenting.

Mr. FOSTER. And which you condemned as a bad example.

Mr. OLIVER. It is true, I did.

Mr. FOSTER. And you follow it?

Mr. OLIVER. Unfortunately, I have either to do that or afflict the House by reading the whole document.

Mr. MACDONELL. That was just my position.

Mr. OLIVER. My hon. friend might have read both sides from the document, but he did not do that.

Mr. MACDONELL. I gave the gist of it.

Mr. OLIVER. In regard to the allegation that Mackenzie was a party to the alleged fraud of Montalbetti, this is what judge Wetmore says——

Mr. MACDONELL. Nothing was said by me to the effect that Mr. Mackenzie was guilty of any fraud or was a party to any fraud. My remarks with regard to fraud were entirely and exclusively directed to Montalbetti, so that the minister need not rest under any misapprehension as to that.

Mr. OLIVER.

Mr. OLIVER. I am glad to hear the hon. gentleman say so, because the impression left on my mind by the whole trend of his remarks was, that he intended to fasten an allegation of fraud on Mackenzie.

Mr. MACDONELL. I said he was not guilty of fraud, but that he had taken advantage of the fraud of Montalbetti.

Mr. OLIVER. I think I understand, that is perfectly clear. Now, this is what Judge Wetmore said in regard to that matter—and my hon. friend did not happen to read it:

The evidence does not satisfy me that the defendant Mackenzie was a party to the false statements and misrepresentations contained in Felix Montalbetti's solemn declaration or that he is in any way liable to be charged with actual fraud in connection with the sale of the said land or the issuing of the patent to him. I am not at liberty to infer that he had no knowledge of the false statements and misrepresentations because he or his partner McNeil prepared that declaration. On the contrary, in the absence of evidence to the contrary I must assume that the declaration was prepared entirely on the representations made by Felix Montalbetti, and there is no evidence before me to warrant my coming to the conclusion that either Mackenzie or McNeil had any reason for believing at the time the declaration was prepared or lodged in the Department of the Interior that any part of these representations were untrue.

Here is another portion that I might read, upon the statement that Mr. Montalbetti was the first man to make improvements on the place:

Mr. Turriff at such examination testified that the usual practice in the Department of the Interior, in disputed claims, when several persons are claiming, is to give the right of purchasing to the first man who is entitled—to whoever built or squatted on the land. This evidence is uncontradicted, and I find that the practice is as testified to by Mr. Turriff.

Aside from any statement that might have been made by Mr. Montalbetti, whether it was correct or not, the judge was satisfied that he was the first man to make improvements, and he was satisfied that it was the practice of the department to accord squatter's right to the first man who made improvements; and this is the allegation of wrong-doing made against the department and against Mr. Mackenzie.

In regard to Mr. Lyon's claim, I have no desire at all to throw any discredit upon Mr. Lyon. He had a perfect right to make his claim, and to win his case if he could do so by fair and reasonable means; but on the question of priority of right as a squatter, the judge, speaking of a building erected by Mr. Lyon, said:

This building is a much more substantial building than the one erected by the Montalbettis and is more suitable for a dwelling house. I find, however, that such building was not erected by Lyon with any intention of locating on the land as a squatter or of acquiring rights

to such lands. So far as he was concerned, it was erected for a mere temporary purpose. It was erected under the following circumstances. As already stated, Lyon came to Blairmore as station agent for the railroad company. He originally came to the west from Renfrew in Ontario, leaving his wife and family there. Being desirous of bringing his wife and family out to Blairmore to live with him there, and there being no suitable building to bring them to, he applied to the railroad officials to allow the sectionmen to assist him to build a house to which he could take his family. His request was complied with and the house was built, so far as the labour was concerned, by railroad employees, he being among them during their working hours, for which they were paid by the company. Lyon put very little into it outside his labour.

Mr. R. L. BORDEN. That is to say, if I understand it, he held that neither one of these men was a squatter, because improvements were not made in either case, with the intention of permanent location on the land.

Mr. OLIVER. That was his opinion expressed in this report, which he says is not the custom of the Interior Department; its custom being to give the land to the man who first makes improvements upon it. He says with regard to Mr. Lyon:

The evidence does not satisfy me that he put more than about $40 worth of material in the house, which was provided by his own means. The house was practically built for him by the railroad company, and even then his conduct and acts showed that he did not intend to remain on the land, if he could better himself, and that he only considered his occupation as of a temporary character. He was repeatedly applying to the company to remove to other and what he considered more desirable positions, with a view to removing to Pincher creek. I cannot under such circumstances find that he was a squatter on the land.

Mr. LAKE. Does the judgment not go on to refer to his being the first to take up actual residence on the land?

Mr. OLIVER. This is not a judgment, I might inform my hon. friend; this is a finding on the facts. He says explicitly, as I have already read, that Montalbetti built the shanty upon which he claimed priority of right before Lyon was ever there or thereabouts. As to the conclusion of this finding, which has been alluded to as a judgment, and which has been quoted as containing such reflections upon Mr. Montalbetti or Mr. Mackenzie as are mentioned in the Calgary 'Herald,' there are no such words in the finding; and its conclusion is:

I have endeavoured to report upon all the material facts raised before me at the inquiry. I have entirely refrained from expressing any opinion on the questions of law involved in the case, as I conceive that it is not within my duties to report upon such questions.

The case then goes up to Judge Burbidge. Judge Burbidge holds a sitting and hears the evidence, and reaches a conclusion as to what was right to do in this connection and adjourns the case. I will read the portion which is material to the point:

Now the evidence that has been taken in this case, and the report of the learned referee, show, I think, very clearly that if one has regard to the quarter-section as a whole, neither Felix Montalbetti nor Lyon had any such rights or any equitable claim to the consideration and indulgence of the Crown. With respect to the portions of the quarter-section which they respectively built upon and occupied, there was, I assume, some such equitable claim to consideration; though as to that I should prefer not to express any decided opinion without learning more of the practice of the Department of the Interior in such cases.

This disposes, I think, of the information so far as it is based on the view that the relator was entitled as a prior claimant to the right to purchase the quarter-section in question at the current rate and on the usual terms; and that he would have been permitted to become the purchaser and patentee thereof but for the false and fraudulent representations and the fraud of Felix Montalbetti. I am speaking now of the right asserted by Lyon to be allowed to purchase the quarter-section as a whole. With respect to the portion thereof on which he actually built and of which he was in possession at the time the patent issued, the case is no doubt different. But as to that no claim to relief has been made by the relator, and the defendant Mackenzie is, I understand from what counsel stated on the argument, ready to do what is fair and reasonable in the way of making good Lyon's title to such portion of the quarter-section as he was in actual possession of at the time the patent was issued. And so far as doing justice in that aspect of the case is concerned, there is probably no necessity to set aside the patent granted to Mackenzie.

The court was adjourned for the purpose of taking further evidence or for further consideration of the matter. And it was reassembled on May 30, and I shall inflict upon the House the judgment of Mr. Justice Burbidge in the case because that is a material document—the document which contains any charge that there is to be made. It contains a statement of the case as it was proved:—

In the Exchequer Court of Canada.

Monday, 30th day of May, 1904.

Present—The Hon. Mr. Justice Burbidge.

Between—The King, on the information of the Attorney General for the Dominion of Canada, and H. E. Lyon, plaintiffs; and Malcolm Mackenzie and Felix Montalbetti, defendants.

Upon motion made unto this court the 28th day of January, 1903, the 2nd, 14th and 21st days of February, 1903, the 20th day of March, 1903, and this day, by counsel on behalf of the above named defendants and (excepting on the said 30th day of May, 1904, as hereinafter mentioned) in the presence as well of counsel for both of the above named plaintiffs; by way of appeal from the report and finding of the Hon. E. T. Wetmore, special referee herein, filed the 25th day of November, 1902, and for an order varying the said report in the following respects, that is to say: that the said special

referee should have found upon the evidence that the defendant Malcolm Mackenzie was the purchaser in good faith of the legal title to the land in question herein, from His Majesty the King, represented therein by the Hon. the Minister of the Interior, and that the said defendant, Malcolm Mackenzie, was the purchaser in good faith from the defendant Felix Montalbetti of all the latter's right, title, interest and equity in and to the said lands for valuable consideration without notice of any fraud or misrepresentation in the application for the patent thereof or otherwise, and without notice of any prior legal or equitable claim or title of the said lands, instead of finding as he does find, that no consideratаion was ever intended to pass between the parties (the defendants), and also that the said report should be varied in such other respects as the same is inconsistent with the evidence adduced herein, or the weight of evidence, or as to the judge of this honourable court may seem proper upon the hearing of this motion ; and also for an order that the said defendants be at liberty, firstly, to put in evidence, and file as exhibits herein, the certificates of title issued to the defendant Malcolm Mackenzie, under the provisions of the Land Titles Act, 1894, being chapter 28 of the statutes of Canada passed in the 57th and 58th years of the reign of Her Majesty Queen Victoria, and registration abstracts and certificates of the registrar of titles for the South Alberta land registration district respectively, covering the lands in question herein; secondly, and also to show by proper evidence that the said defendant, Malcolm Mackenzie, is the registered owner of the lands in question herein, under and by virtue of the said Land Titles Act, 1894, and also to give evidence to show that the King represented herein by the Attorney General, has no interest whatever in the present action and that the same is brought solely for the benefit of the plaintiff, H. E. Lyon ; and for a further order that the defendant, Malcolm Mackenzie, be at liberty to amend his statement of defence herein by alleging after paragraph five thereof the following, namely :

6. The said patent was duly forwarded to the registrar of land titles for the South Alberta land registration district and deposited with him, and the said Malcolm Mackenzie became and is the duly registered owner of the lands in question herein under and by virtue of the provisions of the Land Titles Act, 1894, being chapter 28 of the statutes of Canada passed in the 57 and 58th years of the reign of Her Majesty Queen Victoria, and as such there was issued to him on the 6th day of August, 1901, and the 28th day of August, 1902, certificates of the said registrar of land titles for the South Alberta land registration district, whereby the title to the said lands is and remains vested absolutely in the said defendant Malcolm Mackenzie.

7. The said defendant Malcolm Mackenzie pleads the provisions of the said The Land Titles Act, 1894, and The Dominion Lands Act, being chap. 54 of the Revised Statutes of Canada, 1886, and claims the benefit and advantage of the enactments and amendments thereto—or in other like manner as to this court may seem meet ; and upon motion made unto this court on February 14 and 21, 1903, and March 20, 1903, by counsel on behalf of the above-named plaintiffs, for judgment pursuant to the prayer of the information herein and the report of the said learned referee filed, that the patent issued to the defendant, Malcolm Mackenzie, on July 25, 1901, be declared to have been issued through fraud or in error or improvidently and that the same should be declared null and void and should be delivered up by the the defendant, Malcolm Mackenzie, for cancellation and that the defendants should be ordered to pay to the plaintiffs their costs of this action; upon hearing read the evidence taken before the said special referee, the report of the referee, the examinations for discovery herein and the pleadings and other proceedings before the said learned referee, and upon hearing what was alleged by counsel for all parties this court was pleased to direct in accordance with rule 124 of the general rules and orders of the court that the motion for judgment on behalf of the plaintiffs should stand over for further consideration, and that in the meantime if the Attorney General should so desire it a further inquiry might be proceeded with and further evidence taken before the court, and this court was further pleased to direct that the motions made on behalf of the defendants by way of appeal from the report of the special referee, for leave to adduce further evidence and to amend their statement of defence should also stand over to come on at the same time as the said motion for judgment on behalf of the plaintiffs, and the defendants through their counsel upon the argument having offered without prejudice to convey, and having subsequently at the instance of and to the satisfaction of the Minister of Interior, conveyed certain portions of the lands in question herein to the persons (including the plaintiff, H. E. Lyon) in actual possession of such respective portions at or before the issue of the said patent for the said lands, and having deposited the said conveyances with the said the Minister of the Interior, and the said motions coming on this day for judgment in the presence of counsel for the plaintiff, His Majesty the King, and the said defendant (no one appearing this day for the plaintiff, H. E. Lyon although duly notified of these proceedings, as appears by the record herein) and counsel for the defendants now formally moving for judgment, and counsel for the plaintiff, His Majesty the King consenting that the action should be dismissed without costs.

1. This court doth order that the said motion for judgment made on behalf of the plaintiffs be and the same is hereby dismissed without costs.

2. And this court doth not see fit to make any order in respect of the said motion made on behalf of the defendants, by way of appeal from the report of the special referee and to vary the said report, or the motions by the said defendants for leave to adduce further evidence and to amend their statement of defence, or to dispose of the costs of said motions.

3. And this court doth further order that this action be and the same is hereby dismissed without costs.

By THE COURT.
(Sgd.) CHAS. MORSE.
Deputy Registrar.

Approved :

(Sgd.) Perkins, Fraser & Burbidge,
Defendants' solicitors,
Glyn Osler,
Agent for solicitor for H. E. Lyon,
F. H. Chrysler,
Solicitor for Attorney General.

Let these minutes of judgment be settled in accordance with agreement of counsel for the parties.

July 14, A.D. 1904.

(Sgd.) Geo. W. Burbidge, J.E.C.

If I understand this matter right, so far from the case having being settled contrary to the evidence, because of the withdrawal of the Crown from the proceedings. the Crown did not withdraw from the proceedings and the judgment was rendered upon the merits of the case.

Mr. R. L. BORDEN. It is expressly declared by him by consent.

Mr. OLIVER. I hope my hon. friend (Mr. R. L. Borden) does not suggest that the Crown is going to withhold its consent from the settlement of a case according to its merits. If that is what he alludes to, or if he alludes to the consent of Lyon, then the consent of Lyon is here with the signature of his solicitor. At any rate, the case was taken before the courts. It was taken out of the hands of the Interior Department, with the consent of the government. It was tried to a finish, and a judgment was rendered upon the merits.

Mr. HAGGART. If I understand the minister rightly, he says that this is a judgment of court to which Lyon and the other parties consent through their counsel.

Mr. OLIVER. That is the idea.

Mr. HAGGART. Extraordinary!

Mr. OLIVER. That is what the documents show. Of course, I may be mistaken. I know that this is entirely contrary to the statements given out to the public, but I take my information from the file, and give it as I get it. I have no knowledge of my own concerning the matter. Now, not to detain the House by reading further from the first presentation by Justice Burbidge, before the adjournment, the effect of his reasoning was this: That neither Lyon or Montalbetti had any right as settlers to this land, but the government had the right to sell the land, and having sold the land, and neither of these parties having any right to it as squatters, there was no reason for disturbing the title. But he also considered the case that, while Montalbetti held the patent for the quarter-senction Lyon was in residence upon it before that patent was issued and before survey; that, as a matter of fact, there were rights on the part of Lyon and Pelletier as squatters before the survey; therefore, his words are in effect that there is no reason for disturbing the patent issued to Montalbetti, provided that the actual residents' rights, that is the rights of Lyon and Pelletier, are conserved. The arrangement then was that an agreement should be filed with the department by which Mackenzie should undertake to convey the lands in occupation by Lyon and Pelletier, and that, upon the filing of that agreement by Mackenzie, the judgment should be given as it was there given. The adjournment of the court was made for this purpose. The documents were filed—the undertaking by Mackenzie to deed to Lyon and Pelletier the land covered by their improvements—and, as decided upon, the documents having been filed, the judgment was given that there was no reason to disturb the patent given to Montalbetti.

Mr. HAGGART. As I understand it, there is a letter from the Minister of the Interior to the Minister of Justice asking them to withdraw the action in the name of the government against the party, or to stop the fiat. The Department of Justice to-day is a consenting party to that. Afterwards there is a judgment of the court here quoted. If I understand the facts, the case seems a most extraordinary one.

Mr. OLIVER. As I read the documents, there is no hint of withdrawal from the case in the judgment that is rendered; or, in other words, to put it as I understand it, and according to the words as I read them, that judgment was rendered on the merits of Lyon's case as understood by the judge. The papers have been before the House for a considerable time, and, if this is not the effect of what was done, it will be for the hon. member who follows me to prove it. Certainly, my hon. friend (Mr. A. C. Macdonell) who spoke before me did not prove it. That being the case, what is the foundation for these charges against Mr. Mackenzie and against the Interior Department? What is the ground for the allegation of scandal? What could the Department of the Interior do that it did not do? When its decision was questioned, the case was taken to the courts; every opportunity was given for the taking of the evidence in full; and a decision was arrived at. And still my hon. friends insist that the Department of the Interior should ignore the judgment of the Court of Exchequer and cancel the patent to Mackenzie in favour of Lyon. On what ground? On grounds that neither Judge Wetmore or Judge Burbridge could find. Now, my hon. friends surely do not expect to be taken seriously in that demand? If they do demand that we cancel the patent to Mackenzie in favour of Lyon because it was improperly acquired, the judges do not find that we should do so. And if they demand that we should cancel the patent because this land has appreciated very considerably in value, they are asking us to do something which has been contrary to the policy of the government of Canada ever since it undertook the handling of Dominion lands—the government under their own friends as well as this government. And the policy that has been followed is a proper and necessary policy. What has the appreciation in value

of these lands to do with the case? Let me call the attention of the House to the unfairness of the proposition put forward by hon. gentlemen opposite on that point. During the period in which the Northwest was not going ahead very rapidly there was the railroad from Regina to Prince Albert, with stations all along. The station building stood right on the fertile prairie. Take the case of one of these stations which to-day has a very considerable village around it. The man who bought the town site from the Canadian Pacific Railway at $3 an acre told me, in the fall of 1885, that he had sold $40,000 worth of town lots up to that time—and this was a year or two after he had bought the town site. These town site lands were of no more value than farm lands unless a town was built upon them. And when the railroad went through the Crow's Nest Pass, there was no more reason why there should be a town at Blairmore station than at Dundurn, or at Wapella, on the Soo line of the Canadian Pacific Railway, where there is a very good town to-day. The fact is that this property came into value afterwards, not by reason of the construction of the railroad, but because of the discovery of coal in the vicinity. And even with the discovery of coal in the vicinity, there was no guarantee whatever that the station would remain at Blairmore, where it is. As a matter of fact, the principal business of the Pass is done at Frank, two miles east of Blairmore, and at Coleman, a couple or three miles to the west of Blairmore. There was an even chance that there would not be any town at Blairmore. And I venture the opinion that the value of this land has been greatly exaggerated, quite unjustifiably exaggerated, just as the facts generally in regard to this case have been unjustifiably exaggerated. My hon. friend (Mr. Lake) referred to the fact that the costs of Mr. Lyon were paid by the Department of the Interior. I am not sufficiently familiar with the legal procedure to go into the history of the case from that point of view. I can only give the House the facts as they come to me and as I understand them. After the case was decided it was arranged that the taxed costs of Mr. Lyon should be paid by the government. There was attached a condition that Lyon should agree to the settlement of his claim by the acceptance of the transfer from Mackenzie before the costs would be paid. I do not know why such an arrangement should be made; I do not know why it should not be made. At any rate, the transfer from Mackenzie to Lyon and Pelletier not having been made, I felt that I should not pay the costs, although applied to by the agents of Lyon on several occasions. They, however, continued to apply for this payment. I referred their application to the law clerk of the department, and he reported that the account should be paid, and I ordered the account to be paid. I was surprised to receive a letter from Mr. Lyon indicating the idea that this money was a price to be paid to him to forego his right. I had no knowledge of any such understanding. I do not believe there was any such understanding; I think that Lyon was entirely mistaken in regard to that matter.

Mr. HAGGART. What was the amount he claimed in that letter for fore-going his right?

Mr. OLIVER. I do not think he stated an amount. He had some idea that an amount of money was to be paid to him if he would forego his right. The amount of costs that we assessed were paid without asking him to forego his rights. Whether I was right or wrong in ordering the payment, I made the payment on the authority of the law officer of the department; and I submit to the House that whether I was right or wrong it showed that the government had no desire in any way or manner to prevent Mr. Lyon from proceeding to any degree he wished to establish his right to that land. If there was anything improper in the arrangement then the arrangement was not adhered to. I will admit that I might have been open to censure for having paid the money, but if I am, at any rate that certainly relieves the government from any imputation of trying to prevent Lyon from taking any legal proceedings he might please to establish his rights.

Mr. MACDONELL. Why were the costs paid?

Mr. OLIVER. I am stating the matter exactly as it comes before me, I do not know, but I understand that these cases are handled in the Department of Justice, and I was not familar with the reason or with the taxing of the costs. But I cannot hold myself responsible for the arrangement to pay the costs. Possibly it was out of consideration to the fact that Lyon was a squatter before the survey, that there was some colour to his right, that he had been put to a great deal of expense in trying to establish his right, and it was a matter of consideration for Mr. Lyon; I do not know any other reason, but I imagine that would be it. As the case stands to-day, there is no string on Mr. Lyon in any shape or manner in regard to this claim, and when Mr. Lyon wrote me as he did that he was going to have this matter ventilated in the House, all I could tell him was that the matter had been dealt with by the courts and that I did not feel free to traverse the action of the court, and I do not think that parliament will vote that the Department of the Interior should do so.

Just one word more on the general question. The suggestion has been made repeatedly that the Department of the Interior is and has been administrated with a view to

the advantage of friends of the government. The suggestion is made that in this case Montalbetti, because of his association with Mackenzie, was favoured because the latter was a friend of the government. Now I ask this House: Is a man to be debarred from his legal right because he happens to be a friend of the government? or is it right that he should be subjected to—I will not use the word slander—but to the unfounded aspersions by members of parliament because he happens to be a friend of the government? Now I want to say to hon. gentlemen opposite that I have sat in parliament since 1896, and I had the honour during two terms of representing nearly the whole of what is the province of Alberta. There was occasion in many, many cases to bring before the Department of the Interior, before I took charge of it, questions in regard to the rights of individual holders of land throughout that great province. I tried to do my duty in that matter, to do what was fair by the people whom I represented. I defy any man to say that on any occasion, or under any circumstances, when a person brought a claim to me to be advanced before the government, I ever asked what his politics were or what they were going to be; that I ever discussed the questions of politics with him at all. I say furthermore, that having dealt with those cases before the Department of the Interior during all that time, the Department of the Interior, and no officer of it so far as I know, ever questioned a case that I brought before it because of the politics of the man concerned in it. As to what is taking place in the department to-day, I can only say that I will not discuss that matter ; but I leave it to the House as to whether any and every man who is dealing with that department is ever questioned or is prejudiced in any way, shape or manner because of his politics. If there is such a thing certainly it is contrary to my wish, it is contrary to all the traditions of the department. There is no foundation for the allegations that have been sent broadcast throughout the country in regard to the action of officers of that department by members of this House during this and past sessions. It is an allegation—I will not use the word that I was tempted to use, although it seems to me it would be applicable—I will say that those allegations have no foundation. They are calculated not only to injure personally the gentleman against whom they are directed, whether they be officers of the department or private individuals. They may not be slanders, but they are of the nature of a slander. The whole tendency of such a campaign and its whole purpose is to discredit in the minds of the people the administration of the Interior Department.

Now, my hon. friends know as well as they know they are alive that the success of this country depends upon the successful administration of the Interior Department as much as upon any other fact and they know that the Interior Department cannot be administered successfully if they can succeed in creating a lack of public confidence in that department. They have been using their best endeavours during this past session in this campaign of slander which they have inaugurated and kept up——

Some hon. MEMBERS. Order, order.,

Mr. OLIVER. I withdraw, Mr. Speaker, I will change the word, Mr. Speaker, and I will——

Mr. FOSTER. Spell it backwards.

Mr. OLIVER—and I will say this campaign of scandal which they have entered upon. There is nothing wrong with that, Mr. Speaker, because they are using it against us, but when we change the word to slander, they want the protection of the chair at once. But we have no protection against their shout of scandal from their benches here and from their press throughout the country, a campaign, I say, directly and essentially intended to hurt this country, to retard the prosperity of this country more than it can possibly hurt any individual or any political party in the country. If the government can be discredited by that campaign the country is discredited by the same campaign, and the wheels of progress are retarded by the gentlemen who are here in their places in this House for the purpose, if for any purpose, of pushing the country forward and helping the government and not of hindering it in securing or forwarding the welfare and prosperity of the people.

Mr. JOHN HERRON (Alberta). Whilst I was absent I believe the minister referred to me in a way that I do not think was exactly proper. I do not think it was doing justice to myself and I shall draw the attention of the minister to it. I am told that the minister while I was out of the House said that he noticed the opposition stand for statements made by the Calgary 'Herald,' but he noticed that the gentleman who made the motion referred to in that paper has not seen fit to father the present proceedings in this House, and he added that he presumed I was ashamed to do so. On being told by my hon. friend from Calgary (Mr. M. S. McCarthy) that I was in the committee room of the Lumber Combine Committee he stated that I was not there a few minutes ago. Then he inquired where I was last night and this morning at two o'clock when the vote was taken in the House. I do not think this is a proper way to use a member who is trying to do his duty. I might state to the minister that I had two reasons for not proceeding with this motion which was introduced in the House this afternoon by

my hon. friend from Qu'Appelle (Mr. Lake). The first, and perhaps the most important reason, is that the gentleman whose name was most particularly identified with this resolution was my opponent in the election. I beat my opponent on that occasion, and I think, if another contest arose, I could do so again. Nevertheless I thought it was not the proper thing for me to rise here and debate the proceedings of this trial which has attracted a great deal of attention in the part of the country where I live, and for that reason I refrained from doing so. Then the other reason I had for not taking part in the debate was this—and I state this conscientiously and feel that I can show the House that I have good reasons for my action. It was that my time has been taken up for the last month in the Lumber Investigation Committee and when the minister asks where I was last night or this morning at two o'clock I might state to the House that I was alone—not always alone, but most of the time alone in the lumber combine room from 8.30 o'clock until 12.30 last night preparing evidence for the investigation before that committee this afternoon. I then returned to hear the debate in the House, sat in my seat for a few moments and went to room No. 6 expecting a vote. Had I been here I certainly would have voted for Mr. Hughes' motion, because I do not shrink from votes. As regards the statement that I was not in the committee room a few moments ago, I have positive evidence which I can produce to the House that when the House adjourned for a few minutes in order to go to the Senate for the Royal Assent I took occasion to go to the committee and present the evidence that I prepared last night. I think that is sufficient to explain my course, and I do not think it is right that these remarks and insinuations from which a wrong inference might be drawn by the country should be made against me. I wish to state to the minister that I have not been ashamed to take a stand on these questions, and that I am in the House more than the hon. minister; in fact, I have not lost one day in this House for two sessions, which is a record such as few gentlemen can present. I do not wobble around one way and another when motions are made, nor do I shirk votes when a division takes place. I am always here, 'Johnny on the spot.'

Mr. OLIVER. I gave the hon. member credit for more consideration than he is evidently entitled to.

Mr. R. L. BORDEN (Carleton, Ont.). I would like to say to my hon. friend the Minister of the Interior (Mr. Oliver) with respect to his references to slander and scandal, that every scandal is not a slander. I would like him to bear that in mind, and I do not think any such observations as he addressed to the hon. member for Alberta (Mr. Herron) come with very good grace from a gentleman who gave the vote which that hon. gentleman did on two motions introduced in this House not long ago by the hon. member for Labelle (Mr. Bourassa). That is enough to say with regard to it. If the hon. gentleman wants to go into any investigation as to where people are at 1 o'clock or 2 o'clock or 3 o'clock or 4 o'clock in the morning, he can get all he wants of that at any time.

The Minister of the Interior (Mr. Oliver) seemed to have the idea that I was waiting in this debate until he had spoken by reason of some terror existing in my breast that he might follow me and crush me. I have taken occasion in the House when his predecessor, now the hon. member for Brandon (Mr. Sifton), occupied the position which he does, to introduce several questions in the House on which I naturally expected to be followed and was followed by the hon. gentleman; and perhaps, without depreciating the hon. the Minister of the Interior (Mr. Oliver), in any way, I might be permitted to say that any person who is not afraid to be followed by the hon. member for Brandon (Mr. Sifton) would not be absolutely terrified at the idea of being answered by the hon. gentleman who has taken his place. I wish to put this in just as delicate a way as possible to my hon. friend, but I have no doubt he will fully appreciate what I mean by the statement.

The Minister of the Interior has dealt with the question of squatter's rights. I understand that squatter's rights in the first place, are for settlement and not for speculative purposes, and I understand also that the Department of the Interior does not recognize as a squatter a person who goes into a particular locality without any intention of permanently residing there. That is a very important consideration which has been put absolutely to one side in the remarks of the Minister of the Interior. In this instance, that principle was absolutely departed from, as I will show, and as the minister indeed has admitted in answer to a question from myself during his speech. The judge of the Exchequer Court, and the referee, have found that neither Lyon or Montalbetti, at the time they made the slight improvements referred to, had the slightest idea or intention of becoming permanent settlers. And what was the result? The result was that when the Crown had gone into Court upon an information under the hand and signature of the Attorney General for Canada to set aside the patent as having been granted by fraud, and when it was found by the judgment of the referee and by the judgment of the Exchequer Court judge, that that patent had been obtained by fraud, the government did what? It had two men before it, one of

whom, Lyon, was the first man who had made any improvements of any importance upon that property—although not for the purpose of permanently locating—and it had Montalbetti who had made some slight improvements but not with the intention of permanently locating either. It had two men before it, one of whom Montalbetti had sought to defraud the Crown, and the other Lyon, who had not sought to defraud the Crown. It confirmed this property consisting of 160 acres to the man who had sought to defraud the Crown and did defraud it, and it told the other man Lyon to go about his business. That is the conduct which the Minister of the Interior thinks should commend itself to the judgment of this House. Why, if neither of the men had been guilty of fraud, the obvious course for the government to take, considering the value which this land had attained in 1904, would have been that suggested by the Dominion Lands Act in sections 102 and 107 :

Sec. 102. Such unoccupied Dominion lands as the minister deems expedient from time to time, may when he so orders be withdrawn from ordinary sale and settlement and sold at public auction to the highest bidder, an upset price being fixed for the same.

Sec. 107. The minister may withdraw from sale or homestead entry any tract, or tracts of land, and may lay the same out into town or village lots and the lots so laid out shall be sold either by private sale at such prices as the minister sees fit, or by public auction, an upset price being fixed for the same.

There were several courses open to the government. One was to withdraw the land altogether as neither of the men had made good any claim to it, and to dispose of it for the benefit of the public, it being likely to attain a great value. That course would be in the public interest. That is the course that has been taken in such cases by the present government of Ontario, as shown by my hon. friend from Toronto (Mr. Macdonell). That was not the course which this government took. Another course open to them would be to take these two men, one of whom had defrauded the Crown and the other of whom had not defrauded the Crown, and to say that the man who had not defrauded the Crown should be the man entitled. Another course would be, to say that Mr. Mackenzie not having been concerned in the fraud, although he sought to benefit by it, should be put in the same position as Mr. Lyon, and these men shall be allowed to take up the 160 acres between them. That would have been an extreme and unusual course to take in view of the fraud that had been practised, but it would be much less open to criticism than the course which the Minister of the Interior defends. The government took none of these courses, but it declared that Lyon should have no interest although he had been guilty of no fraud, and that the assignee of Montalbetti the man guilty of fraud, the man who had practised fraud on this government, should receive the town site worth at the present time well up to $200,000. And the Minister of the Interior asks us to think that such a course is eminently in the interest of the people of this country.

Let us look at the facts for a moment ; in answer to what has been said by the hon. member for East Assiniboia (Mr. Turriff) let us see what it was on which he based his judgment in this matter. The man on whose report he acted was a Mr. Nixon, a subagent of Dominion lands, a man who last year was described by the Minister of the Interior as not strictly speaking an officer of the Dominion government at all; a man in the course of whose business transactions with this country, defalcations took place which he sought to fix upon his son, and after which he was promoted to a much better position in the public service than that which he previously occupied. Here is Mr. Nixon's report :

Department of the Interior,
Dominion Lands Office,
Macleod, June 24, 1901.

Sir,—I have the honour to acknowledge the receipt of your telegram dated the 18th inst., re northeast quarter-section 35 township 7, range 4, west 5th. In reference to your telegram re above lands I proceeded to Blairmore on the 19th inst., and interviewed Lyon, Montalbetti and Mr. Beebe, who is the representative of Mr. Moffat at that place, and I find as follows :—Mr. Lyon came to Blairmore in the fall of 1898 as Canadian Pacific Railway agent at that place and in the spring of 1899 a log house was built for him near the Blairmore station by the section gang during the company's hours. Lyons continued as Canadian Pacific Railway agent at Blairmore until about the beginning of the present year but prior to that date carried on a small store business in the building already referred to. This building is about 18 by 26 and is within 120 feet from the centre of the railway track at this point and is supposed to be mostly on the right of way.

Felix Montalbetti came to Blairmore in the fall of 1897 as section foreman at that point, and during his own time the following spring, he built a log house, 16 by 18, stable, 14 by 14, and cultivated a small piece of ground that spring——

I want to point out to the Minister of the Interior and to the member for East Assiniboia, that that statement made in the report of Mr. Nixon, upon which the judgment of the department has been given in favour of Montalbetti, has been expressely found by Mr. Justice Wetmore to be untrue, and further, to have been fraudulently made. The report continues :

—and has continued to do so since these buildings were erected by him during his own hours and not while he should be working for the company. The lands which he cultivated were fenced by him and the fence is yet in good repair. Montalbetti informs me that at the time he made the improvements already referred to

he fully intended to become a bona fide settler——

The judge has found that that is not true.

—when the lands were subdivided and open for settlement, and I have no reason to doubt the truth of his statement.

The judge has expressly found that that statement was not true :

The buildings erected by Montalbetti are 184 feet from the centre of the railway track. In regard to Moffat's claim, I may say that I am informed by Beebe that he claimed as the assignee of Henry Pelletier, Pelletier so far as I can learn, first made claim to the quarter-section in question by reason of having purchased a small shack which had been erected on the land by one Buckman, who was a freighter during construction of the railroad and only lived there a very short time. Pelletier informed me that he, Pelletier, had some years ago obtained a homestead near Pincher Creek which he sold before moving to Blairmore.

So far as I can see, Felix Montalbetti is the only man of the three claimants who can be regarded as the first bona fide squatter on the said quarter-section, and in my opinion his claim should be allowed by the department.

Respectfully submitted.

I have the honour to be, sir,
Your obedient servant,
(Sgd.) J. NIXON,
Sub-agent of Dominion lands.

All that it is necessary to point out at the moment is that that report sets forth as true, material statements which Mr. Justice Wetmore has found to be untrue and to have been fraudulently made. There cannot therefore be any doubt that not only the affidavit of Montalbetti, to which I shall refer later on, but the statements of Montalbetti to Mr. Nixon were untrue and made fraudulently—that the whole basis of this claim from beginning to end was one of falsehood and fraud. Well, let us look at what the hon. member for East Assiniboia, then land commissioner, decided when this claim of Montalbetti and the claim of Lyon came before him for adjudication. His decision is dated Ottawa, the 19th of July, 1901, and is as follows :

In October, 1900, Alexander Moffat made application for a permit to prospect for coal, and on December 14, made application to purchase both the coal and surface rights. The contention of his counsel that any land which may contain coal is not open for ordinary homestead or sale cannot be allowed, as under the regulations it is the custom of the department to dispose of the coal and surface rights separately, in many cases the coal going to one party and the surface as a homestead or sale to another.

H. E. Lyon located at Blairmore as ticket agent in the year 1898, and in January, 1899, he built a dwelling house on the land in question and began residence in it with his family in April, 1899, so that his claim as settler may be considered to date from the latter date.

Felix Montalbetti located on this land in 1898, erected a house, fenced in a small portion of the land and cultivated same in the spring of 1898.

According to the judgment of Mr. Justice Wetmore, that statement is untrue, and, the basis of that adjudication being the statement of Montalbetti, was fraudulently made :

He lived in the said house until the fall of 1898, after which he resided in the section house on the right of way. In the year 1899, he erected a stable and other buildings and corralled on the said land, and he is at the present time residing on the said lands.

The fact that both Montalbetti and Lyon were employees of the railway company, does not necessarily throw them out as bona fide squatters, as very many cases come before the department where railway employees either enter for or squat on lands, work them and hold them in that way for a year or two, and when in a position, leave the employment of the railway and reside permanently on the land they had located.

There is no reason to doubt the bona fides of either Mr. Lyon or Mr. Montalbetti, the latter in his evidence showing that it was his intention to make entry for the homestead as soon as the lands were surveyed. When the lands were surveyed, he spoke to the surveyor who informed him that being an odd section, was not available for entry.

The judge has expressly found that that adjudication of the commissioner is not well founded ; and, after the parties have been examined and cross-examined in court, he has arrived at an absolutely different conclusion. The land commissioner goes on :

In view of the above that Montalbetti was the first to locate on the land, lived on it during the summer of 1898, and has utilized his buildings ever since following the usual rule of the department in disputed claims to recognize that of the prior claimant. I decide that Felix Montalbetti has the first right to purchase at the current rate and on the usual terms.

Now, I have dealt with what Mr. Nixon reported and what the land commissioner decided. I have shown that both the report and the adjudication were based on statements falsely made and fraudulently made, according to the judgment of the learned referee Mr. Justice Wetmore which has been confirmed by the judge of the Exchequer Court, and which has not been attacked by either the Minister of the Interior or by the member for East Assiniboia. What follows ? Lyon came with evidence to the Hon. David Mills, then Minister of Justice, and secured a fiat from him for the filing of an information by the Crown on the relation of Mr. Lyon. The Minister of the Interior drew certain fine legal distinctions in regard to this information, which begins as follows :

The information of the Hon. David Mills, His Majesty's Attorney General for the Dominion of Canada, on behalf of His Majesty, showeth as follows :

Then follow the statements quoted by the hon. member for South Toronto (Mr.

Macdonell), which the Minister of the Interior declares not to be the allegations and declarations of the Crown. They are the allegations and declarations of the Crown, made on the relation of Mr. Lyon, who was also a plaintiff in the case, and the information is signed by the Attorney General of Canada. It was issued by a solicitor for the Attorney General of Canada. That is not of very much importance perhaps one way or the other. What is important, however, is what follows, and that is the report of Mr. Justice Wetmore. I should first point out, however, that the assignment from Mr. Montalbetti to Mr. Mackenzie was made on the 8th of July, 1901, according to the finding of Mr. Justice Wetmore, that the adjudication of the commission of Domonion lands which I have just read was made on the 19th of July, 1901, according to the official file, and that the patent upon that adjudication was issued to Mr. Mackenzie on the 25th of July, 1901.

At six o'clock, House took recess.

After Recess.

House resumed at eight o'clock.

PRIVATE BILLS.

WINNIPEG AND NORTHWESTERN RAILWAY COMPANY.

House went into committee on Bill (No. 129) to incorporate the Winnipeg and Northwestern Railway Company.—Mr. McCraney.

Mr. CAMPBELL. The amendments made to this Bill in the Railway Committee are: First, raising the capital from $1,000,000 to $2,500,000; second, making the annual meeting in September instead of October; third, making it subject to the provisions of the Railway Act; and fourth, amending clause 13 to provide that with respect to the issuing of bonds, &c., it shall be done only at a general meeting called for the purpose at which two-thirds of the subscribed stock of the company is represented.

Bill reported, read the third time and passed.

MANITOULIN AND NORTH SHORE RAILWAY COMPANY.

House went into committee on Bill (No. 133) respecting the Ontario, Hudson Bay and Western Railways Company.—Mr. Dyment.

Mr. CAMPBELL. The only change in this Bill is adding a new section and striking out section three which was not considered necessary. Under their original Bill the Company had power to go via the town of Sault Ste. Marie, in the district of Algoma, or by such other route as the company determines. The Railway Committee thought they should not have that power and have put in a new section taking that power away.

Mr. SPROULE. I thought you only elided the last portion of that in the committee?

Mr. CAMPBELL. That would compel them to go by the town of Sault Ste. Marie. It has been pointed out that there might possibly be difficulties and that they could not go that way. Now they have a right to go that way if they feel like it.

Mr. SPROULE. When they got the charter before, one of the contentions was that they had to go that way owing to engineering reasons.

Mr. CAMPBELL. Quite so, but if you left that in they would be compelled to go that way; they can go that way now.

Mr. SPROULE. That is what the people of Sault Ste. Marie want, that they should be compelled.

Mr. CAMPBELL. If it is the most feasible way they would go that way now.

Bill reported, read the third time and repassed.

ONTARIO, HUDSON BAY AND WESTERN RAILWAYS COMPANY.

House went into committee on Bill (No. 132) respecting the Manitoulin and North Shore Railway Company.—Mr. Dyment.

Mr. CAMPBELL. This is making the same change as in the former Bill, not giving them the power to run wherever they liked.

Bill reported, read the third time and passed.

CONSIDERED IN COMMITTEE—THIRD READINGS.

Bill (No. 130) respecting the Algoma Central and Hudson Bay Railway Company.—Mr. Dyment.

Bill (No. 106) respecting the Accident and Guarantee Company of Canada, and to change its name to the Royal Accident and Guarantee Company of Canada.—Mr. Ames.

Bill (No. 121) to incorporate the Ottawa Life Insurance Company.—Mr. McCarthy (Simcoe).

Bill (No. 110) respecting the Traders' Fire Insurance Company.—Mr. Johnston.

Bill (No. 131) respecting the St. Marys River Bridge Company.—Mr. Dyment.

Bill (No. 140) to incorporate the St. Leon Railway Company.—Mr. Finlayson.

Bill (No. 142) to incorporate the Abitibi and Hudson Bay Railway Company.—Mr. McCool.

Bill (No. 150) to incorporate the Collingwood Southern Railway Company.—Mr. L. G. McCarthy.

SECOND READINGS.

Bill (No. 155) respecting a certain patent of Philip J. Green, Melvin Hunt and John D. McMurrich.—Mr. Perley.

Bill (No. 152) to incorporate the Ottawa Terminals Railway Company.—Mr. Caldwell.

Bill (No. 158) respecting the Hamilton Radial Electric Railway Company.—Mr. Clarke.

Bill (No. 157) for the relief of Arthur Leon McPherson.—Mr. Parmelee.

Bill (No. 154) respecting the Canadian Northern Railway Company.—Mr. W. McIntyre.

SUPPLY—BLAIRMORE TOWN SITE.

Mr. R. L. BORDEN. When recess came at six o'clock I was about referring to the report of Mr. Justice Wetmore as special referee. But before doing so I would like to point out the view taken by the Department of the Interior as to the granting of a fiat. The department does not seem to have been consulted, and when an intimation came to it, the idea of permitting litigation to determine the rights of these two parties did not seem to be very acceptable. On the 1st of March, 1902, Mr. Sifton, then Minister of the Interior, wrote Mr. Fitzpatrick, then Minister of Justice, requesting that no action should be taken until he returned and had an opportunity of looking into the matter carefully. Later on, on the 12th April, 1902, in a letter marked personal, he intimates his opinion as follows :—

My Dear Fitzpatrick,—

King vs. Malcolm Mackenzie.

In this matter I have a report from the land commissioner which inclines me to the view that the fiat ought to be withdrawn ; but at Mr. Barwick's request, I have refrained from coming to a final decision until he has an opportunity of arguing the matter.

On a later date, the 7th February, 1903, he writes a personal letter to Mr. Fitzpatrick as follows :

My Dear Fitzpatrick,—

King vs. Mackenzie.

In this case fiat was granted to one Henry E. Lyon to bring an action for the purpose of setting aside a patent issued by this department to one Mr. Malcolm Mackenzie, the assignee of Felix Montalbetti.

Then he goes on to detail what had been done and continues as follows :

The government is not pressing to have the patent set aside and the case reopened. Leave was given to the plaintiff Lyon to bring the action simply for the purpose of enabling him to show, if he were able to do so, as he alleged, that the patent had issued improperly, and the officers of the Crown had been deceived by falsehood and misrepresentations. I do not wish the Crown to be represented by Lyon's counsel upon argument, but desire that you should either appear yourself or by counsel to represent the Crown and specially state that the fiat was granted in this case for the purpose of enabling Lyon to bring his rights before the court, and that in the event of the plaintiff Lyon failing to establish any right on his behalf to have the patent set aside, the Crown is not pressing and sees no reason for pressing to have the patent set aside and the matter reopened.

I may add that the case is one of sale within the discretion of the Crown acting through the department, and it is extremely doubtful if it should ever have been made the subject of an action. But in any event if the plaintiff Lyon fails to establish any right on his own behalf, there can be no possible reason for proceeding to reopen the case inasmuch as the department on its own part has no reason for desiring to withdraw from the sale which was made to Montalbetti.

That is a pretty distinct intimation as to who the favoured applicant was in this case. Both these letters are marked 'personal.' I do not know whether they were intended to be brought down; however, they are brought down, and properly so. The intimation most distinctly is that notwithstanding the allegation of fraud, unless Lyon is able to establish a right, the Crown has no reason for desiring to withdraw from the sale which was made to Montalbetti, a sale made to him for $480 in respect of property which was at that time of enormous value, and which should have been disposed of at an upset price, and the proceeds of which should not have gone into the pockets of Mr. Mackenzie, but into the public treasury of the country.

Now I come to the report of Judge Wetmore, who was appointed special referee of the Exchequer Court. After a preliminary reference to the evidence and the questions of fact submitted for his consideration, he proceeds to deal with Montalbetti's position as follows:—

Felix Montalbetti admitted on his cross-examination before me that portions of the statements in paragraphs 6 and 7 of that declaration were untrue in the following respects :

He is referring to the declaration put in by Montalbetti to sustain his application to the Department of the Interior for a grant of those lands. The learned judge says that declaration was untrue in the following respects :—

(a) That he erected other outbuildings than the stable upon the land in question inasmuch as he never at any time erected any such other buildings.

(b) That he cultivated a portion of the land in the year 1901.

(c) That he erected a stable in the year 1899 inasmuch as such stable was not erected until 1900.

It is to be borne in mind, as this was a question of priority of settlement, that the dates were all important.

(d) That since 1898 he kept upon the said lands and in the said buildings a cow and some

calves and some poultry ; because he never kept a cow or calf there until the year 1900 and never kept more than one calf there.

I, therefore, find, as a matter of fact, that these statements in the declaration were untrue in the respects above mentioned. I find such declaration to be untruthful in other particulars. As a matter of fact, I do not believe that either the defendant Montalbetti or the plaintiff Lyon, down to just immediately previous to the time that Lyon placed the store upon the land in question as hereinafter stated, erected any building upon the land or did any work thereon by cultivation or otherwise with the purpose of squatting on it or permanently locating upon it or of obtaining any rights whatever respecting it, and I believe that down to that time and so far as Felix Montalbetti is concerned, down to about the winter of 1900 and 1901, that whatever they did upon that land was merely of a temporary character so far as they were concerned and to serve temporary purposes, and that it was only about the winter of 1900 and 1901 when it began to appear that there might possibly be valuable deposits of coal in the immediate vicinity and that the land in question might in consequence become the locus of an important town site that the imagination of these persons became excited and fed by such possibilities. I will refer to the evidence which so serves to influence me in so far as Lyon is concerned at a later stage of this report. At present I will deal with Felix Montalbetti. The house to which he refers as erected by him on this land is a very small log house (sometimes in the evidence called the 'shack' and sometimes the 'root-house'), with no partitions in it except in the cellar and would be a building of a very miserable character for a residence. Nevertheless, there are plenty of houses scattered along the whole extent of the Northwest Territories of no better character which have been placed for the purposes of residence and homesteading, and in which the persons erecting them have lived for years. I make no point by reason of the character of the building in itself ; but what I cannot understand is why, assuming that he built this house as he states in May, 1898, he should have put up a building of that character with the intention of doing an act towards locating on the land ; in other words, why he put it up for the purpose of a residence when at the time he built it he knew that the railway company was about to erect a substantial building in which he as section foreman would be compelled to live or pay rent for it if did not live in it. In answer to questions put by me, he testified in effect that he was induced to put up that house because he had a bad tent. Assuming that he erected this house before moving into the section-house, I think that this is nearer the truth and that such house was put there for a mere temporary purpose until the section-house was ready for occupation, and that he did not erect it with any object whatever of locating on the land with a view of acquiring any rights thereto. I may also state here in connection with this part of my report, as it has some bearing on the matter I am now discussing, that I find as a matter of fact that Felix Montalbetti did in August or September, 1900, make application to Joseph E. Woods, the land surveyor, to take up an entirely different piece of land. I draw attention to these facts on the assumption that Felix Montalbetti erected this house in May, 1898 (not because I find as a matter of fact that he did erect it) and for the purpose of emphasizing the nature of his occupation of the land. As a matter of fact, I find that Felix Montalbetti did not build this house in May, 1898, or at any other time in the spring of that year.

And it is to be borne in mind that the reports of Nixon and the decision of Mr. Turriff both attached importance to this false statement of Montalbetti.

That, as a matter of fact, this house was not built until the fall, some time about October of that year and that it was then erected jointly by Felix Montalbetti and Joseph Montalbetti for the purposes of a storehouse and root-house and not for residential purposes at all.

Then the learned judge goes on to discuss the evidence which has led him to these conclusions, and discusses the credibility of the witnesses and he then continues :

As to the character of Felix Montalbetti's acts with respect to this land, I find that he came there in April, 1898, as section foreman of the Canadian Pacific Railway Company with the intention of residing on such land in that capacity alone for the purposes of his duties as such section foreman and intending to reside in and occupy as a residence the section-house about to be built on that land by the railway company as a residence for him as such foreman or any other foreman of the company who might be placed at that point. And that pending the completion of that section-house he resided with his family in a tent on the said land and on the completion of such section-house he, with his family, moved into it early in the month of August, 1898, and afterwards built the building in question and the fence or corral for the better enjoyment of and in connection with his occupation of the section-house, and not with the view of locating as a squatter on the land or anything of the sort. The cultivation of the small garden was of such a trifling character that it is hardly worthy of notice, but I find that also was done in connection with his occupation of the section-house and not with any intention of locating as a squatter, and the bringing of the cow, calf and pair of ducks, being all the live stock or poultry he ever brought on the land, was incidental to his convenience and comfort in the occupation of the section-house.

I also find that Felix Montalbetti did not have a garden on the land in 1898, that he did not have such garden until the season of 1899, after the building of the Lyon house was commenced. The untruthful statements and misrepresentations which I have found to have been made in this declaration as hereinbefore stated, are so many and of such a character that I cannot resist the conclusion that they were fraudulently made with the intention of improperly influencing the minds of the officials of the Department of the Interior in determining to whom the right to purchase the land in question should be given.

This is a distinct, plain and unequivocal finding of false statements, fraudulently made for the purpose of obtaining this patent.:

I find that this storehouse and root-house was erected, as stated, and occupied by Felix

Montalbetti as a storehouse and root-house before the plaintiff Lyon ever came to the land or its vicinity and therefore before he commenced the erection of his house upon the land. The fact is quite obvious, but I find, as a matter of form, that Felix Montalbetti did state in his declaration that he understood and agreed that the sale of the land in question to him should be void if it should be thereafter proved that any statement in such declaration was incorrect. I say nothing as to the effect of that statement upon the result of this case. I conceive that to be a question of law for the consideration of the learned judge of the Exchequer Court and not for mine.

Then he goes on to deal with Montalbetti's assignment to Mr. Mackenzie, and he says:

Although the patent issued to Mackenzie on the 25th July, 1901, not one dollar of this one thousand dollars——

That thousand dollars is the supposed consideration.

—has yet been paid to Montalbetti, and he does not hold the scratch of a pen by way of security for it or in recognition of such indebtedness. I cannot understand this state of affairs.

He goes on to comment on that, and says in conclusion :

If this had been a question between Mr. Montalbetti's creditors and Mackenzie, I would have no hesitation in inferring that no consideration was ever intended to pass between the parties to these transfers and I cannot discover any reason why I should not so find for the purposes of this case and I do so find.

That is to say, the learned judge, after hearing evidence, after hearing Mr. Mackenzie, who was represented by counsel, determines that as between Montalbetti and Mackenzie there was no consideration whatever, and therefore Mackenzie did not stand, as he claimed, in the position of a bona fide purchaser for value, but stood precisely in the same situation as Montalbetti, because he was an assignee without consideration. Then he goes on to say :

The right to purchase this land was awarded to Felix Montalbetti by virtue of a report made by J. G. Turriff, the Commissioner of Dominion Lands, which report is Exhibit 2 to Mr. Turriff's examination before Mr. Justice MacTavish and accompanies this my report.

Mr. Turriff at such examination testified that the usual practice in the Department of the Interior in disputed claims when several persons are claiming is to give the right of purchasing to the first man who is entitled—to whoever built or squatted on the land. This evidence is uncontradicted and I find that the practice is as testified to by Mr. Turriff.

The Minister of the Interior seemed to attach some importance to the expression, 'to whoever built or squatted on the land.' Therefore it is of some importance to refer to Mr. Turriff's evidence in that regard, and see exactly what he did testify as to the practice of the department. Mr. Turriff testified as follows :

Q. Why is it usually given to the first squatter ?—A. Because we consider the first squatter has the best right for purchase if it is land open for sale.

Q. In regard to the lands in question in this action, I notice by your decision that you find on the evidence that Montalbetti was the first man to locate on the land ?—A. Yes.

Q. How did you arrive at that ?—A. From the report of the officers of the department.

The witness obviously refers to the report of Mr. Nixon which I have just read, because the only other report I know of is the report of Mr. Stewart, which is not acted upon :

Q. Did you consider the other evidence also? —A. Yes.

The other evidence alluded to is obviously the declaration of Montalbetti which the report of Mr. Justice Wetmore shows to have been false and fraudulent in every important particular.

Q. And you concluded, as appears by your judgment, that Montalbetti was the first squatter upon these lands ?—A. Yes.

The learned judge continues as follows :

I am not in a position to report fully what the nature and character of the evidence or material was upon which Mr. Turriff made his report, because the evidence before me does not establish it. It is clear that Montalbetti's solmen declaration (which Mr. Turriff in his evidence calls an affidavit) was before him and reports from two departmental officers, Messrs. Stewart and Nixon were also before him and the nature of portions of these reports were disclosed in Mr. Turriff's examination.

Further on :

Mr. Turriff, however, in referring to his report, testifies as follows :—I did not give my decision on Montalbetti's evidence. My decision would be the same whether Montalbetti's affidavit had been in or not.

That is a most remarkable statement by the land commissioner with regard to this application. Montalbetti had made a statement, and suported it by a solemn declaration having the nature of an oath, and to which were attached all the penalties of a false oath if it were false, setting forth certain important particulars as to his occupation of this land ; and Mr. Turriff declares in the evidence which I have just quoted from the report of the judge, that his decision in this case would have been exactly the same if that evidence had not been given. What does that mean ? Does that mean that it was determined from the very first that Mr. Mackenzie and not Mr. Lyon should receive the patent for this land ? Or does it mean—for this is the only alternative—that Montalbetti's statement to him was not regarded as worthy of credence ? What are we to understand from the extraordinary evidence which I have just quoted from the testimony of Mr. Turriff, the land commissioner at that time ?

The learned judge did not seem to understand it; the judge at the Exchequer Court declares that he is not able to understand it; and I am sure there is no one in this House at the present moment, the hon. gentleman being absent, who can give any intelligent interpretation of what was intended by Mr. Turriff in that evidence. A little further along, the report of Mr. Justice Wetmore goes on to say:

I find, however, that the testimony at the inquiry before me has brought to light and developed facts and circumstances hereinbefore reported by me which were never brought to Mr. Turriff's notice or to the notice of the Department of the Interior before the issuing of the patent in question.

Then he goes on to deal with the case of Mr. Lyon. I do not intend to go into that very fully. It is perfectly obvious that, as Montalbetti was a section foreman, so Lyon was merely a station agent and telegraph operator, and that neither of these men went there in the first instance for the purpose of squatting, that houses were provided for both of them by the railway company, and that the supposed acts of occupation which are set forth in their applications and evidence were not acts, in the first instance at least, which would enable the department or the court to consider them as bona fide squatters. Let me read, however, a portion of Mr. Justice Wetmore's report as to Lyon, which was not read by the Minister of the Interior, for some reason best known to himself. Speaking of Lyon, the learned judge says this:

He originally came to the east from Renfrew in Ontario, leaving his wife and family there. Being desirous of bringing his wife and family out to Blairmore to live with him there, and there being no suitable building to bring them to, he applied to the railroad officials to allow the section men to assist him to build a house to which he could take his family. His request was complied with and the house was built, so far as the labour was concerned, by railroad employees, he being among them during their working hours for which they were paid by the company. Lyon put very little into it outside his labour. The evidence does not satisfy me that he put more than about forty dollars' worth of material in the house which was provided by his own means. The house was practically built for him by the railroad company, and even then his conduct and acts showed that he did not intend to remain on the land if he could better himself and that he only considered his occupation as of a temporary character.

That is the house which has been referred to as having been built by Lyon. Lyon, however, did put other buildings on the land, and the Minister of the Interior refrained from quoting this portion of Mr. Wetmore's report:

Early in the year 1900, Lyon commenced to build a store on the land. It was also made of logs and completed, and he started business in it in May, 1900. This building was, I find, built by Lyon without any assistance by the railroad company. I assume that in the absence of any evidence to the contrary.

I invite the minister's attention to this, because perhaps he did not notice it, and therefore omitted it in his statement to the House——

I find that it was the first building that was placed on the land by any of the parties to this suit with any idea of permanent location on it or squatting on it. It was certainly placed there with the object present in the mind of Lyon of doing business there on his own account apart from any connection with the railway company. A few weeks after starting business, namely, on 19th July, 1900, he applied to Mr. Cox the land agent at Pincher Creek to homestead this land or a portion of it. But even then he does not seem to have contemplated taking up the whole quarter-section, for in his letter to Mr. Cox he applied to take up the land behind the Canadian Pacific Railroad station, which I take to mean the land on the south side of the railway track where his buildings were.

So that it appears, so far as actual bona fide squatting upon the land is concerned, so far as any location with intent to settle is concerned, Lyon and not Montalbetti was the first one to attempt that. Not only that but following the erection of this building with the distinct idea of permanent location and settlement, Lyon made an application, not for a whole quarter-section, but for a very large area, and one would suppose that having erected that building—the first building—with the idea of permanent location and having applied for a portion of the land, he would have been entitled to at least equal consideration with a person who, if he made any improvements upon the land with the idea of permanent location, did so afterwards, and who attempted successfully to impose upon the crown by fraudulent and untrue statements with regard to his residence and occupation.

That is all I think it necessary to quote from the report by Mr. Justice Wetmore except one further paragraph with regard to Lyon:

I find that Lyon had a small garden along the east side of his house in the summer of 1899 and that he put a fence around it to keep cattle off. This garden was a trifling affair about of the same character as that of the Montalbettis, and I find that this garden was put in in connection with his occupation of the house in which he lived and not with any intention of locating as a squatter.

It is thus clearly evident that Lyon was the first squatter, and not Montalbetti, according to the finding of this judge. There cannot be any doubt about that. And although Montalbetti, without any bona fide claim to be a squatter, saw fit to impose upon the Crown by false and fraudulent declarations, the Crown, when those facts were exposed by the judgment of the court, says: we will interfere no further we have issued this patent to Mackenzie, the assignee, without consi-

deration of Montalbetti ; and having issued that patent we will permit ourselves to be imposed upon by the fraud of this man and will confirm him in his title to this property whose present value is some $200,000. That is the inference to be drawn from the circumstances, the truth of which I have supported by a reference to the evidence and the findings of the judge thereon.

What was the attitude of the department of the Interior in view of all these facts and circumstances ? What position did the Minister of the Interior of that day (Mr. Sifton) take with regard to the practising of this fraud upon the Crown by the person to whom the patent had been issued ? In a personal letter from the Hon. Clifford Sifton, Minister of the Interior to Mr. F. H. Chrysler, K.C., of this city, bearing date the 21st March, 1903, Mr. Sifton instructs Mr. Chrysler as follows :

I have just read the judgment in this case. I have not time to consider it fully. It may be that, under the judgment, it will be desirable to have some further inquiries made as suggested by Mr. Justice Burbidge, with whose view of the whole matter I fully agree. As I am obliged to go away and the acting minister will not in all probability have time to familiarize himself with matters of this kind, I desire you to see that no further steps are taken until I return. I have no time to see Mr. Fitzpatrick about it, but if the matter comes up between yourself and the Justice Department or Mr. Osler and the Justice Department, please see Mr. Fitzpatrick and show him this letter and act accordingly. I shall rely upon you to see that my wishes in this respect are carried out. Mr. Fitzpatrick will no doubt be too busy to give it personal attention.

Mr. Osler referred to in this letter was the agent for the solicitor of Mr. Lyon, the relator, and the judgment of Mr. Justice Burbidge which is alluded to, I shall give.

Do not forget that this is an answer to Mr. Chrysler's letter of the previous day which informed Mr. Sifton that the judge was prepared to set aside the patent to Mr. Mackenzie if the Crown desired to do so.

Later on in a letter dated December 17, Mr. Sifton again instructs the Hon. Charles Fitzpatrtick ; and in that letter he points out that neither Lyon nor Mackenzie nor any other occupant of the land had any right capable of enforcement. He says :

The Crown does not attempt to sell lands which have an artificial value by reason of being valuable for town sites or for any similar reasons, at the highest prices obtainable, and the whole experience of the department, both under the late administration and the present administration proves conclusively that an attempt to hold land from sale and settlement, under ordinary terms and prices, with the object of selling particular parcels at higher prices would result in trouble and expense which would more than counterbalance the increased receipts and would cause a great deal of trouble and irritation.

It would no doubt have caused a great deal of irritation to that prominent supporter of the government, Mr. Mackenzie, had he been divested of land of this valuable property, although he had acquired the title to it through the fraudulent statement of Montalbetti, who had assigned to him without consideration. Further on Mr. Sifton says :

Under the circumstances it appears to me that the proper course to pursue is to bring the matter before the judge and ask to have the case disposed of. The statement should be made that the Crown has no desire to ask for the cancellation of the patent on the ground of the inadequacy of price, because everything relating to the price was thoroughly well known when the sale was made.

Further on, in a letter dated 12th January, 1904, he says to Mr. Fitzpatrick, referring to the previous letter I have quoted :

My letter indicates the terms upon which I think counsel for the Crown should ask to have the case discontinued. And I intended to add, and desire to add now, that I think it should be done without costs to either party.

This is the case which, according to my hon. friend the Minister of the Interior (Mr. Oliver), was disposed of by the Exchequer Court upon its merits. I shall come to that judgment in a moment, but let me just quote a letter from Mr. Chrysler, the counsel for the Crown, instructed directly by Mr. Sifton. The letter bears date May 13, 1904. It is addressed to E. L. Newcombe, K.C., Deputy Minister of Justice, Ottawa.

Dear Sir,

King, et rel. Lyon vs. Mackenzie.

I attended this morning upon the return of the motion for judgment in this case, and, pursuant to your instructions, asked that the action should be dismissed without costs.

That, according to the minister, is a decision of the Exchequer Court upon the merits. No statement could be more inaccurate and absurd. The report of Mr. Justice Wetmore, and, as I shall show you later, the judgment of the Exchequer Court indicated most clearly that upon the clearing up of Mr. Turriff's extraordinary evidence, which could not be cleared up adversely to the Crown, the government could claim and obtain a decree cancelling that patent and returning that land to the title and ownership of the people of Canada. The judge had so informed Mr. Chrysler. My hon. friend the Minister of the Interior (Mr. Oliver) declared, notwithstanding the terms of the order for judgment which were directly against his contention, that counsel for Mr. Lyon acquiesced in that order and assented to it. It is true that there is a memorandum at the bottom under the word 'approved' signed by Mr. Glyn Osler, and I understand how and why that memorandum was put there. It does not indicate any consent to the dismissal of the action. Let me continue Mr. Chrysler's report.

Counsel for the defendant——

That is for Mr. Mackenzie and Mr. Montalbetti.

—acquiesced and no one appeared for the relator.

That is, Mr. Lyon.

Mr. Osler was present but said he had no instructions to appear.

Thus the order for judgment was made upon the consent of the government which exercised its right of going behind the relator in this matter and dismissing him from the case altogether, if they desired to do so. They went behind the relator and without the consent of the relator took a consent judgment from the Exchequer Court that their own action should be dismissed, although the Crown was entitled to judgment in that action against Mackenzie and Montalbetti for the cancellation of the fraudulent patent.

The minister was not very well able to explain how it was that costs were allowed. There is a letter from Mr. Keyes, secretary of the Department of the Interior, under date December 21, 1904, which seems to explain that pretty well. Lyon's solicitor undoubtedly advised him as any counsel would advise him, that the Crown had the right to discontinue the proceedings; he had been told that he had no right and that Mackenzie had no right against the Crown, that the matter was in the discretion of the Crown and so, in order to get out of the matter as best he might, as the Crown was disposed to grant the lands to the man who had defrauded it and not to the man who was guilty of no fraud, as the Crown was disposed to grant the land to the man who was subsequent and not to the man who was prior in point of occupation, Mr. Lyon had to submit and had to make the best bargain he could. So an arrangement was made that Lyon the relator should be indemnified by the Crown in respect of his costs but upon the understanding, as this letter explains, that he would release his rights against every one. I shall read a portion of the letter:

The decision—

That is the decision to pay Lyon's costs.

———is made upon the understanding that Mr. Lyon will execute and file in this department a full release of all demands, causes of action, and claims as against the Crown in the action in question or against the defendants to such action, and I am therefore to request you to tax the bill strictly in accordance with the minister's decision and to send with it when you are returning the file to this department, a draft of the release which Mr. Lyon should execute.

So that the Crown not only was out of pocket the $480 which they had received from Mackenzie for that land, but out of the pocket also about $1,800 or $1,900 more in order to secure a release for their supporter, Mr. Mackenzie, of all possible claims that Lyon could have in respect of the land. They gave Mackenzie the land for nothing and paid out besides about $1,900 in order to secure him from all possible claims in the future on the part of Lyon. Fairly generous treatment, I think you will all admit, fairly generous treatment especially in view of the fact that at the time this deal, if I may so call it, was made, these lands had acquired an enormous value and there is express provision in the Dominion Lands Act, to which I have already called the attention of the House, that the Crown might reserve these lands from sale, might put them up to public auction at an upset price and in that way might have secured for the people of this country the $100,000, $150,000 or $200,000 that have gone into the pockets of this friend and supporter of the administration, Mr. Mackenzie.

Let us look at what Mr. Justice Burbidge says about it, and at the decree which he made. Mr. Justice Burbidge had before him the report of Mr. Justice Wetmore, and I will take up only such portions of the judgment as seems to me to be material:

The defendant Mackenzie, as assignee of Felix Montalbetti, and the relator Lyon were rival applicants for the purchase of this quarter-section. But each claimed that according to the practice that is followed in such matters he had a right to be allowed to purchase the quarter-section at the current rate and on the usual terms—Mackenzie on the ground that Felix Montalbetti was the first bona fide settler or squatter on the quarter-section, and Lyon on the ground that he was.

There does not appear at any time to have been any question of the Crown disposing of the quarter-section at the best price that could then be obtained for it.

I do not know whether the learned judge was a little facetious or not in that remark or if he intended to be sarcastic.

It was assumed apparently that some one had a right to purchase it at the current rate of $3 an acre.

Although it was a town site worth, I suppose, $1,000 an acre.

And after inquiry and hearing the parties, the commissioner of Dominion lands decided the controversy in favour of the defendant, Mackenzie, and the patent was issued to him.

Now the evidence that has been taken in this case, and the report of the learned referee, show, I think, very clearly that if one has regard to the quarter-section as a whole, neither Felix Montalbetti nor Lyon had any such right, or any equitable claim to the consideration and indulgence of the Crown. With respect to the portion of the quarter-section which they respectively built upon and occupied there was, I assume, some such equitable claim to consideration; though as to that I should prefer not to express any decided opinion without learning more of the practice of the department of the Interior in such cases.

That disposes, I think, of the information, so far as it is based on the view that the relator

was entitled as a prior claimant to the right to purchase the quarter-section in question at the current rate and on the usual terms ; and that he would have been permitted to become the purchaser and patentee thereof but for the false and fraudulent representations and the fraud of Felix Montalbetti. I am speaking now of the right asserted by Lyon to be allowed to purchase the quarter-section as a whole.

Further on :

Now with regard to the setting aside the patent on the ground that the Crown has been deceived, and that it was issued to the prejudice of the public, I should have thought that a case had been clearly made out, if it were not for the evidence of the commissioner of Dominion lands to the effect that the decision would have been the same if Felix Montalbetti's declaration had not been before him. I am not sure that I fully understand what he meant by that.

And I do not think any one else did.

And then it appears that that evidence does not disclose all the material that he had before him when he made his decision.

I would like to refer again to the evidence of the Commissioner of Dominion Lands, just to indicate to the House of what an extraordinary character that evidence was. I have read part of it, I will not repeat it.

Q. And you proceeded on the evidence before you, including the evidence of your officers ?—A. Yes.

The evidence of his officers, I assume, means simply the report of Mr. Nixon and the report of Mr. Stewart. I do not know of anything else ; the hon. gentleman will correct me if I am wrong. Certainly the answer includes the false and fraudulent declaration of Montalbetti, because that was before him. There can be no doubt about that, there is his answer.

And you proceeded on the evidence before you, including the evidence of your officers ?—A. Yes.

Now that is pretty distinct and plain.

Q. And this evidence satisfied you that Montalbetti was the first to enter upon the land ?—A. Yes.

Well, I suppose any person reading that evidence could not have the slightest doubt that the then Commissioner of Lands took into consideration the sworn evidence of Montalbetti. We have no evidence that he regarded Montalbetti as of such a character that he did not place the slightest reliance upon his sworn statement. What, then, did he intend by the evidence which I am now about to quote ?

Q. Montalbetti has sworn here that in the early part of 1898 he decided to locate, &c. And again he says: 'Acting upon this I erected upon it a log house, building in 1899 a private stable and other outbuildings, and I have kept on the said land a cow, poultry &c.

Now, supposing that if it were established by overwhelming evidence to be false, would you have granted the patent ?—A. Yes, my decision would be the same if it was not there at all.

Well, I find it difficult to reconcile these two statements. Montalbetti's sworn statement was before him. How can the Commissioner swear, what does he mean by swearing that he would have given the same decision without it. That was a very convenient answer for Mr. Mackenzie. He is asked further on whether he knows upon what evidence Nixon was acting when he gave his report, and he answers : I do not.

Now, let us go back to the judgment of Mr. Justice Burbidge. He says the case shall stand for further consideration, and he directs that the Crown shall be at liberty to re-examine Mr. Turriff for the purpose of making it clear to the court what he intended by the evidence to which I have just alluded. But in the meantime the action of the Department of the Interior intervenes, and the formal judgment which was read by my hon. friend the Minister of the Interior was declared. I will not read the whole of that judgment, the minister read all the formal parts, reciting the various proceedings in the action. I will only read that portion which is pertinent to what I am now arguing :

And the said action coming on this day for judgment in the presence of counsel for plaintiff, His Majesty the King, and the said defendant, no one appearing this day for the plaintiff, A. G. Lyon, although duly notified of these proceedings as appears by the record herein, and counsel for defendant now formally moving for judgment, the counsel for plaintiff His Majesty the King, consenting that the action should be dismissed without costs, this court doth order that this action be and the same is hereby dismissed without costs.

Now, I am sure the Minister of the Interior would not contend, in face of that, that this was a judgment upon the merits. We have, in the first place, the direction from Mr. Sifton to Mr. Chrysler to appear and consent that the government's action should be dismissed and discontinued, we have the record of the court made in the absence of counsel for Lyon, although he had been notified to attend ; and that judgment declares that counsel for the plaintiff, His Majesty the King, consented that the action should be dismissed without costs. Then the judgment proceeds to dismiss and does dismiss the action without costs. That is not my understanding of an adjudication upon the merits, that is my understanding of a consent judgment, and notwithstanding the very strong expression of opinion by the Minister of the Interior, that is nothing more or less than a consent judgment. The Crown, having the right to go on and cancel those patents and to resume the title and possession of that land, saw fit not to do so, but to consent that this action should be

dismissed, and by doing so conferred on the defendant, Mackenzie, the title to and possession of this land.

Well, those are about all the facts, and I apologize for detaining the House so long in endeavouring to make them perfectly clear. It seems to me that I have made them fairly clear, at least they are fairly clear in my own mind. The result of it is this, that this town site, valuable at that time, was held by the Crown without the slightest obligation to even Mackenzie or Lyon. The Crown was as much entitled to that land as if that patent had never issued. There was the finding of Justice Wetmore, and there was the view taken of the law upon his finding by Mr. Justice Burbidge. Then the Crown, having the right to resume the land free from the fraudulent patent, and having before it two men, each of whom had made a claim without foundation, saw fit to give the land, not to the man who was the prior occupant, the prior squatter upon that property, but to the man who was not a squatter at all, as understood by the court and by the Department of the Interior. The Crown saw fit to give it to Mackenzie standing exactly in the place of Montalbetti, who had committed a distinct fraud upon the Crown.

Mr. OLIVER. My hon. friend said: Mackenzie standing in the place of Montalbetti, who had committed a distinct fraud upon the Crown. Do I understand the language to indicate that Mackenzie had committed a distinct fraud upon the Crown?

Mr. R. L. BORDEN. Not at all. I did not read that part of the judgment which acquitted Mackenzie of conscious participation in the fraud, because it had already been read.

Let me make myself perfectly clear about that. The learned judge, Mr. Justice Wetmore, acting as special referee, distinctly found that there was absolutely no evidence that Mr. Mackenzie knew of this fraud or participated in it in the nrst instance. But the learned judge also found that there was no consideration whatever for the assignment from Montalbetti, and I say under these circumstances that Mr. Mackenzie, receiving Montalbetti's title acting upon his fraudulent claim, and upon that alone, stood exactly, so far as the merits are concerned, in the place of Montalbetti. Of course, the observation might be made, as is suggested by my hon. friend from East Hamilton (Mr. Barker) that, after this fraud had been found by Mr. Justice Wetmore, acting as referee, his decision being approved by the judge of the Exchequer Court, Mackenzie should not have persisted in a claim founded on fraud. One might very well say, that Mr. Mackenzie having persisted in making a claim founded upon that fraud, made himself a participant in it. I would feel free to make that observation, and I think there is authority in the books for it. But I content myself with saying that Mr. Mackenzie stood, on the merits, in his relation to the Crown, in exactly the same place as that in which Montalbetti his assignor stood. It was under these circumstances that the Crown, although Mr. Lyon was the first bona fide settler as a squatter, gave the land not to Lyon, but to Mackenzie, the assignee of the fraudulent claimant. I do not think the Crown should have given the land to either of them; but, as I said before, if it gave the land to either, it should obviously have given it to Lyon. Does the Minister of the Interior believe for one moment that if Lyon had been the fraudulent claimant and Mackenzie had been the prior occupant, guiltless of fraud, Lyon would have got that land? Does the Minister of the Interior believe that in his heart? I find it hard to believe it. I think this action of the department is not one which should escape criticism. My hon. friend (Mr. Oliver) read us a lecture on our duty to refrain from criticism.

Mr. OLIVER. If my hon. friend (Mr. Borden) will allow me to correct him, I think the word was 'slander,' not 'criticism.'

Mr. R. L. BORDEN. But the difficulty is that my hon. friend regards all criticism as slander when it is directed against this government. In the zeal of party conflict an opposition may sometimes make an unjust attack upon a department or a minister. That is not unknown; I would not be prepared to say it had not occurred within the last ten years, and certainly I am sure that it took place very often previously to 1896. But there is nothing in the criticism of this case whight ought to be regarded as against the public interest. The minister says we are likely to injure the country by creating distrust in the public mind with respect to the department. Let the hon. gentleman rest assured that if the departments conduct their business in a fairly reasonable way, straightforwardly, holding the scales of justice evenly —in short, refraining from indulgence in transactions such as this one which we are discussing, by means of which party friends acquire enormous amounts of wealth in a very short time—he need fear no criticism. But when we find the department, after these lands have become valuable and their value has become known, so anxious that the fiat granted by Hon. David Mills should not be proceeded with, when we find them so anxious to hand over to one of their political supporters valuable land upon a claim founded in fraud, we are naturally constrained to criticise the action of the government and to ask ourselves whether or not, as I suggested just

now, the patent would have gone in the same way if the influential political supporter had happened to be the other party? I venture to say, notwithstanding the assumed indignation of my hon. friend the Minister of the Interior, that, if he were on this side of the House and a Conservative administration had been guilty of dealing with the public domains in this way, no one would have been more strenuous in his denunciation of the transaction than the hon. gentleman who now occupies the position of Minister of the Interior. And I venture to say that the unreasonable attitude which the hon. gentleman sometimes takes with regard to the motives and actions of the opposition in this House would justify me in that conclusion. I suggest to him once more, as to the policy of the department in respect to squatting rights, that it never was applicable to persons who are obviously engaged in the acquisition of lands for speculative purposes. This land had ceased to be used for agricultural purposes. It was a town site—neither more nor less. The Department of the Interior knew it, Mr. Mackenzie knew it, every one concerned knew it. And yet, upon pretended squatter's rights, founded on fraud and upheld by a false declaration—a declaration which has been demonstrated to be untrue and fraudulent—the Department of the Interior has seen fit to hand over this land to a political supporter and enable him to make a very handsome fortune out of it. Under these circumstances, I think the thanks of this House and the country are due to my hon. friend from Qu'Appelle (Mr. Lake) for having brought this matter to our attention, and I shall not have the slightest hesitation in supporting the motion which he has introduced.

Hon. A. B. AYLESWORTH (Minister of Justice). I had not intended to take part in this discussion and should not have changed my intention but for some of the observations that have fallen from my hon. friend (Mr. R. L. Borden) who has just taken his seat. I should perhaps apologize to the House for taking part in this debate, because the application for the fiat whereby to begin this litigation was made by the late Mr. Walter Barwick, then and throughout his practice my business partner, and in consequence of the circumstance that Mr. Barwick and our firm acted in the matter for Mr. Lyon, I had knowledge of the circumstances, derived in that way, other than what the papers here show.

Mr. R. L. BORDEN. I do not think any apology is necessary.

Mr. AYLESWORTH. However, I shall confine myself strictly, in any thing I may say to-night, to what is the knowledge of every person who has looked at the files, and I shall be very brief about it. I am quite unable to understand what the grievance is, what the complaint is, what it is all about, or what it is that any one looking at this matter with knowledge of it can find in it out of which to make a political attack upon any body. Here is an ordinary piece of litigation which has been tried out to the end in court and disposed of, and the Crown has consented to waive its right to costs, and that is what the judgment says in so many words. The Crown, this action being dismissed, was entitled to have had its costs paid by Mackenzie and Montalbetti—

Mr. R. L. BORDEN. I thought Mackenzie would have the right to have his costs paid by the Crown.

Mr. AYLESWORTH. I beg pardon of the House. The Crown was entitled to have its costs paid, not by Mackenzie and Montalbetti who are the successful litigants, but by the man who had guaranteed the expenses of the Crown, namely Lyon. The Crown has waived the right—

Mr. R. L. BORDEN. Mackenzie waived his right to recover costs against the Crown.

Mr. AYLESWORTH. The Crown waived its right to recover on its bond.

Mr. R. L. BORDEN. It had nothing to waive in that case.

Mr. AYLESWORTH. It had everything to waive because there was a bond required of Lyon before he brought the action at all. Before the Crown consented to the use of its name Lyon was required to indemnify the Crown against any expenses in the matter.

Mr. R. L. BORDEN. Perhaps I may be at cross purposes with my hon. friend. What I meant is this: As Mackenzie had waived his costs against the Crown, the Crown had nothing to waive against Lyon because it paid no costs.

Mr. AYLESWORTH. It had the right to recover against Lyon and Lyon's sureties any expenses to which it had been put. It was not under any obligation whatever to pay any costs to Lyon.

Mr. R. L. BORDEN. But the judgment did not deal with that.

Mr. AYLESWORTH. The judgment proceeds as upon notice to Lyon and upon Lyon's default in attending pursuant to that notice, and recites the consent of the Crown to the arrangement as to costs. The Crown waived any right it had upon its bond; it not only waived that right but it went further and paid the costs that Lyon had incurred or was liable for to his solicitor. That is the position in which the case stands, on the undisputed facts of it. It is.

some consequence to see the dates exactly on which these various transactions took place. This patent is not a grant made after the litigation was terminated. It has been put by my hon. friend, as though the Crown, after the report of Mr. Justice Wetmore that there had been falsehood and fraud on the part of Montalbetti, had chosen to condone that falsehood and fraud by granting to Montalbetti a patent which he was not entitled to and which up to that time he had not received. Of course that is not the position of the matter at all. The position of the matter upon the dates, as shown in the records of the court, makes the situation abundantly plain. The patent had been granted in 1901 ; granted as it afterwards turned out, with papers before the department at the time which were false, but which the commissioner and the department say if they had never existed at all would not have changed the result. In other words, the information which was in the department outside these papers altogether, was such as would have warranted the issue of that patent to Montalbetti. And although Montalbetti had stated what afterwards turned out to be entirely false, Mackenzie though in no better position than Montalbetti, was not affected by that falsehood or fraud in any way, and the patent would have been granted to Montalbetti if there had been no statement from Montalbetti himself whatever, simply because upon the other facts of the case as they appeared before the department, independent of the declaration which turned out to be a false one, the patent would have been granted to Montalbetti upon his paying the purchase price.

Mr. R. L. BORDEN. Will my hon. friend permit me to ask a question ?

Mr. AYLESWORTH. Certainly, if it is a relevant question.

Mr. R. L. BORDEN. The facts upon which the patent was granted are set forth in the report of Mr Nixon ; and in the decision of the land commissioner ; what one important statement of fact is not found to be untrue.

Mr. AYLESWORTH. That is not the point at all. The whole point of the attack, if there is any point whatever in it, is that because Montalbetti was a man who had made a false statement, he was a man whose money ought not to have been taken and to whom this land ought not to have been sold. That is the point of attack that is sought to be made upon the policy of the department, and the department, through its officer, has stated here under oath that this sale to Montalbetti would have been made exactly in the same way—if Montalbetti had been absolutely silent himself—upon the reports that were before the department and upon the facts which otherwise appear.

Now, with reference to the litigation,—because that is all I intended to say anything about when I rose, except for the digression I have been led into—with regard to the litigation the situation is simply this, Lyon could not bring the matter into court otherwise than by using the name of the Crown ; the patent had been granted ; he had no legal standing to set it aside proceeding in his own name ; he required to use the name of the Attorney General ; he applied to the Crown for permission and permission was granted. The hon. gentleman says it was reluctantly granted. I do not know how that is one way or the other. We are dealing, not with matters that either the present Minister of the Interior or myself know anything about personally, but with regard to transactions of our predecessors in the departments of which we are now respectively in charge. A fiat was granted and leave was given to Lyon to use the name of the Attorney General, to use it of course at his own expense, not at the expense of the public. His suit was instituted in the name not only of the Attorney General, but also of himself, was conducted by his own lawyer in his own way, and he produced all the evidence he had to produce, and the case was fully heard before Mr. Justice Wetmore to whom it had been referred by the judge of the Exchequer Court for the taking of evidence. Mr. Justice Wetmore made his report, and that report came before the judge of the Exchequer Court for consideration, and the judge says in so many words, in what has been read by my hon. friend within the last half hour, that neither of these men is entitled to the land ; that one is in no better position than the other ; Montalbetti is not entitled to it, and Lyon is not entitled to it. Well, it is enough to dispose of Lyon's case if he is not entitled to it ; the judge has said so in so many words. But he has said more than that. Though Lyon is not entitled to it, he has said, if the Crown, which is here before me in actual form and reality, chooses now to take up this case, and chooses to withdraw its own grant of two years ago to Montalbetti, I will allow the Crown to give further evidence. The Crown up to that time had not been actively intervening in the litigation at all. It had been conducted entirely by Lyon, though the name of the Crown had been used. Mr. Sifton, in his letter of the 17th of December, 1903, to Mr. Fitzpatrick, a part of which the hon. gentleman read, makes the matter abundantly plain. Judge Burbidge had, nine months before, in March, 1903, pronounced his decision upon the action. Mr. Sifton, who was about departing for England, wrote a hurried letter to Mr. Chrysler, telling him that he agreed entirely with the judgment and what he wanted in the pre-

mises. The case stood then in the same position from March until December, when Mr. Sifton returned, and on the 17th of December, 1903, Mr. Sifton writes to Mr. Fitzpatrick :

> The judge of the Exchequer Court has held that as between one another and as against the Crown, neither King, Lyon nor Mackenzie, nor any other occupant of the land had any right capable of enforcing.

There was none of them with a squatter's right. The land was, as far as any of them were concerned, simply land open for sale. It had been sold two years before, and the man's money had been taken for it. The Crown then had the right, if it chose the patent, to take proceedings against the patentee on the ground of fraud. The Crown had a legal right to do so. If there is any offending here, the head and front of it is that the Crown did not, after Lyon failed in his litigation, go on of its own accord to have cancelled the grant which it had made two years before. The Crown refrained from doing that; Mr. Sifton said why in the portion of the letter that has not been read. The judge went on to say that the only point of importance, in his judgment, in which the public had been prejudiced was that the price obtained for the land was wholly inadequate. Mr. Sifton remarks, on that observation of the judge, that that is not a reason for bringing suit to set aside the patent, nor can the Crown bring suit to set aside the grant on the ground that the price was inadequate. The judge, having disposed of the litigation as between the parties to it and as between the parties and the Crown, said: None of you has any right as against the Crown, nor has any one of you any right as against the other. The Crown, if it chooses, may adduce further evidence; it may, if it chooses, take up this litigation now of its own motion and of its own accord, and go on with it. And Mr. Sifton, in this letter of the 17th of December, points out to Mr. Fitzpatrick why he has no wish to take that course. He points out, as I have said, that the Crown is not in a position to have its own transaction set aside on the ground that the price was inadequate, the price being that which the Crown was receiving for all the Crown lands—the regular price to all purchasers, and there being in this case no special thing differentiating it in that regard from the ordinary course of departmental business. Mr. Sifton goes on to say :

> The Crown does not attempt to sell lands which have an artificial value by reason of being valuable for town sites or for any similar reason, at the highest price obtainable, and the whole experience of the department, both under the late administration and under the present administration, proves conclusively that an attempt to hold land from sale and settlement, under ordinary terms and prices, with the object of selling particular parcels at higher prices, would result in trouble and expense which would more than counterbalance the increased receipts and would cause a great deal of trouble and irritation. The department knew all about the price before the sale was made, and sold the land to the person it believed to be entitled to purchase, at the departmental price, in pursuance of a fixed, well understood, and thoroughly approved policy. In view of these facts and of the conclusive holding of the judge that there are no rights on the part of Lyon which he could properly ask to have enforced in court of law, I have directed that an inquiry should be made by a competent and reliable surveyor to ascertain if any one else had any improvements on the land and was entitled to consideration. A. W. Ponton, D.L.S., was appointed to make the inspection. He has made the inspection and reported. His report is that Lyon, the relator, and one Pelletier, are the only parties entitled to consideration. He submits a plan showing their improvements with a description of the land necessary to cover them. I have intimated to the defendant's solicitor that settlement would be dependent upon making a conveyance to Lyon and Pelletier of the ground which Surveyor Ponton thinks they ought to have. The defendant has accordingly filed a conveyance which will be found on this file and has been examined by my law clerk and found correct. Under the circumstances it appears to me that the proper course to pursue is to bring the matter before the judge and ask to have the case disposed of. The statement should be made that the Crown has no desire to ask for the cancellation of the patent on the ground of the inadequacy of price, because everything relating to the price was thoroughly well known when the sale was made, that conveyances are filed in the department where they can be taken out by Lyon and Pelletier, and that everything seems to have been done that is necessary to effect complete justice.

The case was tried out and the decision given, so far as the only actor in the litigation was concerned. So far as Lyon was concerned, there was an end of his cause. The judge of the court had said : If you—the Crown—being nominally here, wish to go on yourself, this case can stand over for further evidence in that respect. That being the condition of the matter for nine months, there being no reason for going on with the action so far as the Crown was concerned, it not having instituted the action, the whole thing being at an end, the whole thing is disposed of by this order. The order shows the dates of the various proceedings—the report from the referee, the matter coming up on appeal from that report, the disposition of that appeal more than a year perviously, the interlocutory decision or judgment of Mr. Justice Burbidge on the 20th of March, 1903, and then, the matter standing until the 30th of May, 1904, in the manner and for the reason I have pointed out, it is on that day disposed of after notice to Lyon. Lyon, though he receives notice of the motion to dismiss the action, does not choose to offer

any opposition. Mr. Osler, who has acted for him throughout, is present, but states that he is instructed not to appear, or has no instructions to appear, and takes no part in the matter ; and the order carefully recites that no one appears for Lyon ; but Lyon, not choosing to be represented, the action is disposed of on notice to him and on his default to object to its being so dealt with. The order is drawn up, and is approved by Mr. Osler, but I do not cite that as being any indication of Lyon's consent to the dismissal of the action. It indicates simply that Lyon's solicitor has examined the order and finds it to state exactly what had taken place, and the order as approved was issued disposing of the action, because that action had been tried and brought to an end.

Now the whole head and front of the offending is that the man who had this land granted to him some three years before this order dismissing the suit was made, happened, some year or more afterwards, to be a candidate in the Liberal interests in one of the constituencies of this country. That, I admit, in the eyes of hon. gentlemen opposite in an indelible crime. No matter what rights as a citizen any man in this country may have, if he be a Liberal candidate there is an end to any further consideration to him.

Mr. SAMUEL BARKER (East Hamilton). I usually, in fact I have always listened with a great deal of pleasure, sometimes with amusement—but always with admiration—to the hon. the Minister of Justice (Mr. Aylesworth) when he gets up to defend any cause. I do not mean to say that I admire the hon. gentleman in his defence of any cause, but I do admire the cultivated skill with which, from long practice, he can make any cause appear in its most favourable light. He attained a reputation for that, Sir, before he came to this House. He has not been here long enough to lose it. The hon. gentleman is unable to understand the object of this discussion. He gravely tells us, in the face of what everybody in this House has heard to-night, that this litigation was fought to an end, that it was tried out, but he surely knows that the Department of the Interior interposed and that the Crown withdrew from the case and put an end to it.

Mr. AYLESWORTH. After it was tried out.

Mr. BARKER. Before judgment.

Mr. AYLESWORTH. Not at all.

Mr. BARKER. If a judgment had been given why did the Crown want to interpose? For what purpose did the Department of the Interior interpose? If judgment had been given in favour of the Department of the Interior, why did it interpose? The hon. gentleman surely did not think of what he was saying. What was the object of this interposition? Why did Mr. Chrysler write to the government? Did any government ever get a letter from their solicitor more clearly intimating to them their duty to the public than is shown in that letter from Mr. Chrysler, written at the instigation of the judge who tried the case, telling the government what the judge thinks ought to be done—but what the government did not do. The government withdrew the case, and the Minister of Justice (Mr. Aylesworth) talks about Mr. Lyon, a railway trackman away off in the far Northwest, after the government had withdrawn, not appearing by counsel here in Ottawa in order to fight both the government and Mr. Mackenzie. What preposterous nonsense.

Mr. E. M. McDONALD (Pictou). Will the hon. gentleman permit me to ask a question. Does he mean to seriously assert that where the name of the King is permitted to be used by the Attorney General, at the request of any relator, the Crown is necessarily a party to the case or has any connection with the case other than a mere nominal one?

Mr. BARKER. The hon. gentleman knows as well as I do what an information laid by the King, on the relation of a private citizen means. He knows that before the sanction of the King is given to that relation, an inquiry has been made by the Department of Justice, and the department has satisfied itself that there is reasonable grounds for litigation. And the hon. gentleman knows that until you satisfy the department, until you have satisfied the government that you have rights—not that they are absolutely proven, but that you have rights that ought to be tried in a court of justice—not until then are you permitted to use the King's name.

Mr. E. M. MACDONALD. I agree with my hon. friend but he is not answering my question.

Mr. BARKER. I have answered it.

Mr. E. M. MACDONALD. I quite know what my hon. friend has just asserted, namely, that this preliminary inquiry is made; but I also know that after the attorney general has given his permission, his position in the suit is nothing more than a nominal one.

Mr. BARKER. Certainly nominal, but the Department of Justice has given its consent to the proceedings; it has inquired, in a preliminary manner, into the facts. And having authorized the name of the King to be used in the suit, how comes it that the King, through the department, intervenes and says: 'stop,' when the question has not been finally adjudicated.

Mr. AYLESWORTH. Because the litigant has failed in his litigation.

Mr. BARKER. How can the litigant be said to have failed until he has judgment against him?

Mr. AYLESWORTH. He had judgment against him.

Mr. BARKER. He had not. The whole question whether that patent should be rescinded was open to the last moment.

Mr. AYLESWORTH. At the instance of the Crown, but of nobody else.

Mr. BARKER. The real question in that suit—and the Minister of Justice knows it as well as I do—was whether that patent ought to be rescinded. That court would not settle the rights as between Lyon and the Italian. It could not do that. All that the court could do in that suit was to ascertain whether the King was entitled to recall that patent which had been issued in his name. The hon. gentleman knows that. It is almost an insult to the hon. gentleman to doubt that he knows it. Here is a letter from Mr. Chrysler, of March 20, 1903—to whom? To the Hon. Clifford Sifton, Minister of the Interior :

The King on the relation of Lyon vs. Mackenzie.
The judge of the Exchequer Court delivered judgment this morning in this case and I attended——.

He attended on behalf of the Crown.

Having been notified by the registrar that the judge desired my attendance on behalf of the Crown. The judgment is a written judgment and should perhaps be considered either by the Department of Justice or by your department. The judge intimated that, as between the parties to the suit, Lyon and Mackenzie, he thinks neither is entitled to the patent.

I think from all we have heard that that was perfectly clear.

But he is prepared to set aside the patent granted to Mackenzie if the Crown desires to do so.

Yet the hon. gentleman says that the question whether the patent should be revoked, was fought out to the end.

Mr. AYLESWORTH. I am sure my hon. friend does not want to be misunderstood. Will he excuse my repeating what I have already said, that the whole point upon which the judge left the litigation open was the inadequacy of the price.

Mr. R. L. BORDEN. The Crown has a perfect right, in any such proceeding, to protect its own interests even if it thinks the relator has failed, and that is what Mr. Chrysler says the judge would do in this case if the department so desired. The judge was prepared to protect the rights of the Crown.

Mr. AYLESWORTH. On the ground that the price was inadequate?

Mr. R. L. BORDEN. That is to say, that Mr. Mackenzie should not get $200,000 worth of property for $480.

Mr. AYLESWORTH. Property which had, in two years, attained that value.

Mr. BARKER. The real question involved in that action on the relation of Lyon was : Should the Crown be allowed to recall that patent? If the Crown had been allowed to recall and cancel the patent, would the rights of Mackenzie, and of Lyon, and of all the villagers of that place, have been wiped out? No, Sir, the Crown would have been placed where it had been when the claim was decided in that most extraordinary manner by the Justice of the Crown Lands Department, Mr. Turriff. That would have so placed the department that it could have done justice to all the interests involved. That was the whole object of the suit. That suit was not to hand over the lands to Lyon, to Mackenzie or to anybody else ; the patent would have been rescinded, the whole rights would have gone back to the government, and the government would have been in a position to do justice to all interests. That would have been the position, and the hon. gentleman (Mr. Aylesworth) knows it.

Now, I do not propose, after all that has been said, and so well said, to go through the details of this matter—it would be quite unnecessary to do so. I do not believe there is an hon. gentleman sitting on the other side who does not clearly apprehend the facts as well as we do ; I do not believe there is any man on the other side who does not think of the matter as I think of it. In a general way, the facts of the case are these : The government owned this tract of land which happens to be peculiarly valuable. It was a town site. An Italian, whose name I do not pretend to remember—I may explain I have not looked into the papers, but I have heard the discussion of this case here to-day—was a railway workman on the Canadian Pacific Railway. His brother had a house on the Canadian Pacific Railway right of way, and this railway trackman occupied that house with his brother. It appears that this Italian railway man living with his brother put up some small structure—I do not know whether it was a pig sty or a root house. No doubt he intended to build it on the Canadian Pacific Railway right of way. But, in fact, he built it on the town site. Another man, also a railway workman, named Lyon, had constructed another edifice. I do not know whether this other edifice was of the same particular description or not; it may have been a structure dedicated to the goddess Cloacina. Whatever it was, no doubt it smelt as sweet as the pig sty. There they were on the same footing, except that Lyon was the

first—two railway workmen who had built little structures, pig sties or something of that kind, on the public lands, of this town site. As the property became valuable, this Italian got the idea that there was something to be made out of it, and, because he had built a root house, he considered himself a settler. Now, I do not know whether it was the Italian who attracted the lawyer, Mackenzie, or whether it was the lawyer, Mackenzie, who attracted the Italian. But we find the two in an office together. Mackenzie draws an elaborate statement and claim for his client, the Italian. It is then sworn to. This statement of alleged facts, drawn by this Mackenzie and sworn to by the Italian, was a tissue of falsehoods and frauds; that is beyond question, the Minister of Justice (Mr. Aylesworth) has admitted it. That claim is submitted to the department. And by whom? By the Italian? No, but by and on behalf of the gentleman who drew the affidavit, Mr. Mackenzie. He had in the meantime, without paying a dollar, got a transfer of that wonderful fraudulent claim, and he presents that to the Department of the Interior, or rather to the commissioner of that department. He wants the town site upon the story of the affidavit he, Mr. Mackenzie, drew for the Italian who had put the root house on the property. That is the story. But Mr. Commissioner Turriff says: He was the assignee of the property. Why, Mr. Speaker, how could the assignee of the fraudulent claimant be any better than his assignor? The man who presents a claim reeking with fraud and falsehood because he has got an assignment of it to himself, is he any better than the man who makes the fraudulent statement? I do not want to say anything against Mr. Mackenzie; I do not know the man, never heard of him until to-night. But, as the result of a little worldly experience, I should say that when an attorney gets hold of a railway workman and makes out an affidavit and claim of that kind, putting together statements that are afterwards declared by the judge of a court to be a tissue of falsehoods, I think that some little care should be taken in looking into the connection of that solicitor with the case. And when I find that attorney, without paying a cent for the assignment, making the claim himself, and when I find him, after the fraud has been exposed by a judge, still persisting in the claim, a most dishonest and dishonourable claim under the circumstances, I believe I have some reason to think that the solicitor was no better than the client, that it was a case of arcades ambo—neither of them better nor worse than the other. I say that, and I do not care who Mr. Mackenzie is or what he is. I say that the man who persisted in the claim after he had heard the denunciation of it by Mr. Justice Wetmore is no better than the man who originally made the claim. In fact, I think he is worse. But this gentleman presents his claim, and, forsooth, the commissioner thought the facts exposed mattered nothing to him; he allowed the claim, wiped out Lyon and all the others, giving the patent to Mr. Mackenzie. He acts upon the letter of this lawyers assignment while the other claimant was pressing his own claim is ignored. If this commissioner had been the judge in the Merchant of Venice, old Shylock would have got his pound of flesh. The practice of the department compelled him to dismiss poor Mr. Lyon, and grant the right to this valuable piece of land to the assignee of the Italian, although he knew the whole circumstances. The question was not merely the rights of these two men, the Italian and Mackenzie, or Lyon and Mackenzie; there were others. We are told that citizens of Canada have built dwellings upon that town site and that the property is worth $200,000, and this commissioner chose to give the patent to Mackenzie, who was to have the fate of these unfortunate villagers in his hands and to do with them as he pleased. A pretty trustee this commissioner to look after the interests of the public. I wonder if the department did know Mr. Mackenzie. How was it that Mackenzie could get the whole of that land granted to him with the knowledge that there were people interested? Lyon was not the only individual, but he had just about the same claim that Mackenzie, the assignee of the Italian, had, the only difference being that Lyon was honest and had made no false statement. He had not sworn to any false claims, had not been guilty of any fraud. The other man had, and between the two men this ex-Commissioner of Crown Lands granted the fraudulent application, Crown lands, that is the way this ex-commissioner, who had millions of acres of land in his charge dealt with these claims. By one we judge all. Who can tell what injury that man has done throughout this Dominion if he has been deciding other cases as he decided this. What a curse he must have been to the country if that is the way he dealt out what he calls justice.

Mr. OLIVER. I think I might raise the point whether my hon. friend is justified in using the expression he did.

Mr. BARKER. I am speaking of the ex-commissioner, and I am speaking of him as I think he deserves.

Mr. SPEAKER. I think in this case the reference is not to a member of the House, the reference is not to Mr. Turriff as a member of the House.

Mr. BARKER. The gentleman may not be in this House. I am dealing with the deputy of the Hon. Mr. Sifton, the ex-commissioner.

Mr. FIELDING. Even so, I submit that the gentleman is now a member of the House and is entitled to protection.

Mr. BARKER. Of course, I take the Speaker's decision.

Mr. FIELDING. I dissent from the doctrine, that is all.

Mr. BARKER. I would not have used the words if I did not think they were amply deserved. I would have said them of the Minister of Finance if I were not restrained by the rules of the House, and I am not restrained by the rules of the House in expressing my opinion of the other gentleman.

Mr. FIELDING. It is an offensive word.

Mr. BARKER. If it is offensive, I intended every word I uttered. I say to the Minister of Finance that if he were guilty of what this officer was guilty—I speak of intention—I would not hesitate to use the same words to the Minister of Finance, if the rules of the House did not prevent me.

Now what more is there in this case? The solicitor who drew these affidavits or claims knew that fraud was perpetrated, false statements made in the affidavits, would deprive the applicant of the right to the patent. The man who made the application, that Italian, in the words written out by Mackenzie said this:

> I understand and agree that the sale to me of the land which I hereby apply to purchase, shall be void if it shall be hereafter proved that any statement in this solemn declaration is incorrect.

And that is the declaration that Judge Wetmore said was recking with falsehood and fraud.

Mr. AYLESWORTH. That is fine judicial language, I was wondering if the judge used it.

Mr. BARKER. If the hon. gentleman wishes to qualify it, he may do so. That was the application, and it was that application so expressed that this Mackenzie took an assignment of. That if the application or declaration contained any false statement, the purchase was thereby rendered void. The gentleman when he took the assignment, took only the Italian's rights, and the Italian's rights were subject to that qualification, to the condition and terms that if there was one statement which was false, the claim was worthless. Now in view of Judge Wetmore describing as he did the statements made by that Italian in his affidavit, what sort of an honourable man was Mackenzie. He knew this grant was void on the evidence found by Judge Wetmore, and yet he persisted in fighting Lyon and in attempting to hang on to the patent he was not entitled to. That is the argument I am using, I am not going into any finessing about this thing. These are the broad facts that will appeal to every man in this country. There you will find the difficulty the Minister of Justice is in when he attempts to argue that the thing was fought out to the end. There was the difficulty that Mackenzie was in. How far did that influence the Department of the Interior in getting the Minister of Justice to withdraw? That is a question the people will ask an explanation of. I say we want no more to condemn it than that solitary fact. I do not propose to occupy the time of this House in going into the details of all these circumstances. There was the case before the court, there was the judge intimating to the government, an intimation conveyed through their own counsel Mr. Chrysler, that the court was prepared to cancel that patent, and yet the government would not accept the opportunity to take the lands back into their own hands, to hear all the parties, to hear Lyon, to hear Mackenzie, to hear the villagers who had erected their houses and their homes on the lands, to hear all and do justice to every man—they would not do that, they confirmed the patent.

House divided on amendment (Mr. Lake).

YEAS :

Messieurs.

Armstrong,	Lake,
Barker,	Lancaster,
Barr,	Lennox,
Bennett,	McCarthy (Calgary),
Bergeron,	McLean (Queen's, P.E.I.),
Borden (Carleton),	Marshall,
Boyce,	Morin,
Chisholm (Huron),	Perley,
Clements,	Pringle,
Daniel,	Staples,
Elson,	Wilmot,
Fowler,	Wilson
Gunn,	(Len. & Adding.)—27.
Henderson,	
Jackson (Elgin),	

NAYS :

Messieurs.

Archambault,	Loggie,
Aylesworth,	Macdonald,
Beauparlant,	McIntyre (Perth),
Burrows,	McIntyre (Strathcona),
Caldwell,	McKenzie,
Carney,	McLennan,
Cash,	Marcil (Bonaventure),
Clarke,	Martin (Montreal, St. Mary's),
Conmee,	Michaud,
Copp,	Miller,
Cyr,	Oliver,
Crawford,	Paterson,
Devlin (Nicolet),	

Dugas,	Pickup,
Fielding,	Proulx,
Finlay,	Reid (Restigouche),
Finlayson,	Roche (Halifax),
Fortier,	Ross (Cape Breton),
Hughes (King's, P.E.I.),	Ross (Rimouski),
Jackson (Selkirk),	Ross (Yale-Cariboo),
Johnston,	Schell (Glengarry),
Kennedy,	Sinclair,
Knowles,	Talbot,
Laurence,	Telford,
Lavergne	Templeman,
(Drum. & Arth.),	Tolmie,
Lavergne	Turgeon,
(Montmagny),	Turriff,
Law,	Walsh
Lemieux,	(Huntingdon.)—56.

PAIRS :

Messieurs.

Ministerial.	Opposition.
Calvert,	Taylor,
Parmelee,	Worthington,
McColl,	Ward,
Harty,	Reid,
Brodeur,	Monk,
Greenway,	Tisdale,
Logan,	Lefurgey,
Lapointe,	Paquet,
Wright (Renfrew),	White,
Tobin,	Roche (Marquette),
Brown,	Lewis,
Lovell,	Ganong,
Wilson (Russell),	Sproule,
Parent,	Herron,
Campbell,	Macdonell,
Macpherson,	Lalor,
Dyment,	Broder,
Black,	Kemp,
Fisher,	Foster,
Verville,	Walsh (Huntingdon),
Bureau,	Blain,
Gauvreau,	Wright (Muskoka),
Girard,	Hughes (Victoria),
Laurier (L'Assomption),	Alcorn,
Beland,	Bristol,
Carvell,	Crocket,
Dubeau,	Martin (P.E.I.),
Lanctot (Laprairie),	Ames,
Lanctot (Richelieu),	Forget,
Derbyshire,	Porter,
Smith (Oxford),	Christie,
LeBlanc,	McLaren,
Borden (Sir Frederick),	Cockshutt,
Devlin (Wright),	Smith (Wentworth),
Galliher,	Brabazon,
Chisholm (Antigonish),	Schaffner,
Pardee,	Leonard,
Crawford,	Haggart,
Maclean (Lunenburg),	Clare,
Grant.	Avery,
Emmerson,	Northrup,
Belcourt,	Osler,
Zimmerman,	Seagram,
Gervais.	Thompson.

Amendment (Mr. Lake) negatived.

Mr. TAYLOR. I did not vote because I was paired with the chief whip of the government. I would have voted for the amendment.

Mr. TALBOT. The hon. member for Cumberland (Logan) has not voted.

Mr. LOGAN. I am paired with the hon. member for Prince (Mr. Lefurgey).

Mr. A. JOHNSTON. How would you vote?

Mr. R. L. BORDEN. For the amendment, of course.

Mr. LOGAN. Oh, no.

WARSHIPS ON THE GREAT LAKES.

Mr. R. L. BORDEN. Before Mr. Speaker leaves the chair, I wish to ask the Minister of Finance if he has any reply to the question I put to the government the other day?

Mr. FIELDING. No. I have been so confined to attendance on the House that I have not had an opportunity of searching the records. On Monday I shall be able to answer.

Motion agreed to, and House went into Committee of Supply.

Department of Labour—printing and stationery, including printing of 'Labour Gazette,' allowances to correspondents, administration of Conciliation Act, Railway Labour Disputes Act, travelling expenses, &c., and $500 for an accountant, which sum may be paid to any one in the Civil Service, notwithstanding anything in the Civil Service Act, $28,350.

Hon. RODOLPHE LEMIEUX (Minister of Labour). This vote is $400 less than for last fiscal year. The details are: Printing of 'Labour Gazette,' $13,340; allowance to correspondents, $5,100; accountant, $500; stationery, $1,800; travelling expenses, $3.000; Railway Labour Disputes Act, $1,000; printing and binding, $2.000; miscellaneous, $1,610; total, $28,350.

Mr. BARR. How do you come to pay this $500 to the accountant?

Mr. LEMIEUX. Mr. Johnston is chief clerk and accountant in the Post Office Department; he was appointed in 1876; he has a salary in the post office of $2,500 and he performs all the duties of the accountant for the Department of Labour besides, and we pay him this $500.

Mr. BARR. Can he fill the two positions at the same time?

Mr. LEMIEUX. He does extra work; he is a very excellent officer.

Mr. BARR. How many hours out of the twenty-four does he work?

Mr. LEMIEUX. He gives some time every day to the Labour Department.

Mr. BARR. He is taken off the work of the Post Office Department?

Mr. LEMIEUX. No. He works at night for the Labour Department. He is an old employee, appointed in 1876. He is really

expert as an accountant and we pay him this allowance for the work he does.

Mr. DANIEL. How are the correspondents paid?

Mr. LEMIEUX. One hundred dollars per year, payable each month.

Mr. BARR. How is the printing distributed?

Mr. LEMIEUX. It is our account with the Dominion Printing Bureau.

To provide for the appointment of Frederick A. Acland as chief clerk and secretary of the department, from March 1, 1907, with a salary at the rate of $2,600 per annum, notwithstanding anything to the contrary in the Civil Service Act, $216.66.

Mr. BENNETT. How long has Mr. Acland been in the service?

Mr. LEMIEUX. He has just been appointed. The amount has been voted during three successive sessions, but the appointment has only been made now.

Mr. BENNETT. Where does he come from?

Mr. LEMIEUX. He was in the west as editorial representative of the Toronto 'Globe.' He is a man of excellent ability and he has made a special study of the labour question. The press of the country has commended his appointment. He is a man who when Mr. King is absent can fill his position very creditably.

Mr. BENNETT. Oh, well, if he can do that he is worth double the salary.

To provide for the appointment of J. A. McNiven as fair wage officer, from March 1, 1907, with a salary at the rate of $1,500 per annum, notwithstanding anything to the contrary in the Civil Service Act, $125.

Mr. LEMIEUX. Mr. O'Donoghue, who was for many years fair wage officer, died a few months ago, and Mr. McNiven replaces him. He has been highly recommended by the Labour Congress, and was one of the leading officials of the labour societies. He has been for many years correspondent of the 'Labour Gazette' in British Columbia.

Mr. BENNETT. Is this the man who was the defeated candidate in the recent local elections in Victoria city?

Mr. LEMIEUX. He was not appointed on account of that defeat. All I know is that as fair wage officer he was probably the only available man who could succeed the late Mr. O'Donoghue, who, as we all know, was one of the labour authorities of the Dominion.

Mr. BENNETT. Will the Minister of Inland Revenue tell us whether this is the same Mr. McNiven?

Mr. LEMIEUX.

Mr. TEMPLEMAN. Yes, he is the same gentleman, and he is an exceptionally good man for the position.

Mr. BENNETT. He was exceptionally well beaten in Victoria.

Department of Labour—To cover expenses of Royal Commission appointed to inquire into dispute between Bell Telephone Company and its employees at Toronto, including stenographer's account for reporting and transcribing evidence, $1,700.

Mr. BENNETT. What are the largest details?

Mr. LEMIEUX. This amount is required to pay stenographers for reporting and transcribing evidence, $700; witness fees of seventy witnesses, $375; Judge Winchester, commissioner, 20 days, at $20 a day, $400; travelling expense, for the chairman of the commission, $100; printing subpoenas and payment of constables, $125. As we are all aware, this commission served its purpose and settled a very vexed question.

Department of Labour—costs of litigation under the Alien Labour Act in connection with the employees of the Père Marquette Railway, $4,772.04.

Mr. BENNETT. What are the details of this?

Mr. LEMIEUX. This item is to meet the expenses of the alien labour case of the Attorney General versus Cain and Gilhula, in which the Solicitor General and the deputy Minister of Justice were engaged before the Privy Council two years ago. I myself acted for the government in that case. Although the appeal was successful, the government were required by the order to pay the costs. The respondents' costs in the Privy Council were taxed at the sum of £374 4s. 6d. say $1,850. Mr. Shepley's costs were $1,808.18. The application was made two years ago. I represented the government with Mr. Newcombe at that time, and Mr. Shepley argued the case before the Privy Council last year. The fee of Mr. Madison Grant, which was paid by the Department of Justice, was $25. The total is $3,683.18.

Post Office Department—Further amount required for civil government contingencies, $1,000.

Mr. URIAH WILSON. The postmaster at Centreville, in Lennox and Addington, has, I understand, been absent almost from the time of his appointment, and has left the business in the hands of a deputy who is not very well informed. The postmaster's name is Fraser. I would like to know if he is back there yet, and, if not, is he going to be allowed to live in the city of Belleville and still be postmaster in the village of Centreville?

Mr. LEMIEUX. I am informed, as my hon. friend states, that the postmaster has been away for some time; but he has been ordered, since my hon. friend called our attention to this case a few days ago, to return to his office or he could not keep it. I hope he will obey the order of the department.

Mr. URIAH WILSON. What was his answer?

Mr. LEMIEUX. I am informed that there is no written reply yet.

Mr. URIAH WILSON. There is another matter in connection with that post office which I wish to bring to the attention of the Postmaster General. The post office is at the end of the village, there is no plank walk leading to it, and I understand that the people of the village, in the fall and in the spring, have to wade through mud and through a creek and to go about a quarter of a mile out of their way, to get their mail. There are people of the hon. Postmaster General's own political creed who keep store in the village, and who could afford the necessary accommodation for the post office where it would be much more convenient for the people.

Mr. LEMIEUX. I will inquire into the case and see if my hon. friend can be accommodated.

Mr. LENNOX. I want to say a word to the Postmaster General in reference to the payment of rural postmasters. I do so now for this reason, that before the other items can come up the department may have committed itself to a certain scheme, and I want to urge upon the Postmaster General (Mr. Lemieux) to be generous with those postmasters. There are at least, I understand, 6,000 postmasters whose remuneration does not exceed $25 a year for all the services they have to perform and all the requirements they have to provide in connection with the postal service. I know I can be met with the argument: Oh, we are giving them more than your government gave them before. That may be, but the conditions are changed We have a surplus of $1,000,000; and while it is well to have a surplus in any department, I do not think that that principle applies to the Post Office Department to the same extent as to other branches of the service. There is no branch of the service with which so many people are so intimately connected as the postal branch; and I do feel that, particularly with regard to our rural postmasters, there ought to be more generous treatment. I would also urge upon the Postmaster General (Mr. Lemieux) that in adopting a scheme of remunerating the postmasters, he shall not overlook the fact set out in their petition, namely, that their increase should date back to last July. They urge that they presented their petition a year ago, and I know that their allowance is made upon the basis of the receipts of the year before. In that way they very properly say that they do not get as good treatment as they ought to receive. I shall not take up more time. I felt that I ought to bring this before the department. I know that some people may say I ought not to urge this request on behalf of a certain class, but I am quite ready to take the responsibility, and I speak more particularly on behalf of the rural districts and towns. The cities I do not know so much about.

Mr. BARR. I wish merely to detain the House for a moment. I wish merely to say that sometimes a surplus may prove to be a curse rather than a blessing. I am convinced that if we do not take this question in hand this session and treat our postmasters more generously, the service will suffer, and anything that affects the postal service closely affects the whole community. This is one of the questions which ought to be dealt with without delay. We are living in a time of strikes, and I would not be surprised if the rural postmasters went on strike if not treated more generously.

Mr. HENDERSON. I wish to emphasize what has been said by the last two speakers with reference to the salaries of the rural postmasters. I have had a great many letters lately urging me to speak to the Postmaster General with reference to that question, and I confess that outside of what I have said in the House I have not troubled him personally because I understood, when last this question was before the House, that he was going to be liberal. But we are drawing very close to the end of the session and have not heard anything more about that liberality, and I fear our postmasters throughout the country are becoming somewhat afraid that they may have to wait some time for this promised liberality. I have been asked to urge that the increase, when it does take place, should date from July 1 last. I do not know what the Postmaster General's intention is, but that seems to be the understanding among some of the postmasters. I was sorry a moment or two ago to see the Finance Minister (Mr. Fielding) move from the chair he occupies to another one close to the Postmaster General, and I thought he whispered to him to be careful. We understand that the Finance Minister (Mr. Fielding) has charge of the purse string, and I apprehended that he was just going to put a little string on his colleague, but I trust that is not the case and that the Postmaster General will be generous. Possibly to-night he can repeat what he said before in order to save us the trouble of answering such a large amount of correspondence and in order that the postmasters will be able to read in the newspapers what the Postmaster General is going to do.

Mr. MORIN. I have nothing to say about the postmasters because others have spoken about them, but I think the mail carriers should be advanced as well. The mail carriers are exposed in the country to weather of all kinds and bad roads, and I know lots of them who do not get half paid. Many of them get only 40 cents to 75 cents a day, and I do not see how a man can live on such a pittance.

Mr. LEMIEUX. As regards the main contractors, of course the very word implies that there are tenders called; and in each case they are themselves the artisans of their own fortune. Tenders are invited, and the lowest, according to the rule followed from time immemorial in the department is in each case accepted. I admit that sometimes people are so anxious to get a government contract that they tender too low, but that is the fault of the contractors themselves. But generally speaking, I can assure my hon. friend there is such competition that I am inclined to believe they make a fair living out of their contract. As regards the postmasters' salaries, my views are well known. The rural postmasters and the outside service know how my heart beats in this connection, but I am not alone and I have to convince others. At all events we had this morning the word of the Minister of Finance (Mr. Fielding) that he will be in a position to make an announcement this session as regards the civil service in general, not only in connection with the Post Office Department but all the departments, so that my hon. friend from Halton (Mr. Henderson) will shortly have an answer.

Mr. MORIN. Could not the Postmaster General establish a rule for carrying the mails and give the carriers so much per mile ?

Mr. BENNETT. And employ only Grits.

Mr. MORIN. Yes, I will agree to that.

Mr. LEMIEUX. There will be other items in the supplementaries that will come up in a few days. There will be many opportunities to discuss the question.

Mr. LAKE. There is a question which I would like to lay before the Postmaster General, and I will do it very briefly. I have been trying to arrange to see him for some little time, but he has always been engaged when I am disengaged and vice versa. But I have mentioned the matter to him—it is a question of the change of the names of two post offices in my district. I think he has more or less broadly hinted to me that he does not desire the names changed. There are in my district a town and village which have names which are very similar. One is the town of Qu'Appelle and the other the village of Fort Qu'Appelle. These names were given by the legislature of the Northwest Territories. In each case there was a considerable discussion in the legislature in regard to the name and parties from the two places were heard on the question. The names have been finally and definitely settled. The town of Qu'Appelle has a population of 778 people and the village of Fort Qu'Appelle has a population of 170 people. Now, the Post Office Department have their own names for these two places, names which were given to them a long time ago. The name 'Qu'Appelle' is applied by the department to the village of Fort Qu'Appelle and the name of South Qu'Appelle is the name applied by the department to the town of Qu'Appelle.

Mr. LEMIEUX. That is the station.

Mr. LAKE. Yes. I hold that there should be no question of sentiment in regard to this matter. The names of the places have been definitely fixed by the proper representatives in the Northwest legislature. A letter addressed to Qu'Appelle goes to Fort Qu'Appelle, unless the postmaster at the town of Qu'Appelle happens to know the name of the person to whom it is addressed and that he is a resident of the town. This of course, is done under the direction of the Post Office Department. But much greater difficulty exists in regard to registered letters which have to be formally applied for there. I have three petitions here, one from the Board of Trade of Qu'Appelle, another from the town council of that place and one from the municipality of South Qu'Appelle, all asking that the name of South Qu'Appelle be changed to Qu'Appelle and that the name of Qu'Appelle be changed to Fort Qu'Appelle. There is a daily mail from Qu'Appelle to the Fort returning the same afternoon. But in the very near future it is probable that the town of Fort Qu'Appelle will be on another line of railway and there will be no mail running between the two places. Then there will be even more danger of confusion than at present. The people are entitled to address their letters to a town by the name under which it was incorporated and which it officially bears; it cannot be expected that every one should know that the post office name of Qu'Appelle is South Qu'Appelle. The village is commonly and colloquially known as the 'Fort' or 'Fort Qu'Appelle.' Further, it will be noticed in the newspapers that press reports relating to the Fort are almost universally, if colloquially known as the 'Fort' or 'Fort Qu'Appelle.' I hope the Postmaster General will take a practical business view of this matter and will see that the change is made.

Mr. LEMIEUX. I shall delay the House but very little in discussing this subject.

I may say that, there is something else besides the business point of view to be considered in this matter. There is also the sentimental point of view, and this is a matter of importance to the pioneers who settled at Fort Qu'Appelle, and they are very anxious to keep the old name of 'Qu'Appelle,' which is quite historical in the Northwest. In fact, Fort Qu'Appelle was one of the old Hudson bay forts. We all know the origin of the name. The French name of 'Qu'Appelle' applied to this river means the river which echoes, for there are hills on either side of the river which echoes the voice of one who calls. It is a very poetical and sentimental name with the old courreurs des bois, the pioneers and employees of the Hudson Bay Company. So those men who settled around Fort Qu'Appelle are very anxious to keep that name, and I understand and apreciate their sentiment. At the request of my hon. friend (Mr. Lake) I have examined the file in the department, and I can tell him that the people are far from unanimous in favour of the change which he proposes. The incoming settlers who have settled on the Canadian Pacific Railway line have been incorporated under the name of Qu'Appelle. The old settlers were at Fort Qu'Appelle, and as I have stated, they are very anxious to keep the name of Qu'Appelle. The conflict is between the old and the new. Being a little sentimental myself, I feel I must stand up for the old. But if we follow our good old policy of compromise, we may settle the difficulty. I am going to have another conference with Senator Perley and with my hon. friend (Mr. Lake) and we may be able to arrange the matter. But as to names, in the Post Office Department we are not too practical and not too up-to-date. I am for the old names, and I would not like, for the sake of new-comers, to take away the name belonging to the old place.

Mr. LAKE. I would like to add just one word to the discussion. I do not wish to hurt the feelings of any of the old settlers. But I regret to say that there are comparatively few of them left down at the old fort. I wish also to make this remark, that it is not an undisputed historical fact that the first place called Fort Qu'Appelle was situated in the valley. There are a number of people there who make the claim that the original Fort Qu'Appelle was quite close to the place called Qu'Appelle.

Mr. ARMAND LAVERGNE. Is it the intention of the government to increase the number of letter carriers in the city of Quebec?

Mr. LEMIEUX. I increased the number by five last year. I am informed that the letter carriers complain of the weight of mail matter they have to carry in sections of the city, and Quebec is a hilly city. I have investigated these complaints, and found that a great number of people in Quebec subscribe to Montreal papers, and there are so many of these that they are pretty heavy.

Mr. CLEMENTS. When may we expect the letter carrier system to be established which was spoken of some time ago?

Mr. LEMIEUX. I have stated when we discussed the main estimates that I intended to give a letter delivery in all cities with a population of 12,000 and over and a revenue of $20,000. In the supplementaries I expect an amount which will enable me to extend this system.

Excise—provisional allowance of not more than $100 to officers in British Columbia, Manitoba and the Northwest Territories, whose salaries from any government source do not exceed $1,000, $2,000.

Mr. DANIEL. Is that an ordinary allowance?

Mr. LEMIEUX. That is a little extra allowance that we make to officers in the Northwest to enable them to pay for rent and light from their salary.

To enable the department to supply methylated spirits to manufacturers, the cost of which will be recouped by the manufacturers to whom it is supplied, and to pay for rent, light, power, freight, salaries, &c., $57,000.

Mr. BENNETT. From whom is the department now purchasing their wood alcohol?

Mr. LEMIEUX. It is purchased on contract from Gall & Company, of Montreal. The contract was made in 1905 and expires early next year. We pay $1.29 per gallon.

Mr. BENNETT. Is all the wood alcohol purchased from that one firm now?

Mr. LEMIEUX. Yes.

Weights and Measures—gas and electric light inspection—salaries of officers, inspectors and assistant inspectors of weights and measures, $63,700.

Mr. LENNOX. What is the regulation as to these inspectors making charges as they go about to inspect? I have heard complaints that they charge the individual for whom they make the inspection for the carriage or the livery. For instance, in the town of Barrie the merchants say that in addition to the regular fee they charge each one of them 25 cents for conveyance when they go from shop to shop right along in a row, and they do not think this is fair. A merchant wrote to me complaining bitterly of the amount that he had paid for inspection. He has a great many weights in his shop of different kinds, and he thought the total amount charged was too much.

Mr. TEMPLEMAN. The charge for cartage is only made when very heavy weights have to be conveyed. There are few instances of that kind, and the charge is very trifling. The fees charged for inspection are made under regulations, and written instructions are sent to every inspector in the country.

Mr. MARSHALL. Have not some of the inspectors been asking for a raise in salary? We have a scale inspector in the town of Aylmer, a man named Littleton, who claims that he is not paid enough.

Mr. TEMPLEMAN. He has left the service. I admit at once that we have had very numerous requests from inspectors for increases from all over the country.

Mr. TAYLOR. I presume these are to be considered with the others?

Mr. TEMPLEMAN. Certainly.

Mr. LENNOX. Are the fees returned to the government or does the inspector have them as an addition to his salary?

Mr. TEMPLEMAN. They all go into the consolidated revenue.

Mr. W. JACKSON. Do the fees more than pay the inspectors?

Mr. TEMPLEMAN. No, there is quite a deficit.

Mr. W. JACKSON. Complaint is made because the same fee for inspection is charged against the man whose scales are found correct as against the man whose scales are always wrong.

Mr. TAYLOR. When the scales are found wrong the owner has to pay the cost of the repairs in addition to the inspection fee.

Salaries, &c., gas and electric light inspectors, $35,000.

Mr. DANIEL. In the inspection of gas, when the inspector finds the gas not giving the proper percentage of illumination, does the department prosecute or content itself publishing the result?

Mr. TEMPLEMAN. In such cases the companies furnishing inferior gas are proceeded against and fined and are compelled to provide the proper quality of gas.

Mr. DANIEL. What is the minimum grade of gas?

Mr. TEMPLEMAN. The light must be at least 16 candle power.

Mr. DANIEL. What is the penalty?

Mr. TEMPLEMAN. We will have to look up the statute.

Mr. CLEMENTS. In the meantime I would ask if any satisfactory solution has been arrived at of the difficulty arising from the impure natural gas in the Chatham wells.

Mr. TEMPLEMAN. The question has been engaging the attention of our chemists for the last year. Until the Chatham well was discovered there was very little impurity in the natural gas in western Ontario. The well at Chatham is full of sulphuretted hydrogen, a deadly poison when allowed to escape into a room and our chemists visited Chatham examined the gas, analysed it and reported making certain recommendations. Under an agreement with the Chatham council the gas is being used with purifiers, a system of filtration recommended by our chemists. Up to the present we have heard no complaints and we hope the natural gas will continue to be purified to such an extent that its use can be continued.

Mr. CLEMENTS. I have recently visited the district and in my judgment the gas gives splendid light and heat and no bad results so far as I can gauge.

Mr. MARSHALL. What does the inspection of electric light cover?

Mr. TEMPLEMAN. It is the inspection of electric meters to test the measuring accuracy of the meter to see that the consumer receives the proper amount of electric light for his money.

Mr. LENNOX. Does the provision of the Act requiring registration of companies supplying electric light apply to towns owning their own plant and supplying the residents of the towns?

Mr. TEMPLEMAN. Just the same.

Mr. LENNOX. I have been written to as to whether it is right that such towns should be called on to pay the $25 fee and I found that the word used in the Act is 'contractor,' who is to pay for a renewal of the license yearly. Does the department consider that to apply to corporations supplying electric light to their own people?

Mr. TEMPLEMAN. Certainly.

Mr. LENNOX. I do not think that was contemplated when the Act was passed.

Mr. TEMPLEMAN. Oh, yes.

Mr. LENNOX. When the Act was passed, corporations as a rule did not own their own plants but to-day they are doing so more generally under the guidance, I suppose of the hon. member for South York (Mr. W. F. Maclean). It does seem to me that there is a good deal in the argument that a corporation supplying its own people ought probably not be called upon to pay that fee.

Mr. TEMPLEMAN. They are just in the position of a private contractor who charges

for the electricity furnished, and the interpretation clause says that a 'contractor' means any person undertaking to furnish electricity.

Mr. LENNOX. But a corporation is not 'a person.' I have looked at it pretty carefully; it says a contractor means any person, but looking at the general interpretation Act I think person includes a municipal corporation. I wrote back to the representatives of the corporation and they still thought they ought not to be called upon to pay the fee.

Mr. TEMPLEMAN. The Act now simply provides for the inspection of meters used for electric lighting, but a Bill will shortly be introduced providing for the inspection of meters used for furnishing electricity for power. My hon. friend can present his views when that Bill is being considered.

Mr. LENNOX. Is there anything with reference to this renewal of the fee in the Bill.

Mr. TEMPLEMAN. No.

Mr. LENNOX. A corporation supplying electricity to its own taxpayers is only a contractor in an artificial sense, and I submit to the consideration of the minister whether it is right they should pay this renewal fee.

Mr. MARSHALL. In the annual report of the Inland Revenue Department, I find in the statistics concerning the inspection of electric light during the fiscal year ended June 30, 1906, that the revenue derived from the inspection of electric light was as follows:

Fees for inspection of meters, &c.. ..	$29,974 75	
Registration of companies..	5,125 00	
		35,099 75
The expenses of inspection (annual)..	8,117 76	
		26,981 99
Expended on standard instruments, &c.	1,736 46	
Leaving a net revenue of..		25,245 53

I submit that in view of these figures, the fee charged by the government is too heavy. I do not think so much should be charged for inspecting a municipal plant, in view of the fact that there is a surplus from this service.

Mr. TEMPLEMAN. The salaries for electric light inspection are charged against gas, and the inspection is generally made by the same official. To that extent the apparent profit is larger than it actually is. Nevertheless, the revenue from the inspection of electric light is greater than the expenditure, whereas the opposite is a fact with regard to gas inspection.

Mr. DANIEL. Has the department found it necessary to prosecute any gas or electric light companies for supplying illuminating power under the standard?

Mr. TEMPLEMAN. There have been prosecutions with respect to gas, but not with respect to electricity.

Stamps for imported and Canadian tobacco, $18,000.

Mr. TEMPLEMAN. This is simply an illustration of the great increase in the business of the department; it required $18,000 more to buy stamps this year than last.

Mr. TAYLOR. You get that back?

Mr. TEMPLEMAN. Certainly.

FIRST READINGS.

Bill (No. 162) to amend the Inspection and Sale Act.—Mr. Fielding.

Bill (No. 163) to incorporate the Provincial Insurance Company of Canada.—Mr. Knowles.

Mr. FIELDING moved the adjournment of the House.

Mr. TAYLOR. What business will be taken up on Monday ?

Mr. FIELDING. We will proceed with supply, taking up public works, and after that I would like to take anything that may come on the order paper, because we hope that we are coming towards the end of the session.

Motion agreed to, and House adjourned at 12 (midnight).

HOUSE OF COMMONS.

MONDAY, April 15, 1907.

The SPEAKER took the Chair at Eleven o'clock.

REDUCTION IN POSTAL RATES BETWEEN GREAT BRITAIN AND CANADA.

Hon. RODOLPHE LEMIEUX (Postmaster General). Before the Orders of the Day are called, with the permission of the House, I would like to make an announcement regarding a reduction in the British postal rates on newspapers, magazines and trade journals to Canada. This announcement, couched in exactly the same terms, will be made to-day in the British House of Commons. I will read it :

The following arrangement has been made between His Majesty's Postmaster General, Mr. Sydney Buxton, and the Postmaster General of Canada, and will come into force on May 1, 1907.

At present the rate of British newspapers, magazines and trade journals going to Canada is that fixed by the Postal Union convention, viz.: ½ d. per 2 ozs., which is roughly equivalent to 4 d., or 8 cents, per pound. At this rate and under existing conditions the articles in

question are unable to obtain a footing in Canada, with the consequence that the volume of newspapers, magazines, &c., circulated in Canada is very inconsiderable.

This state of affairs is unfavourable to the growth of close sympathy and common sentiment between Canada and the mother country, and is, at the same time, prejudicial to the mutual trade and material interests of both countries.

With a common desire of providing and encouraging, in regard to these matters, freer and more mutually profitable intercourse between the United Kingdom and Canada, His Majesty's Postmaster General and the Postmaster General of Canada have agreed to the following :

The postage from the United Kingdom to Canada on registered newspapers and on bona fide magazines and trade journals (published at regular intervals of not more than one month) is to be reduced at the rate of a penny per pound, 2 cents, on each package, the charges on packets not exceeding 2 ozs. remaining at a halfpenny. The present limit of weight of five pounds for a packet will be maintained, and certain administrative regulations will be laid down by the British post office.

This special reduction will place Great Britain in the future in at least as favourable a postal position towards Canada in regard to the articles in question as that occupied by any other country. The reduction is based on a consideration of the very special and peculiar position, geographically and otherwise, occupied by Canada, and is granted also in consideration of the fact that the Dominion Postmaster General undertakes to carry free of ocean transit charges all British newspapers, magazines and trade journals sent from the United Kingdom to Canada by vessels under contract with the Canadian government, thus relieving the British post office of the cost of such transit charges on the articles in question (approximately 2⅔ d., 4⅓ cents a pound).

The arrangement will remain in force for a period of four years, unless previously modified or concluded by mutual agreement.

Mr. Speaker, as I have been requested by several members of the press and several public men in Canada to explain the last amendment to the postal convention which exists between the United States and Canada, may I be permitted to state in a few words the exact nature of that amendment. I have prepared in writing an exact statement of that change.

Hon. GEO. E. FOSTER (North Toronto). I have no objection to the information, but I would suggest that as we are going into Committee of Supply, this might be read when that motion is made, and that would afford an opportunity, without breaking the rules, for asking some questions. Is the Finance Minister going into Supply ?

Hon. W. S. FIELDING (Minister of Finance). A little later. I announced Friday evening that we would go into Supply this morning and take up the estimates of the acting Minister of Public Works. That hon. gentleman is obliged to be absent, and we will therefore take up several Bills and then go into Supply.

Mr. FOSTER. I make no objection.

Mr. SAM. HUGHES (Victoria and Haliburton). I was going to ask a question of the Postmaster General.

Mr. SPEAKER. I understood the Postmaster General asked and obtained leave of the House to make his statement, otherwise I would have applied the rule.

Mr. FIELDING. The motion for Supply will be made early, and perhaps that will meet the case.

Mr. SAM. HUGHES. The minister is reducing the rates on magazines to an individual in England to an individual in Canada ?

Mr. LEMIEUX. Certainly.

Mr. SAM. HUGHES. Not from the office of publication alone ? Will it apply to a magazine mailed by an individual in Canada to another individual in Canada ? I may point out that many people in the Canadian Northwest have these magazines sent them by mail and the postage is a great burden. I would draw that aspect of the case to the attention of the minister, with the hope that he will be able to reduce the postage in Canada to the same rate.

Mr. LOUIS LAVERGNE (Drummond and Arthabaska). (Translation). Mr. Speaker, before the orders of the day are called I wish to put one or two questions to the Postmaster General (Hon. Mr. Lemieux) about the reduction made recently in the salaries paid to the postmasters in rural districts, and more particularly in the county of Drummond and Arthabaska.

Mr. FOSTER. This cannot come up on the Orders of the Day.

Mr. LOUIS LAVERGNE. I am asking the minister a question, and I think I have a right to do so.

Mr. SPEAKER. The hon. member has a right to ask a question.

Mr. LOUIS LAVERGNE. I do not see why I should not be allowed to speak my own language. I am going to ask a question.

I wish to ask also if the fact is known by the Postmaster General that the population of the town of Arthabaska has increased by about three hundred souls and that the work of the post office has increased accordingly. Though the work has increased, the annual salary of the postmaster has been reduced by $46, notwithstanding that the population of the town has increased by three hundred souls, in the last two

years. That reduction has been made quite recently.

Will the minister be kind enough to tell me if it is his intention, during the present session, to take steps to revert to the old order of things by fixing those salaries at what they were before or at a higher figure?

Mr. LEMIEUX. In answer to my hon. friend (Mr. Louis Lavergne), who states that the salary of the postmaster at Arthabaska has been reduced, I may say that the salaries of postmasters in rural districts are regulated by the amount of revenue received, and it sometimes happens in consequence that the postmaster may receive more or less one year than another year In this case at Arthabaska, if the salary has been reduced—of which I know nothing personally except what my hon. friend has just stated—it is because the revenue has decreased. If the revenue had increased the salary would have increased. As regards the county of Arthabaska in particular, the same answer applies. Wherever the revenue of the post office decreases, the head office here is obliged to reduce the salary of the postmaster proportionately.

QUEBEC ORIENTAL RAILWAY COMPANY.

Consideration of amendments made by the Senate to Bill (No. 69) respecting the Quebec Oriental Railway Company.—Mr. Gauvreau.

Mr. FOSTER. What are the amendments ?

Mr. DEPUTY SPEAKER. The amendments are merely verbal as far as I can see. Provision was made for the purchase of the Atlantic and Lake Superior Railway. It was agreed to by the Senate. I do not see any objection to it.

Amendments agreed to.

QUESTIONS.

MEDALS CLAIMS BOARD.

Mr. NORTHRUP—by Mr. Blain—asked :

1. What are the duties of the Medals Board?
2. Who are its members ?
3. What is the remuneration of each ?
4. Which, if any, of its members, are in receipt of other remuneration from Canada ? If any, how much ?

Hon. W. S. FIELDING (for the Minister of Militia). :

1. The duties of the Medals Claims Board are to investigate all claims for medals, and to report upon the same.

2. The members are Lieutenant-Colonel H. Smith of the Adjutant-General's Branch, and Lieutenant-Colonel V. B. Rivers of the Branch of the Master-General of the Ordnance, who perform their duties as members of this board in addition to the other duties which devolve upon them.

3 and 4. These officers do not receive any extra remuneration as members of the Medals Claims Board.

DREDGING ON THE ST. JOHN RIVER.

Mr. WILMOT asked :

1. In what place or places on the St. John river, N.B., exclusive of the harbour was dredging done in the season of 1906 ?
2. What was the amount of earth removed in each locality, and the cost per yard for such removal ?
3. What price was paid per day for towing and who owned the tow-boats thus employed ?
4. Who furnished supplies for the maintenance of the dredge ?
5. What was the total cost of such supplies and will the dredge be employed during the present season ?

Hon. W. TEMPLEMAN (Acting Minister of Marine and Fisheries) :

1. Dredging was done at Cedars ; Evendale, Hampstead, Belyea, Colwell's Creek, Oak Point and Victoria.

2.

	Per yard.
At Cedars, 3,950 cubic yards at a cost of	9 cents
At Evandale, 75 yards, at a cost of	52 "
At Hampstead, 1,200 yards at a cost of	19 "
At Belyea, 1,865 yards at a cost of	19 "
At Colwell's Creek, 8,200 yards at a cost of	18 "
At Oak Point, 12,100 yards, at a cost of	9½ "
At Victoria, 21,700 yards, at a cost of	6½ "

3. $20 per day ; Mr. J. F. Bridges and Mr. G. W. Colwell.

4. A. A. Belyea, F. A. McFadden. John McMuklin, G. A. Gamblin, Imperial Oil Company, D. W. Barnes, Charles Frances and Company, Bruce Palmer, C. E. Ganong, J. N. Inch and Company, F. J. McKinney, Williams and Gorham, Macauley Brothers and Company, James Chapman, R. P. and W. F. Starr, Tapley Bros., A. W. Adams, T. McAvity and Sons, Daniel Fitzgerald, J. A. Likely, Charles Bradley, Perkins and Belyea, Union Foundry.

5. (a) $1,212.58. (b) Matter under consideration.

OLDEST OFFICERS AT HEADQUARTERS.

Mr. WORTHINGTON—by Mr. Blain—asked :

1. What is the age and name of the oldest officer of the headquarters staff of the Canadian militia ?
2. What is the age and name of the oldest subaltern in the Ordnance Stores Corps ?

Hon. W. S. FIELDING (for the Minister of Militia) :

1. The name and age of the oldest officer on the headquarter's staff of the Canadian

militia is Lieutenant-Colonel J. B. Donaldson, Director of Clothing and Equipment, whose age is 64 years.

2. The name and age of the oldest subaltern of the Ordnance Stores Corps is Lieutenant J. J. Fitzpatrick, whose age is 60 years.

CHIEF FOREMAN PRINTING BUREAU.

Mr. A. LAVERGNE—by Mr. Louis Lavergne—asked :

1. Is P. M. Draper, formerly of Aylmer, in the employ of the government at the Printing Bureau ?
2. If so, by whom was he recommended ?
3. What is his position and what is the date of his appointment ?
4. Has the Committee on Debates been notified of Mr. Draper's appointment ?
5. Does Mr. Draper speak sufficiently the French language for the requirements of his position ?

Hon. W. S. FIELDING (Minister of Finance) :

1. Mr. P. M. Draper is in the employ of the Government Printing Bureau.
2. He was engaged for the Printing Bureau at the time of its institution in 1886, and had previously been in the employ of the contractors working on government work.
3. He was appointed assistant foreman in 1896 and foreman in 1900. On April 1, 1907, he was made chief foreman.
4. The Committee on Debates has not been notified of any of the changes which have been made in his position.
5. Mr. Draper speaks the French language fluently.

DIVERSION OF WATERS OF ALLEGASH.

Mr. MICHAUD asked :

1. Has the attention of the government been called to the fact that the waters of the Allegash, a tributary of the St. John river, have been diverted from their natural course ? If so, does the government propose to take action?
2. Has a commission been appointed to investigate during this year the troubles or difficulties in connection with the St. John river, in New Brunswick, as between Canada and the United States ?

Hon. A. B. AYLESWORTH (Minister of Justice) :

1. The subject is under consideration.
2. No.

JUDGE TELLIER.

Mr. BEAUPARLANT—by Mr. Talbot—asked :

1. What is the detailed statement of the travelling expenses of Judge Tellier, for the years 1896, 1897, 1898, 1899, 1900, 1901, 1902 and 1903, when his official residence was at St. Hyacinthe ?
2. For how many days of special sittings, outside of the district of St. Hyacinthe, did he put in a claim during the said years ?
3. How much did he receive, under this heading, during each of the said years ?
4. What is the detailed statement of the travelling expenses of Judge Tellier for the years 1904, 1905 and 1906, when his official residence was in Montreal ?
5. Did Judge Tellier charge travelling expenses when sitting at St. Hyacinthe during the years 1904, 1905 and 1906, when his family residence was in the said place—St. Hyacinthe?
6. If so, how much for each one of those three years?
7. How much did he receive, under this heading, for each one of the said three years ?

Hon. A. B. AYLESWORTH (Minister of Justice) :

1. In 1896, $1,542 ; in 1897, $1,452 ; in 1898, $1,356 ; in 1899, $1,494 ; in 1900, $1,524 ; in 1901, $1,140 ; in 1902, $696 ; in 1903, $918.
2. In 1896, 246 days ; in 1897, 229 ; in 1898, 219 ; in 1899, 238 ; in 1900, 246 in 1901, 176 ; in 1902, 106 ; in 1903, 141.
3. In 1896, $1,476; in 1897, $1,374; in 1898, $1,314 ; in 1899, $1,428 ; in 1900, $1,476 ; in 1901, $1,056 ; in 1902, $636 ; in 1903, $846.
4. In 1904, $30 ; in 1905 and 1906, nil.
5. No.
6. Nothing.
7. Nothing.

SUPPLY—NEW POSTAL ARRANGEMENT BETWEEN CANADA AND UNITED STATES.

Hon. W. S. FIELDING (Minister of Finance) moved that the House go into Committee of Supply.

Hon. RODOLPHE LEMIEUX (Postmaster General). Mr. Speaker, I may now make the statement concerning the amendment of the postal convention existing between the United States and Canada. In laying before you the following information respecting certain changes which have recently been made in the rates on newspapers and periodicals passing between Canada and the United States, I desire to say that when I assumed the duties of Postmaster General, I found the department very much engaged with the question of controlling the influx of American newspapers and periodicals. These were coming into Canada in such a volume as to hamper seriously the operations of the clerks in the post offices and on the railway postal cars. The department represented to me that it had been making inquiries into the character of the periodical literature thus encumbering the operations of the clerks, and it had found that, speaking generally, the material was by no means of a character to inform the mind and cultivate the intellect. A large proportion of it was merely advertising matter, there being no more than enough of reading matter than was necessary to secure for it the privileges of second-class matter in the United States, and to induce readers to look at the papers before consigning them to the waste paper basket.

The department was in serious perplexity as to how to deal with this matter. The convention between Canada and the United

States gave each country the privilege of sending to the other all classes of mail matter at the rates and under the regulations of the country of origin. As the smaller country, Canada had not benefited equally with the United States under the convention, but in the matter of letters, post cards, patterns and samples of merchandise and miscellaneous printed matter, this country had no right to complain, because all these classes of mail matter were paid for at rates high enough to exclude any question of subsidy or favour in the transmission of them. With newspapers and periodicals the case was different. In both countries, the rates on bona fide newspapers and periodicals sent from the publishers to subscribers are very low—much below the paying rate—for the reason that each country has made it a matter of policy to encourage the means of diffusing information through periodical publications. Each country aims through the newspaper press to make its citizens better fitted for the duties incumbent on them as members of the state. While this policy is admirable so long as its benefits are confined to those publications whose function is to enlighten and instruct, it has brought into existence large numbers of newspapers and periodicals, which do neither, but are mere mediums for the cheap dissemination of advertising. It is this class of matter, which has brought about the present acute state of affairs in this country. It is regarding this class of matter that the regulations of the two departments conflict, and where the departments are working under a convention which virtually makes one postal territory of the two countries, it is obvious that in the conflict, the smaller country loses its free hand to make and apply its regulations. It must, before dealing with any question, ask itself what the other country is doing regarding the same question; and its inquiry is not limited to what are the regulations in the other country, but it must also ask how the officials of the other country regard its regulations. The smaller country must look not only to the regulations but also to the administrative views of the other country. Each country was in a measure hampered by the necessity of taking into account the regulations and views of the other, but this country as the less populous was particularly impeded in its work. Owing to the difference in regulations and views, there was coming into Canada large masses of newspaper and periodical matter, which was admitted to the United States, but which would not have been permitted to enjoy the privileges if they had been published in Canada owing to the differences in classification. This is not only repugnant to the principles on which the Canadian department was carried on, but it gives rise to complaints on the part of the publishers of this country, who cannot understand why they should be debarred from privileges which the United States publishers enjoy in Canada. And their complaint is founded in justice. This department was called upon to reconcile the impossible. It had to make an effort to carry out its own regulations and views, and that without injustice to anybody, and yet the admission of American publications under the convention made any attitude towards our publications under the convention beyond a servile copy of the United States attitude, an impossibility. The department sought in 1904 to bring matters to a more satisfactory footing by an amendment, which gave each administration the power to refuse admission to its territory, except as printed matter chargeable at 1 cent per 2 ounces or fraction thereof, to all such publications as it would not consider entitled to the privileges of second-class matter, if they were published in its own country. But in the working out of this amendment, which undoubtedly gave a measure of relief, a certain amount of friction was developed, and it was found that to apply the amendment adequately, that is, to apply it to all newspapers and periodicals coming from the United States, would have required a staff of such proportions as to involve an immense expense. This outlay the department did not feel warranted in undertaking, and has not considered that the amendment could be justly applied under other conditions. To administer the amendment inadequately, that is, to exclude some papers, and continue to admit others, laid the department open to the charge of injustice.

There is also the feature adverted to viz: that there is an immensely greater amount of newspaper matter coming to Canada from the United States than passes from Canada into the United States. It is estimated that not less than one ton of such matters comes from the United States for every hundred weight going from Canada to the United States.

The United States department represented to this department that congress was taking up the matter of newspapers and periodicals and would probably give that department larger powers of action, but the prospect appeared so remote, and the necessity of relief from the encumbering conditions was so great that it was not considered advisable to defer action further. The publishing business is developing rapidly in this country, and this department has felt the necessity of revising its regulations, which were made many years ago when conditions were simpler. This revision could not be undertaken while this department was obliged to consider at every turn the regulations and administrative views of the United States.

The notice of the abrogation of the convention as regards newspapers and periodicals was given on the 7th November last, and as six months notice was provided for

expire in ordinary course on the 7th May. Conferences between the officials of the two departments took place in Ottawa on the 5th March and in Washington on the 28th March. The conference had before it a proposition from the Canadian department that the rate on newspapers and periodicals sent from the office of publication in one country to subscribers and newsdealers in the other shall be either 2 cents per pound, each pakcet being prepaid by stamp, or 4 cents per pound bulk weight.

After a good deal of discussion in the course of which the United States department urged the desirability of maintaining the status quo, the propositions of this department were taken up. The United States department feared that the propositions of the Canadian department might not be readily understood by the postmasters and publishers and a compromise was reached by which the rate on all newspapers and periodicals passing from one country to the other shall be one cent per each four ounces or fraction of the same, calculated on the weight of each package and prepaid by means of stamps affixed. This rate has the merit of simplicity. It is well understood by the postmasters and the public of both countries, as it has been the rate on transient papers for many years, and as it was considered by the Canadian delegates to meet the conditions they were called upon to deal with it was accepted.

Mr. FOSTER. Might I ask the Postmaster General (Mr. Lemieux) as to the conditions that Canada undertakes to fulfil ? As I understood it was to carry those newspapers and periodicals on which the reduction was made, in so far as ocean package is concerned, free ; what cost will that entail on our postal authorities ?

Mr. LEMIEUX. According to statistics gathered by the Post Office Department I think the whole cost involved will not be more than about $25,000 or $30,000.

Mr. FOSTER. That cost will come to us in the form of an extra payment to the carriers ?

Mr. LEMIEUX. Oh, no, we will not pay anything, but we will charge no poundage to the British authorities.

Mr. FOSTER. Then it comes in as a loss to the revenue ?

Mr. LEMIEUX. Yes.

Mr. FOSTER. Has any calculation been made as to the corresponding loss to the British postal authorities by the reduction from 8 to 2 ? I suppose it will be about that amount at least.

Mr. LEMIEUX. Oh much larger. I may say that this arrangement was proposed many years ago from Canada to England but has been stoutly refused every time it has been asked on the ground that it would involve very great loss to the revenue in England. As stated by the British postal authorities, this advantage is given in favour of Canada on account of our special geographical position. The fear of the British postal authorities is that the same demand might be made by other colonies. I must say that this involves quite a large pecuniary sacrifice on the part of Great Britain. I might add that we owe special thanks to the British Postmaster General, Mr. Buxton, who in this matter has been very generous towards Canada.

Mr. FOSTER. Does the minister also know what weight was carried under this particular item last year ?

Mr. LEMIEUX. I could not give the information offhand. If my hon. friend will renew the question when my estimates come, I may be able to give further information.

THE BRITISH TRADE PREFERENCE.

Mr. J. E. ARMSTRONG (East Lambton). Mr. Speaker, before you leave the Chair, I wish to call the attention of the House to a matter of very grave importance to this country. On March 18, a letter appeared in the public press referring to the fact that German goods were filtering through British middlemen into Canada under the preference. Through the kindness of the Minister of Customs, I have received a copy of that letter, and I wish to place it before the House. The purport of it is that we are simply building up German manufacturers at the expense of Canadian manufacturers and British manufacturers, and I would like to urge upon the Minister of Finance, now that he is going to Great Britain, to take a copy of this letter with him, as well as others of equal importance on the same subject which are in the Department of Trade and Commerce, and to make a thorough investigation of this matter while he is in Great Britain. If he does this, I am satisfied that he will find that under the British preference, as it has worked out, we in the Dominion of Canada for the past ten years have been practically buncoed by German, Belgian and other foreign manufacturers being able to send their goods into Canada under the preference as British goods. This letter is dated Leeds, March 18, 1907, and is as follows :

The following extract is taken from the Yorkshire 'Post,' of the 8th March, 1907 :

A deputation from the Association of Chambers of Commerce of the United Kingdom yesterday waited upon Mr. Lloyd-George, President of the Board of Trade, at the offices of the board, Whitehall, London, to call attention to the infringement in England of the Merchandise Marks Act, and to the marking in foreign countries of goods purporting to be made in

England, but which were not of English manufacture. Sir Howard Vincent, M.P., introduced the deputation, which comprised representatives of forty chambers of commerce including those of Sheffield, Halifax, Nottingham, Coventry and London.

Mr. R. A. Rotherham, Coventry, gave a number of illustrations of fraud to show that the Act had broken down. Watches and bicycles were, he said, being built up in this country of foreign parts, and sold as English. Foreign carpets were being marked and sold as Kidderminster carpets, and foreign cutlery was also being marked and sold as Sheffield cutlery, and numerous other foreign articles brought over here unmarked were being marked and sold as of English manufacture.

Mr. Lloyd-George : Most of them are substantially foreign, I suppose ?

Mr. Rotherham : Some are entirely foreign. Continuing, Mr. Rotherham said there was not a department of industry in England which was not absolutely honeycombed with fraud, and the means hitherto taken to suppress the evil had entirely failed. Nor was the evil confined to the large manufacturing towns and districts; it had extended to the villages. He mentioned a case in the watch trade where a fraudulent vendor was prosecuted, and though the action was successful, the prosecutor was involved in costs to the sum of £1,200, and as no individual trader could afford to vindicate the law at that cost, the Act had since been practically a dead letter, and the watch trade to-day was worse than ever before.

Mr. Lloyd-George : Have you no trade protection society ?

Mr. Rotherham replied that they had, but it was filled from top to bottom with men who were themselves engaged in these fraudulent practices.

Let me repeat this last sentence :

Mr. Rotherham replied that they had, but it was filled from top to bottom with men who were thmselves engaged in these fraudulent practices.

I might go on and read more of this letter, which is a long one; but suffice it to say that it is filled with such arguments which go to show that the impression that we are giving to the people of Canada that we are assisting British manufacturers by the preference is a false impression. Englishmen admit in this letter and in other letters published in the press throughout Great Britain, that the Trade Marks Act of that country is not workable and is of no use. This letter goes on to show that German goods particularly are being brought into Great Britain and put together there, and sold as British goods, having been stamped as such in the factories of Germany. After making this quotation from the press, our representative in Leeds, England, Mr. Jackson, makes the following statement :

In view of the unsatisfactory state of the law here with regard to the identification of foreign goods, it is an admitted fact that a large part of the goods imported into Canada under the British preferential tariff are foreign goods shipped into England, repacked and labelled or marked as British goods . for instance, a gentleman in the cutlery trade in Sheffield informed me the other day, that large quantities of knife and razor blanks are shipped to Sheffield from Germany, and all that is done to them is to stamp them as 'made of Sheffield steel,' or simply the word 'Sheffield' with or without some local man's name attached and reship from Sheffield to Canada.

It is also well known that in the felt trade the British market is flooded with German felts which can be bought here at certain seasons at lower prices than they can be manufactured for in Germany. The wool, or at least a large part of the wool used in the German felt factories, is bought in London, England, through a London house, and it is impossible to manufacture many of the felts shipped to England and Canada at their present price ; and I am informed that it is utterly impossible for the German felt to be shipped into Canada and sold at its present price without a loss, except under the benefits given by the British preferential tariff.

I am also credibly informed that the same class of felt cannot be bought in Germany from the manufacturers, except at higher prices than they are offered in England and in Canada. In view of this manifest invasion of the Customs Act, it seems to be absolutely necessary that some more stringent methods in regard to the invoice forms should be adopted.

If the provisions of the British Merchandise Marks Act were enforced the procedure necessary would be very much simplified ; but to my mind a simple certificate, signed in Great Britain on the back of the invoice form, is not sufficient to debar the unscrupulous exporter in England from evading the Act, nor is it sufficient to protect the reliable and trustworthy English exporter to Canada who should receive the full benefit of the British preferential tariff. In addition to the forms of certificate required from the shipper, I would suggest that a sworn declaration be required from the manufacturer showing when and where manufactured, or that the commercial agents be empowered to grant 'certificates of origin' upon sufficient evidence being furnished to them.

The principal of a well known Sheffield cutlery house, just returned from a visit to Canada, states, 'that if British manufacturers are to successfully meet the German competition that there is an absolute necessity for having a mark of origin required by Canada, which would then put all manufacturers on an equal footing, and would put a stop to the present misrepresentations. He saw consignments of German razors marked 'made from Sheffield steel' which the purchaser would naturally think had been made in Sheffield, but which had never seen that city.

I have the honour to be, sir,
Your obedient servant,
(Sgd.) J. B. JACKSON,
Canadian Commercial Agent.

You could not find a stronger condemnation of the manner in which the preference has been carried on. To give you some idea of the lack of interest taken in this matter by the government and its lack of knowledge, let me quote the words of the hon. Finance Minister (Mr. Fielding) this session when we were discussing the tariff resolutions. On page 999 of 'Hansard' I asked him this question :

Has it been found that a large quantity of German goods have been filtering into this country through British middlemen and thus avoiding the surtax ?

To which the hon. minister replied :

The impression has always been abroad that there has been evasion of our customs laws in that respect, but the best information we have is that it is not so. The matter has been carefully looked into and we think it is not correct.

Again on page 1,004 I asked :

Has the hon. minister any officers in Great Britain looking after the valuation of articles shipped under the preference clause ? If so, how many ?

And the hon. minister replied :

We have no special customs officers over there but we utilize our staff of Canadian officials to some extent.

Then I asked him what officials? And he said : 'Occasionally we make inquiries at the High Commissioner's office.' I asked again :

Are they allowed to go to the factories and examine the goods there and see if they are properly valued and not imported from Germany and then fixed up a little in England.

To this the hon. minister made reply :

I do not anticipate any difficulty in getting access to any factory if necessary. We have found cases nearer home, in the United States for instance, where this inquiry was objected to, but we had the remedy in our own hands. The next time these parties sent goods, the goods were held up, and then they were very glad to come over and submit to our conditions. The system of over-valuing is by no means so common in the English trade, and there is less reason for watching the British exporter in that respect than in watching some others.

I then asked : 'Might it not be possible for the German exporter to ship his goods through the English manufacturer?' And I got this reply :

We have had that suggested often in the press and occasionally by hon. gentlemen in this House who received that impression, but wherever we caused the matter to be investigated we found that the impression was a mistaken one and that there was little or no evidence to support it.

I sincerely hope now that the minister has had this matter called to his attention, he will have it thoroughly investigated. I feel confident that the more he investigates this matter the more he will become convinced that, as the preference is conducted at present, the people of Canada have been buncoed. He will find that not only a large but the major portion, the bulk of the goods which come in under the British preference are from Belgium and Germany and other foreign countries and are filtered in through the middlemen in Great Britain. I will refer the hon. minister to a prominent member on his own side who is able to tell him that the has visited the manufactories throughout Germany and has seen himself the goods on the shelves of those establishments stamped 'made in England' and put up in every imaginable form so as to avoid the surtax and get into Canada under the British preference. We have had ten years of this kind of administration. At present Canadian goods are shut out of the German market, while German goods are being shipped into Canada under the British preference. Germany is thus in a far better position than the United States, because she is in the position of being able to get her goods into Canada through British middlemen at the preferential rate. Why not allow United States goods to be filtered into Canada in the same way? This jug handle preference, Sir, is a failure. If we had a mutual preference, the English manufacturer would be more careful and would be interested in not allowing German goods to be filtered into Canada in this way. But it is the same old story of something for nothing, and but little attention is paid to the gift given to England by means of this preference. It is high time that we should inaugurate the policy of Canada for the Canadians. Canadian workingmen would be greatly benefited if our manufacturers were protected in the proper sense of the term. If that were done, the goods now manufactured in these foreign countries would be manufactured in our own land and furnish a home market for our farmers. The government is deserving of the severest censure for its policy. Let any one get up on this side and criticise the preference or the surtax and he is at once denounced as unpatriotic and unworthy to be a representative of the Canadian people. I am convinced, however, that the people will come to see that, in the way this preference is being administered, they have been buncoed for the last ten years. And they will demand a change in our administration in that respect at least. It is only the English middlemen who is getting any advantage from this preference outside the foreign manufacturer. We are shut out of the German market with its 60,000,000 people, whose imports annually amount to $1,800,000,000. Yet out of that immense import we sent into Germany only a paltry $1,000,000 worth. Look at the little Argentine Republic sending into that country $48,000,000 worth of goods; Brazil, $27,000,000; Chili, $21,000,000; Australia, $28,000,000. And they will demand a change in our adworth. And if our present trade relations are to continue you may depend on it that even that $1,000,000 will dwindle down to a couple of hundred thousand dollars next year. Germany, the second largest market in the world, we are completely shut out of. And Germany furnishes a market for just such goods as we are able to produce in abundance. For instance, over $200,000,-

000 worth of agricultural products was imported into Germany last year—just such as the Dominion produces. Yet we hardly sent anything worth speaking of to that country. Do you mean to tell me that our farmers are not interested in sending into Germany these $60,000,000 worth of wheat which Germany imported last year, $24,000,000 of barley, $17,000,000 of rye, and some millions of dollars worth of apples and other fruits. Last year we produced in Canada 16,000,000 barrels of apples and only exported 1,500,000 barrels, and it was estimated in the Agricultural Committee that 10,000,000 barrels rotted on the ground for lack of proper transportation facilities and markets.

Two years ago, the Germans came to Canada and established offices throughout this Dominion to purchase apples for the purpose of shipping them into Germany. They were willing to pay at the rate of about 35 cents per barrel more for our apples than they could purchase apples for in the United States, knowing that we could produce in this country the best quality of fruit and that most suitable for the German market. They were ready to open a splendid market for apples which are now left to rot on the ground throughout our province especially, the province of Ontario. But this German market might be open more for other goods besides our apples. Every interest should join to compel this government to open up the German market to Canada. Not only could we sell in Germany immense quantities of farm produce of many kinds, but we could get a share of the timber trade of Germany—and millions of dollars' worth of timber is imported into that country every year. Moreover they import largely of just such materials as are produced largely in our mines. Such goods as we do send to Germany go in under the German surtax. That places us at a very great disadvantage in that market as compared with our competitors in the United States. The goods from the United States go in under the most favoured nation clause. Prior to 1896, we also were one of the favoured nations in the German market. To-day we are in an entirely different position. Even Great Britain and every colony of Great Britain has the advantage of favoured nation treatment in the German market ; the Dominion of Canada is practically the only country in the world whose goods on entering the German market are subject to the surtax.

Canada's commercial position is one of which we have every reason to be proud. On one side we stretch out a hand to Japan and China to take part in the expanding trade of those countries, and on the other we see splendid opportunities for trade in our various products in Great Britain and the continent of Europe. With these magnificent possibilities before us, I cannot believe that the people of Canada will be willing to continue a jug-handle policy such as we have had for the last ten years.

Now, let me say just one word as to how our policy affects German immigration into Canada. In the United States you see tens of thousands of Germans going in every year. Contrast this with Canada—into our country come a few hundred Germans only. We are sending men to southern Europe to gather up the people of those countries to add to our population ; while, the Germans, the best immigrants that can be found outside of Great Britain are practically driven out of Canada by the manner in which their country is being treated.

I feel keenly on this subject. I have been criticised most unfairly by the Minister of Finance and the supporters of the government. I knew that my position was sound, but I have not been able to bring the proof of it till to-day, and that proof has been sufficient, I think, to convince the Finance Minister that the position I took three years ago on this question was a sound position. Open the markets of Germany to Canada on the same terms as those on which they are open to the United States, and I believe that within ten or fifteen years, so far as agricultural products are concerned we shall be able to drive the American producers out of the German market. And, if we do not do it, we may be very sure that other countries will take up what the United States are losing in that regard. I wish I could awaken the interests of the press in this subject that they might assist in showing to the people of Canada the importance of this German market and the need of taking up in no half-hearted manner the question of securing an entrance into that market for Canada upon fair terms. Let us look ahead and prepare for the future. Here is the hon. member for Lisgar (Mr. Greenway) telling us, as he did, not long ago, that Manitoba was capable of producing 500,000,000 bushels of grain on her 73,000 square miles of territory. What then is to become of the vast quantity of grain that is to be produced in the western country, these new provinces each with its 250,000 miles of territory, when that immense area is properly developed ? Are we going to narrow the trade of this country down to the British market, which market is open to every other nation in the world on as favourable terms as those on which it is open to Canada? I do not believe that the people of Canada will allow the present condition of things to exist.

It has been stated that this is a matter of sentiment. I do not believe that the people of Canada should exist on sentiment. But I believe that our people will see the strongest and most material reasons for urging this government to secure the opening of this splendid German mar-

ket to our products. Let us have a forward policy in this matter, and let us put it into effect soon.

I do not wish to take up more of the time of the House on this question. But I urge the Finance Minister, I beg of him, to give his full attention to this matter when he goes to Great Britain. Let him investigate there the position of the Trades Marks' Act, and he will find the case to be exactly as I have stated ; he will find that, instead of a British manufacturer receiving the benefit of our preferential tariff, that the benefit goes to the British middleman who is taking unfair advantage of the preference.

Hon. W. S. FIELDING (Minister of Finance). Mr. Speaker, I have no intention of travelling over the very wide range of subjects that my hon. friend from East Lambton (Mr. Armstrong) has covered in his address. If I say a few words, it will be rather on the matter that he brought to the notice of the House at the beginning of his remarks. I am glad to know that he has received some light on this German question, though I am not quite sure that he has such a definite position on it as he seems to think he has. My recollection is that, the last time he discussed this question of the German trade, his complaint was that the government had done a great wrong by imposing the surtax and thus creating a difficulty with Germany. That was his argument, if he had any argument, the last time he addressed the House. To-day his complaint is, that we do not enforce the surtax with sufficient vigour but are allowing German goods to come in under the guise of British goods.

Mr. ARMSTRONG. I am sure the Minister of Finance (Mr. Fielding) does not wish to misquote me. If he will read the remarks which I made two sessions ago, he will see that I dealt with the preference in the manner in which I am dealing with it to-day, and dealt with the surtax at the same time.

Mr. FIELDING. Just at present I am not discussing the preference but the surtax. In his address of two sessions ago the hon. gentleman took the ground that by imposing the surtax the government had committed a great blunder, and that in consequence, some barrels of apples which somebody wanted to send to Germany had been shut out. That was his whole line of contention at that time. Now, he tells us : You undertook to impose a surtax on Germany, but it a humbug, for the goods are coming in free of the surtax ; Germany has its own way in the matter. In one breath my hon. friend says, we are pursuing such a policy that the Germans feel that this government is treating Germany badly and in consequence German settlers wont come into Canada—five minutes ago the hon. gentleman advanced that view. But in the beginning of his speech, and in the main portion of his speech, the contention was, not that we are treating Germany badly, but that we are treating Germany too well in allowing German goods to come in under the British preference. Which side of this question is my hon. friend on ? At one moment the German surtax is the trouble, a burden, a snare and a delusion, something which will get us into trouble with Germany ; the next moment he says not that the surtax is a delusion, but that you do not enforce it, and why don't you enforce it ? I cannot understand my hon. friend's meaning.

Mr. ARMSTRONG. I do not think the Minister of Finance wishes to misstate my position, but I cannot help thinking that he is a little more astute than fair in this matter. I am satisfied that I was not only dealing with the British preference in the manner which I have heretofore dealt with it, but the surtax as well. I was considering the trade policy of this government generally in dealing with Germany.

Mr. FIELDING. I cannot tell even now whether my hon. friend is in favour of the surtax or against it—I am speaking in all sincerity. My hon. friend began his remarks by calling attention to the report made by one of the government's commercial agents in England about the possibility of the importation of German goods under the British preferential tariff. Now, whereever we have two tariff rates there is, of course, a temptation on the part of the exporter to try to get the benefit of the lower tariff ; that is a permanent temptation, and calls at all times for great watchfulness. From the beginning of the adoption of the preferential system in Canada we have had constant representations that there was a probability, or indeed a certainty, that the preference was being evaded. It was the most natural thing in the world, that there should be suspicion of such abuse. Again and again suggestions of that kind have been made in this House, and representations have been made by other people calling our attention to it. It was proper that these matters should be investigated, and in every instance where the government have been able to investigate them, the conclusion they have formed is that while such an abuse of the British preference is possible, practically speaking it does not occur on a large scale. Now, the fact that that was the result of our inquiries of several years ago does not prove that a condition which may have existed then exists to-day. That temptation, as I say, will always exist ; there are exporters who will try to bring German goods in under the preferential tariff, and we must be watchful and try to prevent it. As I have said on a previous occasion, the gov-

ernment did make a special inquiry into that matter several years ago, in addition to the general inquiry the Department of Customs are at all times making in their own way. But there was an occasion several years ago when the government made a special inquiry by an official in England, and the result was we came to the conclusion that there was not much ground for the complaint. If, however, later information has come to us, I am quite sure that the Minister of Customs will be prepared to avail himself of it, and of anything of that kind which may be brought to his attention by my hon. friend or anybody else in the House. I am sorry the Minister of Customs is just now absent, though he was here at the beginning of my hon. friend's remarks ; but he will see the whole of his remarks in the 'Hansard,' and I am sure that if there is any ground whatever for the contention that the Germans are evading the preferential tariff and sending goods in here under the lower tariff, the Minister of Customs and his vigilant assistants will do their utmost to prevent it ; and if it is necessary that there should be a further investigation in England, in the light of the information to which my hon. friend refers, why certainly that investigation will take place. I would not attempt to pass judgment upon the statement made by the commercial agent at Leeds, but, speaking generally, I think it will be found that there has not been that broad evasion of the tariff which my hon. friend thinks has existed. I am sure, however, that the Minister of Customs will take notice of the information which has been furnished.

Hon. GEO. E. FOSTER (North Toronto). The closing sentences of the Finance Minister afford all the solace the House can get for the time being. But the House would like to know that when these commercial agents of ours, who are stationed in different parts of Great Britain, will get on to just such things as this and send the information to headquarters, that their suggestions and information will be carefully heeded, and that the government will take adequate steps to see that the grievances complained of are remedied. I have no idea that my hon. friend the Minister of Finance did not understand what the hon. gentleman who has just taken his seat (Mr. Armstrong) was driving at ; I think he quite well understood.

Mr. FIELDING. I knew what he was driving at, but I did not know what he understood.

Mr. FOSTER. My hon. friend the minister was not so much bemuddled as he would give the House reason to think he was, and it was not quite fair to represent my hon. friend as being anxious to find fault with the German surtax, in the first place, as being a blunder and, in the second place, finding fault because Germany was mildly treated under that surtax through the medium of Great Britain. I think the proper way in which we might expect this government to act is to see that the preferential trade as between Great Britain and Canada, on the basis on which it was intended to be carried on, and for the benefit of the two parties for whose benefit it was intended, shall be honestly restricted to that channel and shall be kept upon that basis. Now, if the government was right in the imposition of the surtax under the circumstances as they occurred, it is not right if it does not see that the German manufacturer does not evade that surtax, by means of a third party, in bringing his goods into Great Britain and simply having them restamped and sent over here, getting a preferred and favoured entrance into this country. Now, I think that the duty of the government, if it is consistent on the surtax basis and on the preferential trade basis, is imperative in each case, namely, to see that this fraud is not successfully carried out.

Mr. FIELDING. That's right, I quite concur in that.

Mr. FOSTER. I do not think the government has taken quite as vigorous measures as they might have taken under the circumstances. This statement of Mr. Jackson is a very strong statement, he makes it evidently upon information. Take also the statement that these goods are shown on the counter in Canada, marked with the Sheffield marks.

Mr. FIELDING. That would not prove that they were brought in under the preferential tariff.

Mr. FOSTER. If you take that and the information which my hon. friend read with reference to the statement to Lloyd George, it appears that these articles are made in Germany, that they are brought over to England, that they are simply either repacked without any labour on them or that they are restamped and then are sent here as British goods and get the benefit of the preferential tariff. I think this information—and it is coming to us from all sides—points to the fact that a large proportion of these goods that get entrance into Canada under the British preference really inure nothing to the benefit of the British labourer or to the British manufacturer, and that means by a side road continental manufacturers are getting into this country under a preference which we intended exclusively to keep for Great Britain. I am glad to hear the minister say that he will take further measures—I hope the Minister of Customs will do the same—to see that that abuse is prevented so far as it can be done. These gentlemen, I believe, are to

join the cohort which to-day is in London, they will have every opportunity to talk this over with the various chambers of commerce, also with the British Board of Trade, and I think it would be well for them to give speical attention to it. You may depend upon it, that both in Great Britain and here the easiest and best way to undermine this whole preference is to allow it to be imposed upon to the disadvantage of Canada and of Great Britain and to the advantage of outside countries.

Mr. H. BOURASSA (Labelle). Mr. Speaker, with all due respect to the opinions expressed both by the hon. Minister of Finance (Mr. Fielding) and by the hon. member for North Toronto (Mr. Foster) it seems to me that they have failed to go to the bottom of the question. I am quite satisfied that the hon. Minister of Customs (Mr. Paterson) and his vigilant assistants, as they were described by the hon. Minister of Finance, will do, as they have done in the past, their best to prevent this kind of fraud. But, this kind of fraud is the natural result of the policy. A system of preferential tariffs has never been made use of by any other civilized or business country except for the purpose of obtaining reciprocal treatment. The moment you offer a low tariff to a free trade country which gives free access to the produce of all foreign countries, you make of that free trade country to which you offer preferential treatment a natural ground for the process against which you complain. They have no customs tariff in England, and I am far from condemning them for that. It is their business and probably their interest; and if I were in Great Britain I would be in favour of admitting raw material and food stuff free of duty. But that is none of our business. The fact is that the British market is opened freely to raw or manufactured produce from Germany, Belgium, France or any other foreign country. Under our policy of offering a low tariff to the British manufacturer, and enforcing a high tariff against other countries and a still higher tariff against German produce, it is unavoidable that the British middleman and the German manufacturer will take advantage of the opportunity to make use of the British market as a ground for placing goods on the Canadian market under the preferential tariff. Whatever may be the regulations adopted by the Minister of Customs and however vigilant may be the supervision exercised over imports, you will have that state of things as long as you give preferential treatment to Great Britain without Great Britain having protection against foreign produce.

Of course this would not be the occasion, and it may be too late in the session to discuss the question of the German surtax and of the preferential tariff, but there is a good deal in what the hon. member for East Lambton (Mr. Armstrong) has said and I do not think it is quite as contradictory as the Minister of Finance has tried to make it out to be. You adopted the preferential tariff for the purpose of giving British goods an advantage over foreign goods in entering the Canadian market. You adopted it without asking any compensation from the British people. Then, a little later on you got into a squabble with Germany and imposed your surtax upon that country. You must be consistent in your policy. If you want to strike Germany you must apply your surtax to German goods even if they are imported fraudulently with the assistance of your British friends to whom you have extended favours without any return If you still adhere to the policy of preferential treatment to Great Britain and ask no return from Great Britain in the form of similar treatment in your favour you are simply going to become the laughing stock of the commercial world. You are putting yourself in the position that you pretend to offer special treatment to one people who make use of the favour for the benefit of another people against whom you pretend to impose harsh treatment because of their policy directed against us. You are defeating your object in both ways. You offer to the British manufacturer a lower tariff than that which you apply to any foreign country, and on the other hand you pretend to have adopted a high tariff against one country in order to get better terms from that country, but by your policy you allow the German manufacturer to obtain the benefit of the tariff which you have adopted in favour of Great Britain. As long as we keep our preferential tariff on the present basis and we exercise no more business foresight in the framing of our tariff either towards Great Britain or Germany, as long as we avoid the observation of the natural law which governs the application of the principle of protection to which we pretend to adhere—and I am far from condemning the government on that ground, because I was a protectionist long before the hon. Minister of Finance was converted to it, but I am a consistent protectionist and I believe that we must protect ourselves, that we must not open our markets to the goods of a country against which you claim you are discriminating, because you cannot get fair treatment—so long will we defeat the object we profess to have in view. If we want to protect ourselves against Germany we must have the proper means, and we will not have the proper means so long as we apply preferential treatment to a country which has nothing to give us in return and which leaves her market open to the produce, especially of that one country against which we want to discriminate.

Mr. TALBOT. I would like to ask my hon. friend (Mr. Bourassa) if, having discovered the evil, he will point out the remedy ?

Mr. BOURASSA. Certainly ; abolish preferential treatment.

Mr. TALBOT. Are you in favour of it ?

Mr. FOWLER. Mr. Speaker——

Mr. BOURASSA. I was in favour of the preference as long as there was something to be expected from Great Britain, but now that it is outside of the question I am in favour of dealing with Great Britain as she deals with us.

Mr. G. W. FOWLER (King's, N.B.) Our irrepressible friend from Labelle (Mr. Bourassa) does not seem to know when to stop. I rose to speak, but the hon. gentleman rose to give a second edition of his speech. If the hon. Minister of Finance (Mr. Fielding) gave us his real opinion as to the position which my hon. friend from East Lambton (Mr. Armstrong) has taken in this matter, the Minister of Finance is not so clever as we have always thought him. If, on the other hand, he did not give us his real opinion then he should have been more honest in his statement to this House. What my hon. friend from East Lambton objected to was that the merchants and manufacturers of Germany were obtaining by surreptitious means the benefit of the preference which we gave to Great Britain, whereas, we in Canada received all the detriment from the fact that we gave this preference to Great Britain. That is the position of my hon. friend from East Lambton.

Mr FIELDING. And what is the remedy ?

Mr. R. L. BORDEN. One remedy is to enforce the law.

Mr. FOWLER. Mr. Speaker, I am willing to admit that the Minister of Finance does not know the remedy. I am quite sure he is ready to make confession of the fact that this government does not know the remedy, but the people of Canada have the remedy in their own hands. The people of Canada can put out this government at the next election and put in those who are willing and able to provide the remedy.

An hon. MEMBER. Who is it to be?

Mr. FOWLER. A back-bencher wants to know the remedy. He will see it when it is put in practical operation by a Conservative government led by my hon. friend from Carleton, Ont. (Mr. R. L. Borden.)

Mr. FIELDING. That is too long to wait.

Mr. FOWLER. It will not be so long to wait. There will not be many more gray hairs in the head of the hon Minister of Finance,

Mr. FIELDING. There is no room for any more.

Mr. FOWLER. I do not often come to the defence of the government, but I must take my hon. friend from East Lambton to task for basing an argument on a statement made by J. B. Jackson. The government know J. B. Jackson so well and his record is so well known to the government as being that of a man who not only gives evidence which is untrustworthy, but who is a procurer of that sort of evidence that they do not trust any statement made by him.

Mr. BERGERON. Still they pay him a salary.

PERSONAL EXPLANATION.

Mr. SAM. HUGHES (Victoria and Halton). Mr. Speaker, I presume the incident brought up by my hon. friend from East Lambton (Mr. Armstrong) is closed ?

Mr. FOSTER. For the time being.

Mr. SAM. HUGHES. For the time being, and I will do myself the honour of occupying the attention of the House for a very few minutes. On Thursday, April 11, the hon. member for L'Islet (Mr. Paquet) stated to the House, I shall endeavour to translate as I go on—that he wished to protest with the greatest energy in his own name, in the name of the county of L'Islet, which he had the honour to represent here, in the name of the French Sisters of Charity who had come from their native land to direct some educational institutions in the county of L'Islet and also in the name of the French clergymen from France who reside in Canada. He protests also in the name of his race and religion against the words pronounced by the member for Victoria and Haliburton (Mr. Sam. Hughes) during the discussion on a recent motion. Then he quotes from the 'Hansard' as follows :

Mr. W. ROCHE. What profession or employment did the French-speaking immigrants follow ?

Mr. A. LAVERGNE. I think most of them were farm labourers.

Mr. SAM. HUGHES. Were any of them expelled clergymen ?

Mr. A. LAVERGNE No, but I hope a great many of them will come to Canada ?

Mr. SAM. HUGHES. Clergymen who were driven out of France by order of the French government.

Mr. A. LAVERGNE. I hope we will get more of them because they are the very best class of immigrants we can have in this country.

Mr. SAM. HUGHES. A curse to the country.

He hoped that the hon. member for Victoria and Haliburton would disclaim or retract his words which conveyed an insult to his race and his religion.

I would be the last man in the world to offer any offence to my good friend from L'Islet (Mr. Paquet). I would be the last man in the world to offer any insult to the French race. I have the honour to belong to that race myself. I have the honour possibly to have just as good French blood flowing through my veins as any gentleman in this House, and when I have concluded I think it will be seen that I have not offered any insult to the French race. As to his religion I would be very sorry to offer a word of offence to any man's religion and I believe I have not done so. The complaint I believe is that I used the expression: 'A curse to the country.' Years ago Daniel Defoe, a very distinguished gentleman, used the expression in his 'Trueborn Englishman,' that :

> Of all the ills with which mankind is cursed,
> Ecclesiastical tyranny is the worst.

I think there is no need of discussing that point, it goes without dispute, and Sir, in using the term as I have done I used it in the same sense as Daniel Defoe in his 'Trueborn Englishman' long years ago. I am charged with having offered an insult to my hon. friend the member himself, Mr. Paquet. I must disclaim it; the county of L'Islet is also brought in. I do not know the good people of the county of L'Islet, but I do know a great many of my French Canadian countrymen in Quebec and in Ontario, and I have no hesitation in saying that I have yet to find one solitary French Canadian who does not agree to almost the fullest extent—they will not use the same words —but who does not agree in the sentiments I have expressed with the relation to the introduction of these gentlemen from the old country.

Mr. BOURASSA. You will know more by and by.

Mr. SAM. HUGHES. With the exiled French sisters I have nothing to do Sir, I had no reference to them direct or indirect; my words were, 'French clergymen.' So far as these gentlemen themselves are concerned, I would be very sorry to offend any gentleman coming to our shores as I shall explain later on.

With regard to the French race, I do not know how I can be charged with having offered any insult to the French race, when the French people themselves, as grand a race as ever graced the universe to-day in many respects the first in civilization, have by an enormous majority expelled these very men from their country for failing to observe the laws of the French nation. That is why these men have come from that country and therefore I do not see how I can have offended the French race by my remark.

As far as religion is concerned, I would be very sory to offend any man's religion; I had no reference to his religion directly or indirectly, and therefore I must disclaim any intention to offend his religion. The reason why these gentlemen have left France is plain, they chose to observe the laws of Rome rather than the laws of France. The French people, having risen to that high state of civilization, having risen to the fullest height in the development of responsible government, have seen fit to request these gentlemen either to observe the laws of the Republic of France or to leave the country. They have chosen to leave the country and have come, a great many of them, to the Dominion of Canada. Many of these men are to-day engaged in teaching and in preaching in the Dominion of Canada, and I have the best of evidence that in their teaching in this country they instill the idea that they hope at an early period in the history of this country and of their own country to return to France and once more occupy the position they formerly held. They do not teach the language of this country. That is no crime in itself because all languages, practically, are used in Canada; what is complained of is that these gentlemen, not knowing or understanding the principles of civilization and of government under which we live in the Dominion of Canada and which we have acquired from that mother of liberty the British nation, do not teach the principles of responsible government and loyalty to the nation under which we live. I might point out, Sir, that the French people themselves recognize that this institution was the greatest trust in the Republic of France. Five years ago there were 20,000 of these institutions in that country. The French government state that they paid no taxes whatever, but many of these institutions received subsidies from the state. By the action of these people themselves in refusing to obey the laws of the country which gave them protection, by declining to observe the laws, they brought on themselves the action of the French government and to-day not one of these institutions is free from taxation and those who did not obey the laws of France have been requested to leave the country. One writer in his discussion of the subject says :

> This trust lived on the people should be accountable to the people ; should never be allowed to develop into a system of repression and suppression, or become a danger to happiness, a menace to human rights.

Sir, it is the opinion of many people who are lovers of liberty the wide world over that the action of the French government has produced the greatest and quietest revolution that history records. A good deal has been said against the Galicians, the Doukhobors, the Salvation Army people and taunts have been thrown even at our British fellow countrymen who choose to come to our shores. I shall not enter into this matter further than to say that if these people are objectionable in any sense the ob-

jection is due to the fact that they have not had an opportunity of being brought up under free government such as the government of Britain and the government of France to-day. These autocratic governments some in church, and some in state, have produced the class of men who are referred to by speakers in this House as not being good settlers.

I maintain therefore that it is not any objection to these people that they may not ultimately become the very best of settlers. However, I will not enter into that aspect of the case. Personally, I stand on record many years before this as being in favour of French immigration. I am on record in the pages of 'Hansard' as pointing out that one of the most beautiful settlements in the Dominion of Canada is the little settlement of Bonne Madonne at Lake La Crosse, near the Birch Hills, where people not only from the country districts, but from the cities of France have come and made their homes. I pointed out that a watchmaker from Paris, who had not seen any country before he came here, has now one of the most beautiful farms in the Northwest. Another man, a bookkeeper, who married a milliner from one of the great establishments in Paris, established a home in the Northwest. More intelligent settlers we cannot find in the Dominion of Canada than those who have come from the republic of France. I have said before, and I say it again, that a great many people make the mistake of confusing the French people with the Roman religion, and my good friend's remarks have led me to point out this distinction once more. My objection to these men is, in the first place, that they have been expelled from their own country, and, in the second place, that they are teaching, not loyalty to this country and its institutions, but that it is their intention and hope soon to return to their native land, as soon as a change of government takes place in that country. Canada is on friendly terms with France, and I do not think that persons within our borders should encourage a spirit of hostility to the Republic of France or to any other friendly power. These men are not farmers, like the Galicians, the Doukhobors, and other foreign immigrants. The settlers from France bring with them their families ; the French Canadian people who are being repatriated from the United States bring back their families ; the Canadian people of British origin who have gone to the United States come back bringing their families with them. These people contribute to the wealth and upbuilding of the county, whereas the gentlemen to whom I have referred do not. Why, then, should we specially welcome as the most desirable class of immigrants these gentlemen who have been expelled from the Republic of France, and who, I am sorry to say, do not teach that loyalty to the country of their adoption which the Galicians teach, which our returned French Canadian fellow countrymen from the United States are teaching, which almost every other class of immigrant is teaching, that is, loyalty to Canada and the British empire, her laws and her institutions. With regard to the French people, I might point out that years ago I spoke to the Minister of the Interior about the class of French people we should bring to this country, for I believe no more desirable people than the people of old France can be found as immigrants to Canada. Those who have come and settled in our Northwest to my certain knowledge are doing well, and are a credit to the country. As for these gentlemen to whom I have referred being welcomed by the French Canadian people, I have had interviews with a number of French Canadians who have told me that they have clergy enough of their own, that these men are taking positions which should belong to their own clergy, and they do not relish the introduction of these men into the country. I have reasons to believe that not only the ordinary French Canadian clergy, but men high up in the church, do not relish this influx of clergymen from France into the Dominion of Canada. They have not been received with open arms either by the church or by the French Canadian people in this country. When I find the Galicians, who are a magnificent lot of settlers, and who in another generation will, I believe, be among the best of our citizens, insulted as being undesirable immigrants, and when I find the Doukhobors, who outside of their little fads in religion, are excellent settlers, insulted, and when I find that our own English speaking people from Great Britain are insulted on every hand, I do not see that it rests with any member of the House of Commons to criticise me for having objected to the introduction of these people to whom I have referred into the Dominion of Canada. It was simply in answer to the statement of an hon. gentleman that they would be a most desirable class of immigrants that I interjected the remark I did. Mr Speaker, I have no retraction to make and no apology to offer.

Mr. HENRI BOURASSA (Labelle). Mr. Speaker, I am sure that the Roman Catholic church and the French race will equally be touched with the expressions of friendship which the hon. member for Victoria and Haliburton (Mr. Sam. Hughes) has given utterance to. I was quite afraid, from the remark which the hon. gentleman made the other day, that he had struck a deadly blow to the Roman Catholic church and to the French race ; but fortunately it will be with us as it was with General DeVilliers when he was captured by the gallant colonel (Mr. Hughes), but found his escape the next day. If I had any reproach to make to my good friend the hon. member for L'Islet (Mr. Paquet), it was that he took any notice of the words of the hon. gentleman. I do not think it matters at all what the hon. member for Victoria and Haliburton thought or

thinks of any class of men, because I do not think he represents the ideals or sentiments of any class of responsible or respectable people in this country. Therefore, to my mind it would have been just as well to let the words of the hon. gentleman pass into the oblivion into which the hon. gentleman himself and his military as well as political deeds will go. But, as the hon. member thought fit to say that every French Canadan member of this House would agree with him, I think it falls to us to protest against his words, which will be printed, and may find their way into some responsible newspaper that might give some respectability to them.

I simply want to say that the ignorance which the hon. gentleman has shown, as regards both Canadian history, British history and French history, and the history of the world, cannot be allowed to pass as a sufficient excuse for the remarks of the hon. gentleman with regard to the attitude of the French clergy to the French government. This is a very big question, a question that has been debated for about two hundred and fifty years in France, by rulers and statesmen who could compare favourably perhaps both in military and civil matters with the hon. member for Victoria and Haliburton—men such as Louis XIV and Napoleon, as Thiers, and Guizot and others ; and the hon. gentleman might acquire some ideas from these men before passing judgment in five minutes on the question of church and state in France.

The present quarrel between the French clergy and the French government is not one which concerns this House, and I am not going to discuss it now. I would however be quite prepared to discuss it, but not with the hon. gentleman (Mr. Hughes). I would be prepared to discuss it with any man who has any knowledge of French history and the history of the Catholic Church, or any knowledge of the political history of other countries besides his own. And I think that something could be said in favour of the French clergy, looking at the question from a truly British and Canadian point of view.

There existed, some one hundred and fifteen years ago, a system of government in France which some may not consider as the exemplification of liberty and constitutional government, and on account of which a few hundred thousand citizens and Catholic clergymen lost their lives. Some of the religious who escaped went to Britain, and I fail to see in the records of the British government or Crown any evidence that they were considered a menace to British institutions. On the contrary, they were received with open arms, not by English Catholics alone, but by Protestants, and that at a time when there still existed in the British statutes laws of exclusion against British Catholics. They were welcomed as representatives of the highest form of civilization ; and they contributed in no small degree to the high point of culture in letters, in arts and education, which the best classes of the English people have reached to-day. They were even received with open arms in Russia, that country which is considered the most backward in regard to political liberty. They were received as a blessing to that country and contributed in no small degree in getting Russia out of the darkness of barbarism into the path of civilization.

But, confining ourselves to Canada, leaving aside the rest of the world,—concerning which the education of the hon. gentleman is too limited to allow him to know any thing of the facts—with regard to Canada, he should know something of the history of his own country. I would ask the hon. gentleman, when he is about to give expression to those professions of loyalty and attachment to the British Crown which he is so prone to make in this House,—I would ask him to whom we owe it if to-day there is a British flag to protect our political status and institutions and give us that freedom which even such men as the hon. member for Victoria and Haliburton (Mr. Sam. Hughes) enjoy ? Every man who knows anything about our history knows that we owe it to the devotion, patriotism and loyalty of those men whom the hon. gentleman describes as a curse to the country. At a time when the large majority of the people of this country were of French origin and Catholic, when a large majority of our clergy had been born and brought up in Old France—having come of their own free will, because there were then no laws of expulsion in France—it depended on those men that the Canadian people did not follow the American compatriots of the hon. gentleman (Mr. Hughes)—men of his race and religion—who revolted against the British Crown. Later on when a so-called constitutional government in France—a government according to the ideas and taste of the hon. gentleman (Mr. Hughes)—was expelling or slaughtering the most respected population of France, and when some of those described by that hon. gentleman as a curse to the country, went to Canada, what did they do ? Twenty years afterwards there was another war between Great Britain and the United States, and although we were then under a system of government such as we would have to-day if the British and Canadian parliaments were composed of men like the hon. gentleman (Mr. Sam. Hughes), although for some years we had suffered under that tyrannical and abominable oligarchy, yet, because we had given our oath of allegiance to the British Crown, we remained faithful to the British flag. Fortunately we know that the hon. gentleman does not represent the views of a respectable body of English speaking

people in Canada. It would indeed create a very bitter feeling in every lover of that church and those curses to our country if, after a hundred and fifty years of staunch loyalty and good work both in the field and in the domain of civil government, of constant effort in aiding to the best of our ability the building up of British institutions—if, when some of our flesh and blood came here from the other side of the ocean, expelled by men of the same mind as expelled those who came a hundred years ago, they were to be received on our shores in such a spirit as that which animates the hon. gentleman.

I would not have taken note of the hon. gentleman's words, knowing in what opinion he is held by the House, but the moment he went so far as to reiterate what he said about these venerable priests, I thought it my duty to take up briefly what he said. I wish to add further that the language of the hon. gentleman does not affect us in the least, because we know that as long as we enjoy British liberty and British institutions, the influence of such men as the hon. member for Victoria and Haliburton (Mr. Sam. Hughes) will always be extremely insignificant .

At one o'clock, House took recess.

House resumed at three o'clock.

Mr. R. L. BORDEN (Carleton). Mr. Speaker, my hon. friend from Labelle (Mr. Bourassa) has spoken very warmly in his comments upon the remarks which were made on a previous day and also to-day by my hon. friend from Victoria and Haliburton (Mr. Sam Hughes). Let me say that I think my hon. friend from Labelle put into the mouth of my hon. friend from Victoria and Haliburton some phrases which he not only did not use but expressly disclaimed in his speech. He expressly disclaimed any reflection upon matters of race and religion, testifying to his appreciation of the French race, and he accorded particularly to every man in this country the right to worship in his own way without comment or criticism from anybody.

So much for that. Let me say this with regard to the remarks of my hon. friend from Victoria and Haliburton. In the first place, I do not think it is desirable for us in this house to enter upon a discussion of what has recently taken place in France. The question of what laws would be best for the republic of France is a question entirely for the legislature and people of that country. We do not understand—most of us do not profess to understand—these matters with which the French people and their representatives have to deal. We have problems in our own country which deserve our full attention, and I think we shall do well to abstain from criticism or discussion of matters which are the sole concern of the French people.

So far as the reference of my hon. friend from Victoria and Haliburton to French priests coming to this country are concerned, I confess that I do not concur in his views or expressions in any way. So far as I have the right to speak for the party which I have the honour to lead in this House, I desire to dissent as emphatically as possible from the expression of any such view. My hon. friend from Victoria and Haliburton has referred to a certain well known remark of Daniel Dafoe as to ecclesiastical tyranny. Either that remark should not have the application which my hon. friend gave to it, or it should have a much wider application. Daniel Dafoe was dealing, not with the priesthood of France, but with ecclesiastical tyranny in general; and, if my hon. friend (Mr. Sam Hughes) proposed to apply that remark in that way, he should have said, it seems to me, that all clergymen are a curse to the country, and not alone those priests who come to Canada.

Mr. SAM HUGHES. Where they are tyrannical.

Mr. R. L. BORDEN. But my hon. friend did not qualify his remarks in that way. If the quotation is of any moment or effect, it would lead to the conclusion, which he did not see fit to give to it, that all clergymen are a curse to this country. I do not think that any of us would be inclined to go that far. So far as the French priesthood are concerned, even those who have but the imperfect acquaintance that I have with French literature, must recognize the fact that great writers in France, even those not in absolute sympathy with the Roman Catholic church, have represented as types of the French priesthood, some of the finest and noblest characters ever portrayed by the pen of man. Many will at once recall the instance of the bishop and the convict. The unfortunate convict was a man who had had the soul almost crushed out of him by nineteen years of penal servitude in the galleys for merely stealing a loaf of bread. We recollect the story of his coming to the bishop by whom he was entertained and comforted—how he came back at night, the author portraying him as pausing in the moonlight to consider whether or not he shall inflict a mortal wound upon the bishop who has befriended him that day—how he comes back the next day in charge of the gens d'armes with the bishop's plate which he has stolen—and how the bishop, in answer to the gens d'armes' question, and turning to the convict says : 'My friend, I gave you the candlesticks also, and you have forgotten them, ' and these also he gives to the convict. Then, when the gens d'armes are dismissed, the good bishop says to the convict, 'My brother, you no longer belong to evil, but to good. I have bought your soul of

you. I withdraw it from black thoughts and the spirit of perdition, and give it to God.' That is only one of many characters portrayed by men, who, as I have said were not in absolute sympathy with that church. And I am bound to say that a priesthood which could give to the world types of that character—which are not unreal, although the one to which I have referred lives only in an imaginative work—is not to be characterized in the way in which my hon. friend from Victoria and Haliburton has seen fit to characterize the French priests who are said to be coming to this country.

So far as I am concerned, I venture to think that I have as great an acquaintance with these gentlemen as has my hon. friend from Victoria and Haliburton. For some twelve years in the city of Halifax, I passed, every day of my life, a community of French priests. They were brought there under the ecclesiastical authority of the late Archbishop O'Brien, of Halifax, than whom a finer, a nobler, a more loyal character never existed in Canada. I have had the advantage of knowing some of these gentlemen. They led holy lives and were engaged in good works—there is no doubt about that; I have seen some of their work; I have known persons who have attended their religious services. They were doing good work in the city of Halifax, and, more than that, they had many pupils—for they were not only a religious but an educational body—including some young men of the very highest character and from some of the very best families in France. To say of men of this type that they are a curse to this country seems to me unwarrantable; and I am sure that my hon. friend (Mr. Sam Hughes) said this only in a moment of warmth and that he will be the first one to withdraw this expression as soon as he realizes the absolute injustice of it.

I have ventured to say this because I think the circumstances justify it. I do not think there is any hon. gentleman on this side of the House who would be prepared to concur in the somewhat hasty remarks which escaped from my hon. friend from Victoria and Haliburton on this occasion.

So much for that subject. We have matters in Canada which very fully demand our attention, and I would like to direct the attention of the House to a matter which I intend to bring before the attention of the House, to-day—and that is the question of the disregard by the government of a resolution of this House passed——

Mr. SAM HUGHES. Before my leader (Mr. R. L. Borden) goes on with his remarks, may I ask, Mr. Speaker, if I have the opportunity to reply to the statements made by the hon. member from Labelle (Mr. Bourassa) and any other statements made on the same question here to-day?

Mr. R. L. BORDEN.

Mr. TALBOT. We will give you a chance. This discussion has not nearly come to an end.

Mr. SPEAKER. Since the hon. gentleman (Mr. Sam. Hughes) asks as to his right to reply, I may say that the motion before the House is one that I do now leave the chair, and, as the hon. gentleman has spoken on that motion, he has no right to speak again.

Mr. FIELDING. Wherever a matter of personal explanation——

Mr. SAM HUGHES. No personal explanation whatever.

Mr. FIELDING—comes in, the House is always indulgent. And, I may say one or two others have already spoken on this motion to-day. I do not wish to encourage debate, yet I do not wish the hon. gentleman (Mr. Sam Hughes) to feel that he has been shut out.

Mr. R. L. BORDEN. I do not want to withdraw the incident from the attention of the House, I wish merely to go on with the motion of which I have given notice to my hon. friend the Minister of Finance, without the slightest idea that the previous incident would thereby be shut off. But I am entirely in the judgment of the House; if it is thought desirable to pursue this incident, I will give way. But speaking for myself, and I think the majority of the House, I would be inclined to believe it undesirable that the incident should be pursued any further. However, as I have said, I am in the judgment of the House in that regard, and I do not desire to take a position which might be regarded as unfair to any hon. gentleman who desires to express himself.

If then I am permitted to proceed, I was about directing your attention to a resolution passed by this House and accepted by the government on the 17th of July, 1905, and which is as follows:

> That whilst it is desirable that every official in the employ of the government of Canada should enjoy perfect freedom of political opinion and the untrammelled exercise of his franchise in accord therewith, no official should be engaged or permitted to engage in partisan work of any description in the election of a representative to the provincial or Dominion legislatures.

Now, since that resolution was passed illustrations of its violation have been brought to the attention of the government and of parliament. I brought one at the commencement of this session, in fact, I brought more than one. I brought to the attention of the government at that time the fact that a man by the name of Zaccheus Hall, postmaster at Hampton, N.S., had been fined by a judge of the Supreme Court

for having violated the law of the province of Nova Scotia with respect to bribery in having bribed some electors of that province in a provincial election held two years ago.

Mr. O. E. TALBOT (Bellechasse)). Will the leader of the opposition allow me to make one remark? Supposing he follows up his remarks now by a motion, are we to understand that the remarks made by the member for Victoria and Haliburton (Mr. Sam. Hughes) will in consequence be dropped ?

Mr. SPEAKER. When an amendment to a motion to go into supply has been moved the discussion will have to be confined to that until it is disposed of. After it has been disposed of, I see no objection to a further discussion on the same motion to go into supply.

Hon. W. S. FIELDING (Minister of Finance). With the leader of the opposition, if this matter can be closed at once. I shall not regret it, but if it is to be reviewed, might it not be better that we should dispose of it now? I would rather have it over now than have a second instalment of it.

Mr. R. L. BORDEN. Whatever my hon. friend the Minister of Finance thinks best will be done—I do not want to stand in the way of any discussion, although I would be glad if such incidents should not be very much discussed in this House. But if the Minister of Finance desires me to give way in order that the previous discussion might be resumed, I am willing to do so, reserving my right to speak later on.

Mr. FIELDING. If by bringing on another matter this would be regarded as terminated, I would not regret it very much. I know that some hon. gentlemen have expressed a desire to speak, and if it has to be done it seems to me that we might as well have it over now as to take it up at a later stage.

Hon. RODOLPHE LEMIEUX (Postmaster General). I desire to take the opportunity given by the leader of the opposition to discuss the question raised this morning by the member for Victoria and Haliburton (Mr. Sam. Hughes) and to register in the strongest possible terms my protest against the language which he used this morning and the other day. The hon. gentleman, by his language this morning and by his ill-advised remarks the other day, has shown his ignorance of the history of this country and even the history of his own mother country, England. The Catholic clergy, and I may say the Catholic faith, to use the language of a great Protestant statesman, has always been a school of respect, a school of true loyalty and a school of true patriotism for every Canadian, whethere he be French or English. Let me remind you, Mr. Speaker, that in the early days after the conquest, many and many offers were made to the French Canadians by Americans, and even by members of the Amercian clergy belonging to the Catholic faith, to join forces with Lafayette, Rochambault and Washington. The Sulpician who on that historic occasion, refused on behalf of the French Canadian population, was a clergyman who had come from France to educate with his confreres the French Canadians. Now, my hon. friend speaks of British liberty and British civilization. May I remind him that those French clergymen when they leave France for foreign countries, go also to England and other British possessions. I have seen myself on the island of Jersey establishments of the Jesuit order and of the Oblat order. The reverend fathers were teaching not only the Catholic children but even the Protestant children. The same thing in England. And, Sir, the great monuments of England, Westminster Abbey or others, are the work of these monks, of the French clergymen, in days gone by. Again, Sir, I wish to register in your presence and before the country my formal and strong protest against the language used by the hon. gentleman, and I hope that on sober second thought he will withdraw it.

Mr. TALBOT. I must congratulate the hon. leader of the opposition on the very nice remarks he has made in expressing his dissent from the opinion of the hon. member for Victoria and Haliburton. However, in the course of his remarks I understood him saying—I speak under correction —that the member for Labelle (Mr. Bourassa) had put into the mouth of the member for Victoria and Haliburton words that he had not used. Now, I am going to put into the mouth of the member for Victoria and Haliburton words he has used, but which are not reported in the 'Hansard,' words which he used within the hearing of several members of this House when the hon. member for Montmagny (Mr. Armand Lavergne) was speaking of the advantages of French immigration into this country, and the hon. gentleman questioned him about the advantages of the French clergy coming to this country.

Hon. GEORGE E. FOSTER (North Toronto). Might I rise to a point of order ? I do not do so because I wish to stop the hon. gentleman from speaking, but if we are going to review the discussions of this House that do appear on the 'Hansard' as of record, it will give us quite enough I think to do and quite enough to think of. But if we are going to go beyond that and review what members say in the corridors and what they say in the House in asides, one or the other, it opens up a field, it seems to me, which is not only a field of reprisals, but will result in scenes

which will be degrading to the House and unprofitable to a degree. I would ask you whether it is within the proper bounds of debate that what you might call private conversation shall be imported into the 'Hansard?'

Mr. FIELDING. Does my hon. friend (Mr. Foster) think that is a point of order?

Mr. FOSTER. That is a general and wise condition which I think should prevail.

Mr. FIELDING. I would regret anything approaching a discussion; at the same time I do not think it is a ground for raising a point of order. I would prefer that we should confine the discussion to the point before the Chair. I think that the question which my hon. friend has raised is a matter of judgment.

Mr. SPEAKER. I would hardly take it as a point of order. It would be very difficult to pass upon such a point as that.

Mr. TALBOT. I would certainly refrain from saying anything if the remarks of the hon. member for North Toronto (Mr. Foster) should apply to what I am going to say. It is not anything that has been circulated in the corridors; it is something that was said right in the House at the time by the hon. member for Victoria and Haliburton, and within the hearing of several hon. members. It may be that 'Hansard' failed to hear it, but notwithstanding that, it was heard by several members. Following his remarks with regard to the importation of clerical institutions into this country he said that they are only good for breeding purposes. Whether he applied that to the clergy or to the French Canadian race I do not know, but from the remarks that the hon. member made this morning, I consider that he did apply that remark to these people. He went further and made another remark which I will not repeat because it was not within my hearing but it was within the hearing of some hon. members of this House and one of these hon. members told me that if this remark had been made to him as it was made within the hearing of the hon. member for Beauharnois he would have slapped his mouth. I was one of those who shared the opinion of the hon. member for Labelle. I would have treated the hon. member for Victoria and Haliburton in this particular instance as I have treated him under other circumstances and as several other members have treated him and that is with contempt. Had it not been for that fact that we have the hon. member for Beauharnois going through the length and breadth of the province of Quebec claiming for himself and his party that they have the right to defend the clergy and asserting that the Liberal party is doing its best to destroy the French nationality and the Catholic religion. I should not at this time have troubled the House by referring to the remarks of the hon. member for Victoria and Haliburton. But, there is the hon. member for Beauharnois sitting right alongside of the hon. member for Victoria and Haliburton. He should know more about the remarks that the hon. member for Victoria and Haliburton has made than we do here. He must have heard what they were as he was sitting right alongside of him. In the course of his remarks the hon. member for Victoria and Haliburton spoke about the French blood that coursed through his veins and about his loyalty.

Mr. SAM. HUGHES. May I be permitted to interrupt the hon. gentleman (Mr. Talbot)? I was called to the telephone. I understand that the hon. member has made a certain remark here. I am informed of what he says I said. It was the exact opposite of the remark of the hon. gentleman, as stated.

Some hon. MEMBERS. Oh, no.

Mr. TALBOT. Do I understand the hon. member for Victoria to say that he withdraws it, that he did not say that?

Mr. SAM. HUGHES. The words which have been stated by you? Yes, I said the opposite to that.

Mr. TALBOT. Well, there are several members of this House unfortunately who heard the words of the hon. gentleman, they were sitting right alongside of him and they knew exactly what he said, and there are a great many people who will believe that what I say is correct. The hon. gentleman says that what I say is not correct. Very well; let it go. The hon. member spoke of his loyalty in the course of his remarks to-day, but it is not very long ago when he said that rather than see Canada independent not only would he vote for annexation, but he would fight for annexation. If the prophecy of the hon. member for King's, N.B. (Mr. Fowler) is realized that before long the Conservative party will be in power we must infer that the hon. member for Victoria and Haliburton will be the Minister of Militia. What will happen to Canada when we see a member sitting in the House of Commons who is prepared to fight for annexation rather than see Canada independent? Is that the kind of loyalty that we are to entertain in this House? Is that the meaning which the young men of this country are to attach to the word 'loyalty'? If this country were to have any trouble with the United States would the hon. gentleman as Minister of Militia wish to arm them with the Ross rifle because he was in favour of annexation? Would the hon. gentleman, because he favours annexation, desire that this country should get the worst of it if any invasion from the other side should take place? I am very glad to know from the remarks which have been made by hon. gentlemen on the other side of the House that the hon. member for Victoria and Halibur-

ton stands almost alone in the Conservative party. I am well pleased to hear that. I am speaking of different remarks that have been made not in the last few days, but in the last few weeks. I would be very sorry to believe, not only in the interest of the Conservative party, but for the good of Canada, that there were more of the type of the hon. member in that party.

Mr. J. G. H. BERGERON (Beauharnois). Mr. Speaker, I did not intend to take any share in this discussion. I think that the less we speak of these questions in this House the better it is. But since the hon. member for Bellechasse (Mr. Talbot) has brought my name into it I am obliged to say a word or two. I did read the other day in one of the papers published in Montreal, 'Le Canada,' a statement in which I was accused of not having killed immediately the hon. member for Victoria and Haliburton (Mr. Hughes). I do not think it was my duty to do so. I do not think I am standing here as a policeman. The day afterwards I took up what had been said by the hon. member for Victoria and Haliburton, as we can see it to-day in 'Hansard,' and which has given rise to the discussion which we have had to-day. I have heard what the hon. member for Victoria and Haliburton has said. I said in a private way to him what I had to say. It was as much as I could say and I knew that it was the best way to do it. I had no doubt in my mind, I have none to-day, that the hon. member never intended to insult either my race or my religion. It may be that his words were strong. They are admitted to be so by my hon. friend the leader of the opposition (Mr. R. L. Borden) and by those who have spoken, but I repeat that I have no doubt in my mind that he did not intend to insult either the Catholic religion, the Catholic priests or the French Canadians. The hon. member for Bellechasse has said that the hon. member for Victoria and Haliburton has used words which were worse even than those reported in 'Hansard' and he calls me as a witness. That is very unfortunate for him. If he had called any one else he might have succeeded, because all I have to say is that what he says has been repeated to him is not true. The hon. gentleman says that he did not hear with his own ears what the hon. member for Victoria and Haliburton said, but that he was told; I repeat, it is not true. As to the remark of the hon. gentleman behind me, I heard that, but I do not believe that there is much in it, there is certainly not so much in it as has been inferred by some hon. members opposite and by some newspapers. The hon. member for Bellechasse (Mr. Talbot) thought he would have a fling at me. That is quite customary on his part and he is welcome to do it. He says that we go into the province of Quebec talking on religion, preaching against Liberals as not being good and just people. What we have said in Quebec since 1896, as far as religion is concerned, is that we had done everything we could to secure justice to the minority in Manitoba and had not succeeded. We have repeated what the hon. gentlemen opposite have said, that they had beaten the Catholic clergy of Quebec in 1896. We do not go further than that. My view of religion is that I believe more in acts than in words; I prefer those who properly perform their duty to those who brag about it.

If this incident, these unfortunate words of my hon. friend here (Mr. Sam. Hughes) had had but one result, that is that we should hear the expressions used this afternoon by the hon. the leader of the opposition (Mr. R. L. Borden), it would be a bad cause producing a good result. I hope that this discussion will not be kept up too long. I might have immediately jumped to my feet and abused hon. members right and left, but what would be the use of doing so? We have to take one another here as we are. If an unfortunate expression falls from the lips of an hon. member then, if he has courage enough, as in the case of the hon. member for Victoria (Mr. Sam. Hughes) to-day, to explain the words he used, we must give him credit for acting in good faith. I am not standing here as a policeman to jump on this one or that one who may say things that I do not approve of.

Mr. CHARLES DEVLIN (Nicolet). Mr. Speaker, I agree with the statement which has just fallen from the lips of my hon. friend from Beauharnois (Mr. Bergeron), that in a country such as ours we cannot possibly hope to get along unless we mutually respect our convictions; we must have peace, and I think the only way to secure peace is that one class should respect the religious convictions of another. Nobody on this side nor, I think, 'Le Canada,' which was quoted by my hon. friend from Beauharnois (Mr. Bergeron) asked him to kill his hon. friend beside him (Mr. Sam. Hughes), but everybody expected that as he was seated right beside him, and no doubt heard the expression which fell from his lips but did not reach all parts of the House, he, a champion in the province of Quebec of the church to which he and I both belong, would have protested against that language.

Mr. SAM. HUGHES. I may say that the hon. member did so at once, reasoned with me.

Mr. CHARLES DEVLIN. I am so sorry that the power of reason has had no effect upon the hon. member. Judging from what has fallen from him to-day the fact remains that he has uttered an unfortunate expression and that he has not withdrawn that expression. After all he has been told from more than one quarter of

the House, that the expression was very hurtful to the feelings of a large proportion of the people of this country, and if he cannot share our religious sentiments, at all events, as a member of this House and as a Canadian, he should respect our feelings and our convictions. That is all we ask him to do, but instead of that he stands by it, and says that the immigration of French priests is a curse to this country.

Mr. SAM. HUGHES. In response to the statement that they were the best possible immigrants that ever came to this country.

Mr. CHARLES DEVLIN. My hon. friend intimated that the French priests constituted a curse to this country. Has he read the history of this country?

Mr. BOURASSA. No.

Mr. CHARLES DEVLIN. Does he know the great and glorious deeds performed in the early part of the history of Canada by French priests? Does he know what they have suffered, what they have endured in order to carry on their mission? Does he know that they have faced every danger and have suffered death in martyrdom, in a worse form perhaps than martyrdom had ever before been inflicted? Has he read the history of Canada? If he has read the history of Canada, he must know that these glorious deeds were accomplished by priests who came out here, not for worldly gain, but in order to fulfil the duties of their sacred calling. With respect to the priests of France, I may say something; I am better posted with respect to them than the hon. gentleman, because I have lived in France for two years, and I know exactly what they are doing there. I know precisely why they are to-day falling under the law; I know their daily work and their deeds, which are making them revered, if not by all the French nation, at all events, by the Catholic portion of France. I have seen them in their colleges teaching the youth, and I have known even those who have fallen away from the Catholic Church without entering any other church to send their children to be educated by those French priests, of whom the hon. member (Mr. Sam. Hughes) thinks and speaks so fiercely in this House. Has he read the history of France? Does he know the great deeds performed by the priests of France? Does he know that in every country, in literature as well as in art and in theological science, no greater lights have ever appeared in the world than the same priests of France whom he is decrying. Sir, there is not a Catholic in this country, there is not a Catholic in any province in Canada who will not feel severely hurt by these words which have fallen from the lips of the hon. gentleman, which he has refused to take back, which he stands by in this House, and we know the reason why. He hopes that in his county these words may secure for him a few additional votes at the next election—he is appealing to the very worst possible form of prejudice and passion.

Mr. SAM. HUGHES. Mr. Speaker, I rise to a point of order; the hon. gentleman is impugning my motives. I am entitled to the same credit as he is—I have never skipped from any country.

Mr. SPEAKER. I think the hon. member is going a little far when he suggests an improper reason on the part of the hon. gentleman (Mr. Sam. Hughes).

Mr. CHARLES DEVLIN. I respect your ruling and decision, that it is not a motive that prompts the hon. gentleman, that it is an absolute conviction on his part. Then he ought to get out of Canada, or he ought to get all the Catholic population out of Canada, since that is his conviction.

I rose to protest against this language as a Canadian, as a representative of a French Canadian and Catholic county, and even if I were not a Catholic, even if I were a Protestant, I would protest, and I would protest as a Catholic against any insults that should be offered to the Protestant ministers of this country with just as much warmth as I do against the insult hurled against us. I protest furthermore as an Irishman against this insult. Remember that when our forefathers were denied those advantages which happily we have to-day, they had to go to France to get their education, and they came back thoroughly trained—those French priests knew how to educate.

In my humble capacity, therefore, as the representative of a French county, and actuated by the sentiments which should fill the heart of every Canadian, I protest against such outrageous language as that which fell from the hon. member (Mr. Sam. Hughes).

Mr. WILLIAM ROCHE (Halifax). Mr. Speaker, a few innocent remarks from me were perhaps the cause of the present outbreak. The hon. member for Montmagny (Mr. Lavergne) in the course of his speech, gave the number of Frenchmen who have come to Canada. As I intended to make some remarks afterwards on the subject of the comparative value of the occupations of immigrants, I asked him what was the occupation of those people. I had heard that some priests were coming to Canada, but they were not in my mind at the time. What I wanted to elicit was the number of agricultural labourers who had come. The hon. member for Jacques Cartier (Mr. Monk), who spoke afterwards, alluded to some Belgian farmers or horticulturists who

had been inported and my reason for asking the question I did was that I had heard that the French agriculturists who had come to Canada were not numerous. That idea was expanded afterwards by the hon. Postmaster General, who gave as a reason for it that the farmers of France are the most industrious, frugal and comparatively rich of the farming populations of Europe. I intended to argue, if an opportunity had been given me, and I several times rose for that purpose, that at the present time agricultural labourers and small farmers were the most desirable class of immigrants, and that people from cities—Paris, London or any other great city—are not so valuable at the present time. In this connection I wish to bear testimony once more to my old friends the Galicians. Some years ago I defended them because I had an intimate knowledge of them, when they had not so many friends on the other side of the House or on this side as they have to-day. I venture to affirm, from my knowledge of the Galicians, and from the fact that they are all farmers, men, women and children all working in the fields from morning till night, and a most industrious and frugal people, that relatively to any other class in Canada, they will make the most progress during the next five or ten years. With regard to French history, to which my hon. friend from Labelle alluded this morning, a great European statesman once said that he prided himself on what he had forgotten ; and we in Canada can very well afford to forget certain pages in the history of France during the reigns of Louis XIII, Louis XIV, Louis XV and even Louis XVIII. Let us lay aside European history, and have a little less regard for religious controversies. The Doukhobors have frequently been classed with the Galicians. They are not of the same tribe or race nor have they the same religion. I have never heard that there was too much religion in the Northwest. Doukhobors have been reproached, I believe, on the ground that they have too much religion. Perhaps we might import some of those pantheists from Paris, or even a few atheists, and let them mingle with the Doukhobors and make a compromise religion for the Northwest. But certainly the Northwest is wide enough, with land enough and opportunities enough for all kinds of religions and morals. We can assimilate them all and make good Canadians of them, and the best patriot is the man who recognizes these differences of race and religion and allows them all to be tolerated without reproach to any of them.

Mr. SAM. HUGHES. Mr. Speaker, I am somewhat sorry that the hon. member for Labelle (Mr. Bourassa) has thought so keenly of my reference to him as fit to be the Prime Minister's carpet bagger, as to have poured out his spleen on me in such a bitter and uncalled for manner. I want to tell the hon. gentleman that I do not ask him for any commendation before the people of this country. I am neither a braggart in the forum nor a coward in the field. The hon. gentleman has talked of history. You will search in vain in the volumns of his speech for one word dealing with historical facts. I was not going into history this morning. Had I done so, I could have pointed out, as he did, that a number of Frenchmen left France at a certain time—why ? Because they refused to obey the laws of free France : and these men went back and fought against their own fellow countrymen. Not a very creditable record to cite in support of the principles which the hon. gentleman was upholding. I could also have pointed out that before that time a number of men who had fought for civil government in France were driven from France and went to Holland, and some to England, some to South Africa, some to Georgia and Florida, some to Acadia, and some to Canada, and these men, wherever they went, left behind them monuments that are a credit to the free men of France. I have taken the liberty before to-day of discussing the question of the credit to which Frenchmen are entitled. When the Hon. Mr. Tarte edited ' Le Canadien,' and undertook to discipline me in regard to my attitude to the schools of the Northwest, I wrote letters to that paper reviewing French history and upholding the French Canadians and the French Canadian clergy for what they had done for this country I have a record in this matter. If my words were not clear this morning in regard to ecclesiastical tyranny, my record shows that I have carried out exactly the principle expressed in Daniel Defoe's couplet. I am on record both in the House and out of the House against ecclesiastical tyranny, whether from the church of which I have the honour to be an adherent, whether from the Anglican, the Presbyterian or the Roman church. I am on record as against ecclesiastical tyranny from each and every one of these churches, and if my words this morning were not clearly understood, the misfortune is mine. It is really delightful to see such a staunch pillar of religion, of liberty, of the churches, of everything that goes to make a noble and true manhood as my hon. friend from Nicolet, (Mr. C. R. Devlin)——

An hon. MEMBER. From Galway.

Mr. SAM. HUGHES No, he ran away from Galway. They would not have him there any more.

Mr. C. R. DEVLIN. Mr. Speaker, I will not let this go on. That is a falsehood.

Some hon. MEMBERS. Order.

Mr. SPEAKER. The hon. member is not in order in making that remark.

Mr. C. R. DEVLIN. Well, I will bow to parliamentary usage and say that it is inaccurate.

Mr. SAM. HUGHES. The hon. gentleman is very much maligned even among his own friends; but that may very well be. I shall not enter into the reasons why he left Galway.

Mr. C. R. DEVLIN. Wherever I wanted a seat, I got one, and where I wanted it.

Mr. SAM. HUGHES. That shows the hon. gentleman's pull. But when an hon. gentleman deeply imbued with the spirit of religion such as the hon. gentleman from Labelle (Mr. Bourassa), when such a saint—I beg pardon, I should not use such terms—and the hon. member for Bellechasse (Mr. Talbot) or the honourable members from Nicolet (Mr. Devlin) stand up and seek to make a point against my good friend and colleague (Mr. Bergeron) who let me say, in a christian, temperate and charitable spirit reproved me for the language I let slip on that occassion, and showed me the spirit in which mountebanks on the other side would make use of it—I am satisfied the House will see their sorry little game. But since the hon. member for Montmagny (Mr. Lavergne) has stated that these people are the best class we could get here, let me say that we do not admit immigrants from Austria who were expelled by the Austrian government. Nor do we admit immigrants from Germany who were expelled by the German government. Nor even do we admit immigrants who were expelled from England by the authority of the government. And in that sense I say—and say it advisedly—that I have nothing to retract. Men who cannot see their way clear to obey the laws of a free country, such as France is—a country which in many respects is at the head of civilization—cannot to my mind, unless there is some very good reason to the contrary, be expected to be very good citizens of a country such as Canada which is not so free as France is. My hon friend the leader of the opposition (Mr. R. L. Borden) has referred to the clergy in the past. But I am not talking of individual clergymen. I have not looked on any of these men as not good subjects in their individual capacity. I know, I am glad to say, many of the French clergy, and they are splendid fellows individually It is not to the individual I am referring but to these gentlemen who, in their corporate capacity, will not obey the laws of a free country like France. I know that I made use of an expression which, I am sorry to say, was taken up wrongly. I know that the politician is always ready to take what little advantage against me he may. But let me tell my friend—I will term him my friend even if he refuses the appellation as applied to me—that I have in the past borne certain matters alone in this House. I stood in this House alone when my leader, Sir Charles Tupper, told me that my proposition that Canadians should take part in any imperial war was absurd and could never be carried out. And when the leader of this government (Sir Wilfrid Laurier), told me, on the eve of the South African war, that I was altogether too presumptious—I forgot exactly what the term was which he used—and that Canada would not send a man nor a gun to South Africa, and that not a Canadian would go, I stood alone. I stand to-day to tell the hon. member for Labelle (Mr Bourassa) that Canadians did go to South Africa and from every other colony, in spite of the cold water thrown on the project by the leader of the government and previously by the then leader of the opposition. The hon. member for Labelle (Mr. Bourassa) has said that I would go down to oblivion. Well, we shall all go down to oblivion. The only thing that can possibly save the hon. gentleman from that fate will be the fact of his having figured in the public life of Canada as a sort of freak in every respect. We will all go down to oblivion, and perhaps quicker than we expect. I would point out to the hon. member for Labelle (Mr. Bourassa) that in our statutes there are certain principles which I have been instrumental at all events in carrying out. I could point to an article in the 'Citizen' this morning, taken from the New York 'Herald,' in which it is pointed out that the main issue in the imperial conference will be a plan for the closer bringing together of Great Britain and her colonies, and that plan is the identical one proposed by me years ago. At that time I could scarcely get a supporter, but now I am proud to say that the brightest minds in the empire bear me out in that contention. I want to say in conclusion that in vain will my remarks to be misconstrued, not one word have I uttered against my French Canadian fellow countrymen. I stand on record possibly as no man in the Dominion does in that regard When the hon, member for Labelle (Mr. Bourassa) was creating political capital throughout the length and breadth of the province of Quebec against closer connection and loyalty to Britain at the time of the South African war, when he would stand, as I am told, in front of the bulletin board and cheer any bad news to the British——

Mr. BOURASSA. This is another of the numerous inaccurate statements to which the hon. gentleman has given utterance. I never did anything of the kind.

Mr. SAM. HUGHES. At all events we had speeches from the hon gentleman strongly opposed to the Boer war.

Mr. BOURASSA. And I stand by them.

Mr. SAM. HUGHES. And entirely in favour of the Boer side of the question. When the hon. gentleman was taking that line on that occasion, I was doing work in another field. I have not uttered one word against any individual but have stood for

the French Canadians on every occasion. At the time of the Northwest Rebellion, when some gentlemen in Toronto undertook to belittle the 65th Regiment, I had the honour of taking up the cudgels on its behalf, and I received a letter from Colonel Dugas thanking me from the bottom of his heart for the stand I had taken in defending my French Canadian fellow countrymen on that occasion. I have never at any time made race and religion a part of my political baggage. In no platform of mine have I ever referred to the race agitation carried on by 'La Patrie' and it editor, Mr. Tarte, and by the colleagues of Mr. Tarte in the cabinet. I fought these issues and want to make a little prophecy. Whoever lives ten years from to-day will see that there will not be as much kowtowing on all these matters as there is to-day throughout the length and breadth of the Dominion.

Mr. BOURASSA. As a personal explanation I wish to say that instead of the right Hon. Joseph Chamberlain and Lord Milner having been the cause of the South African war and responsible for it, as I have stated, I am glad to be able to withdraw that statement because we now all know that it is the Hon. Sam. Hughes who is responsible for the whole war.

Hon. W. S. FIELDING (Minister of Finance). The words used by the hon. member for Victoria and Haliburton (Mr Hughes) did not reach me at the time they were spoken and probably the majority of members did not catch them I regret that when the hon. gentleman's attention was drawn to them, he was not able to simplify and shorten the debate by expressing his regret at having uttered them. At all events he has had evidence from both sides of the House that the general opinion is that they should not have been spoken as they were calculated to give offence. The hon. gentleman says he was misunderstood, but whether understood or misunderstood, the words were likely to give offence to a large portion of the community. Now, we have had a full and perhaps a longer discussion than any one anticipated, and I wish to offer the suggestion that the incident be regarded as closed and that we resume discussion on Supply.

GOVERNMENT OFFICIALS AND ELECTIONS.

Mr. R. L. BORDEN (Carleton.) Mr. Speaker, when I gave way for the purpose of allowing the discussion on the matter which has been disposed of, I was directing the attention of the House to a resolution moved by my hon. friend from Qu'Appelle (Mr. Lake) and accepted by the government on the 17th of July, 1905. That resolution was as follows :

That whilst it is desirable that every official in the employ of the government of Canada should enjoy perfect freedom of political opinion and the untrammelled exercise of his franchise in accord therewith, no official should be engaged or be permitted to engage in partisan work of any description in the election of a representative to a provincial or Dominion legislature.

I desire to point out that, from the date of that resolution up to the present time, there have been various illustrations of its violation brought to the attention of the government. I do not propose to speak at length, and therefore I shall not go over all these this afternoon. Let. me however, refer to the case of Mr. Zacheus Hall, postmaster at Hampton, in the county of Annapolis, N.S. As far back as November 6th, 1906, Mr. Hall was found guilty of having attempted to bribe two persons in the county of Annapolis during the provincial elections of about a year ago.

Hon. WILLIAM PATERSON (Minister of Customs), I do not wish to interrupt the order of the hon. gentleman's (Mr. R. L. Borden's) remarks, but will it be convenient for him to announce now the resolution which he intends to move ?

Mr. R. L. BORDEN. I have much pleasure in sending to my hon. friend (Mr. Paterson) across the floor of the House a copy of the resolution which I propose to move. This Mr. Hall, the postmaster at Hampton, was found guilty by Mr. Justice Townshend, a judge of the Supreme Court of Nova Scotia, of having bribed two persons in the elections of that province. These persons were John Taylor and Daly Saulnier. There is no doubt of his having offered these men money ; there is no doubt of the attempt to bribe ; there is no doubt whatever that these men were asked to vote, in consideration of the bribe, for the Liberal candidate in that county. The only defence on the trial was that these men had not been proved to be electors. That would be a good defence so far as the right to recover the penalty is concerned. But it would not make the action of the official any the less a partisan interference with the election. The learned judge found that there was no evidence that one of these men, Saulnier, was an elector ; but he found that there was sufficient evidence that the man Taylor was an elector. His words were as follows :

As to Mr. Taylor the facts are somewhat different. He swore that he did vote, and among the circumstances attending his voting he admitted on the witness stand that he was required to take the oath generally known as the bribery oath. The question is whether this is sufficient proof of his being a male person entitled to vote at the election. With some hesitation I think it is, as unless his name was duly entered on the voting list, the returning officer could not have received his vote at all. The fact that this vote was received is in my mind sufficient to establish his status as a voter. I, therefore, find the defendant guilty

of corrupt practices within the meaning of the Nova Scotia Election Act as set forth in the statement of the claim.

Now, an appeal was taken from that finding on the ground that there was not sufficient evidence that Taylor was a voter. That appeal was dismissed some time ago. As I pointed out on a previous occasion, even if the appeal had been allowed there would still be unquestionable evidence that this man was interfering in a partisan way in the election and was offering bribes to two men whom he believed to have votes at that election. I brought this instance to the attention of the government in November or December last. Up to the present, I understand, the government have taken no action, and Mr. Hall still enjoys the position of postmaster at Hampton, and is still in receipt of a salary as such from the people of this country.

Reference was also made to Mr. J. L. Bain and Mr. Oscar Campbell as having taken an offensive partisan part in the by-election at which my hon. friend the Minister of Finance (Mr. Fielding) was returned about a year and a half ago. Mr. Bain was and is a fishery officer of this government. Mr. Campbell was and is a lighthouse keeper in the county of Shelbourne. The circumstance was mentioned in the debate on the address that these gentlemen had acted as agents for the Minister of Finance at one of the polls. I have a declaration under my hand showing what they did and how they took an active part in the support of the Minister of Finance during that election. The declaration is made by Mr. Avard L. Davidson, and is as follows :

I, Avard L. Davidson, of Halifax, in the county of Halifax, barrister at law, do solemnly declare :

1. That I acted as agent of Dr. R. C. Weldon, the Conservative candidate at the by-election held October 31, 1906, to elect a member for the House of Commons of Canada for the electoral district of Shelburne and Queen's, in the polling booth held at Port Mouton in the said electoral district.

2. The agents in the said booth represented the Hon. W. S. Fielding, Liberal candidate at said by-election, were J. L. Bain, of Liverpool, in the county of Queen's, a fishery officer for the said county of Queen's, and Oscar Campbell, of Port Mouton, in the said county of Queen's, the keeper of a government lighthouse at or near Port Mouton aforesaid. Produced to me at the time of making this declaration and marked 'A' and 'B' respectively are true copies of the appointment of the said J. L. Bain and Oscar Campbell as agent as aforesaid, filed with the deputy returning officer at the said booth at Port Mouton aforesaid which said copies were taken by me at the said polling booth at the day of the said election.

3. That the said L. J. Bain and Oscar Campbell did not merely act as scrutineers at the said booth, but as nearly as I could ascertain had the general management of the campaign for Mr. Fielding at the said booth, one or the other of them being usually employed during the day in canvassing the voters around the booth to come in and vote for Mr. Fielding, and apparently directing those persons who were driving teams in the interests of Mr. Fielding what voters should be driven to the polls.

4. That the said W. S. Fielding addressed a public meeting at Port Mouton aforesaid, addressing the electorate upon political issues on the evening of the 25th day of October, 1906, and I am informed and verily believe that the said W. S. Fielding arrived at Port Mouton for the said meeting in company with the said J. L. Bain, who drove him from Liverpool to Port Mouton on this occasion and on the afternoon of the said 25th day of October introduced the said W. S. Fielding to a number of the voters residing in the vicinity of Liverpool and Port Mouton.

5. That I am informed and verily believe that the said J. L. Bain on the day preceding the said election conducted a house to house canvas in the interests of the said W. S. Fielding at Port Mouton and Port Joli.

6. That I am informed by Arthur Wolfe, of Port Joli, aforesaid, and verily believe that as he the said Arthur Wolfe was not satisfied with the way matters had been managed by the government in his community, and being a Liberal in politics and not caring to vote against his party he had made up his mind not to vote at all at this election and had so informed his neighbours, but that the night preceding the said election the said J. L. Bain called at his house and canvassed him to vote for the said W. S. Fielding and that he promised the said Bain that he would so vote.

7. That I am informed by Joseph Weldon, of Montreal, barrister at law, the agent of the said Dr. R. C. Weldon at the polling booth at Port Joli aforesaid and verily believe that the said Arthur Wolfe presented himself at the polling booth at Port Joli aforesaid and demanded a vote ; that the said Joseph Weldon instructed the deputy returning officer at said booth to require the said Arthur Wolfe to take the bribery oath before giving him a ballot and that the said returning officer thereupon asked the said Arthur Wolfe to take the said bribery oath, but the said Arthur Wolfe refused to take it and left the said booth without voting.

And I make this solemn declaration conscientiously believing it to be true and knowing that it is of the same force and effect as if made under oath and by virtue of the Canada Evidence Act, 1893.

(Sgd.) AVARD L. DAVIDSON.

Solemnly declared before me this 21st day of November, A.D. 1906, Alfred Whitman, a commissioner of the Supreme Court in and for the county of Halifax.

The documents referred to in that declaration are as follows :

I, William S. Fielding, a candidate at the ensuing election of a member to represent the electoral district of Shelburne and Queen's, in the House of Commons of Canada, hereby appoint Oscar Campbell to be my agent in polling district No. 6.

(Sgd.) W. S. FIELDING.

Dated this 24th day of October, 1906.

I, William S. Fielding, a candidate at the ensuing election of a member to represent the electoral district of Shelburne and Queen's, in the House of Commons of Canada, hereby ap-

point J. L. Bain to be my agent in polling district No. 6.

(Sgd.) W. S. FIELDING.

Dated this 24th day of October, 1906.

Now it was declared by the Prime Minister, speaking, I presume, on behalf of the Minister of Finance, that these documents were signed in blank by my hon. friend the Minister of Finance, and in that way he was not responsible for the selection of these particular persons to act for him at that election. That is one matter. But it is nevertheless true, on the statement of Mr. Davidson, according to information which he believes to be true, that this man Bain was working for the Minister of Finance at that election, canvassing for him, that he drove him around the country on one or two occasions at least, that he was making himself personally active, although an official of this government, in that particular election. Then I would like to bring this further circumstance to the attention of the House, that although the action of Mr. Bain and Mr. Campbell were brought to the attention of this government before the close of the month of November, last, although their partisan action in violation of the resolution which I have read a moment ago was thus brought to the attention of the government in a most pointed manner, both those men are, as I understand, still in the enjoyment of the positions which they then held, and still in the enjoyment of a salary or remuneration out of the public treasury of this country.

Mr. WM. ROCHE. Will the leader of the opposition give me the first name of that Mr. Davidson, and say whether he is associated with the Messrs. Ritchie in Halfax ?

Mr. R. L. BORDEN. His first name is Avard ; he is not an associate of the Messrs. Ritchie, so far as I am aware. Now I am informed on very good authority indeed that this man Bain made himself notorious as a political partisan in the county of Queen's in the recent election. There can be no doubt about that. He has considerable power over fishermen in that county, he has considerable influence over fishermen, and the reports I have received, not only from Mr. Davidson, whose declaration I have read, but also from various other sources, indicate that he lost no opportunity of making his partisan views known and of endeavouring to secure votes for the Minister of Finance by means of his official influence over the fishermen of that county. Another gentleman to whom I may allude is John E. Payzant, customs-house officer at Port Mouton, deputy returning officer at the by-election in Queen's and Shelburne. He at first refused to allow A. L. Davidson to act as agent for Dr. R. C. Weldon at Port Mouton poll, but after some considerable wrangling finally allowed him to so act. Mr. Davidson asked that the ballots be counted before opening the poll ; Payzant refused to count them, Davidson insisted that the ballots should be counted, whereupon the deputy returning officer said that he would show him —— quick who was running that poll and deliberately assaulted Davidson. Another gentleman who has been very active in the electoral division which is represented by the Minister of Finance, was James A. McKay, postmaster at Clyde River, who acted as agent for Mr. Fielding at Port Clyde. I am informed that not only did he do so, but he took a very active part in previous elections. I understand the Minister of Finance knows him very well, and recommended him for the position which he now holds. He attended as delegate the convention that nominated Mr. Fielding, and he has been delegate, as I understand, at every convention since holding the position he now occupies. I would also refer to the case of Capt. E. P. Greenwood, postmaster at Northeast Harbour, Queen's county. He is an especial friend of the Minister of Finance, and escorted him through the county at several elections, in absoulte violation of the resolution which was passed in 1905. It is true that the resolution was passed after the general election, but the principle was the same, a principle which the Prime Minister has affirmed over and over again since this government came into power in 1896. Mr. Greenwood has been a very active partisan on all occasions when an opportunity of exhibiting his partisanship was afforded him by a general or a by-election. I would like also to refer to the case of Mr. MacCallum Nickeson, fishery inspector at Clarke's Harbour, in the electoral division which is represented by the Minister of Finance. He took an active part also in the by-election which has been held since the passage of this resolution, and he was a delegate to the convention which nominated my hon. friend the Minister of Finance. Andrew Robertson, fishery officer for Barrington municipality, and Wishart Robertson, collector of customs at Barrington also took an active part for the Minister of Finance, as I am informed, at the last election. I am informed, and I make the statement upon good information, that Mr. J. E. Dexter, harbour master at Liverpool, was also an active supporter of my hon. friend the Minister of Finance. As a matter of fact Mr. Dexter was called, if I am not mistaken, as a witness in the election trial which followed the general elections, and it was shown, if I am not mistaken, that he had been taking a very active part indeed in connection with the organization of the Liberal party at that election and in the support of my hon. friend the Minister of Finance. Now, there are other gentlemen who have been

returning officers, such as Mr. W. A. Griffin, postmaster at Lewis Head, Alexander Hurley, postmaster at West Sable River, G. R. Hines, fishery officer at Shelburne. There may be perhaps at first blush no special objection to any one of these officers acting as deputy returning officer at an election. But when you come to reflect that these officials of the government are the men who are required under the law to mark the ballots of illiterate voters, and when you understand what representations are made to some of these voters as to what may be the result of their action in voting for the Conservative candidate, you can readily see that the placing of a public official of well known partisan views in a position of that kind acts as a sort of intimidation to those voters and that the men are not really free agents to cast their ballots as they would wish to do.

Now I have not gone over any cases except those which have occurred in the electoral division of Queen's and Shelburne, and the case in the county of Annapolis where the judgment of a court has been pronounced upon the action of a postmaster in that county. If I chose to go into other counties in the province of Nova Scotia, I could weary the House with illustrations of how public officials have been acting in violation of the principle which was laid down by the resolution to which I have referred. I could give name after name in the county of Halifax, for example, of public officials who have been openly and notoriously partisan in their acts and in their words, and who have been the mainstay in some parts of the county of Halifax of the Liberal organizations there. I have given, however, sufficent illustrations, I think, of how this resolution has been violated in the electoral division of a minister of the Crown of this country, and apparently, in some instances at least, with his direct knowledge and concurrence.

It seems to me that a resolution of this House, accepted by the government and accepted by parliament, which lays down a wholesome rule of this kind, should not be treated with contempt, that the government should intervene when it is so violated. We have the illustrations I have given to the House to-day of cases where the facts have been brought to the attention of the government, I think, five months ago, and no action whatever has been taken to correct these men, to remove them from their positions or otherwise to deal with them as the public interest would demand. An explanation is due from the government as to these matters and I think that their action in permitting their officials with impunity to follow the course which I have pointed out should not commend itself to this House. Therefore, I beg to move, Mr. Speaker:

That all the words after the word 'that' be left out and the following substituted therefor:

On July 17, 1905, the following resolution, moved by the hon. member for Qu'Appelle (Mr. Lake) was unanimously accepted and adopted by the House of Commons:

That whilst it is desirable that every official in the employ of the government of Canada should enjoy perfect freedom of political opinion and the untrammelled exercise of his franchise in accord therewith, no official should be engaged or be permitted to engage in partisan work of any description in the election of a representative to the provincial or Dominion legislatures.

This House regrets that the government have sanctioned and condoned the deliberate violation of this resolution by officials who notwithstanding such deliberate violation have been continued in positions of public trust and responsibility, and in the enjoyment of salaries paid from the public exchequer.

Hon. W. S. FIELDING (Minister of Finance). Mr. Speaker, the resolution adopted in 1905, unanimously adopted as the hon. gentleman (Mr. R. L. Borden) says is one which has my hearty approval and one which asserts a general principle which we would do well to put in force. True, it is a principle which is rather at variance with the policy of the Conservative party for many years. My hon. friend stands here as the champion of the Conservative party not merely of to-day but of the party of history. If my hon. friend has any recollection whatever of the record of the Conservative party, he will know, while I am not trying to justify the thing, that for one official who to-day takes part in politics there were a dozen who took part in politics at the time I refer to. I do not make that a justification for officials of this government taking part in politics. If that action on the part of officials under the Conservative government at that time was objectionable it would be no less objectionable for officials to engage in party politics at the present time. Still, it is just possible that a good rule may be pushed too far, and it was by no means made clear by the hon. gentleman whether he would apply that rule to every postmaster who is getting $25 a year for attending to a petty post office in the country. I would prefer that even a small postmaster should refrain from taking an active part in politics and be content to simply cast his vote, but I am not going so far as to say that if a postmaster who receives the petty sum we allow in our rural districts should in a decent, honest and respectable way take part in an election he should not be retained in office. I think that a distinction may properly be drawn between officials who have large salaries, officials who, if I may use the expression, make their living out of their public offices, and officials who hold a petty office which is of little or no financial value. I would at once assent to the idea that any official who is receiving a large or living salary, or who makes his

living out of his salary while occupying a public office, should not take any active part in politics, and that if he should take any active part in politics upon a change of administration he would be properly removed from office. Whether you can draw the line between an officer who is receiving a living salary and an officer who is receiving a small, petty salary perhaps it may not be easy to determine. But I think that under a fair interpretation of the resolution it would be well that an attempt should be made to draw such a line.

Mr. R. L. BORDEN. What would you say about the case of Captain Bain?

Mr. FIELDING. Mr. Bain; he has not yet got the title of captain. Mr. Bain is a livery stable keeper in Liverpool. I forget what his salary is, but he does not pretend to devote his time entirely to the public service. He cannot make a living out of his public office. For some time he kept a shop at Liverpool. During later years he has been the keeper of a livery stable. We do uot pay him enough to give him a living salary. I frankly say that I regret that Mr. Bain does not abide by the terms of the resolution, but I think there is something to be said in his case. It is said that Mr. Bain drove me through the county and introduced me to the people. Mr. Bain, being a livery stable keeper as well as a government officer, I very naturally went to him and asked him to drive me to one or two places. Mr. Bain, while he was with me never canvassed men and never discussed politics with them, and I have no recollection of his ever introducing me to anybody.

Mr. SAM. HUGHES. It is when he is not with you that he does the mischief.

Mr. FIELDING. That I cannot speak of but I do know that Mr. Bain drove me to Port Mouton, that his team then dropped me and that he drove to another part of the country. He was there simply to drive me and did not canvass any one. In regard to the point of being an agent, my hon. friend, in speaking of this matter before, stated that Mr. Bain and Mr. Oscar Campbell, lighthouse-keeper, acted as agents at the polling booth. It was not alleged that they had canvassed anybody, it was not alleged that they did anything, but simply stood at the booth as the representatives of myself. I will say at once that they should not have been there in that capacity, but after all the agent standing at the poll is not usually the most active man. I said in the House before and I repeat now that I was many miles away from Port Mouton at the time of the election. I was in a distant part of the constituency. Before leaving Liverpool, I, as every candidate is obliged to do in organizing his election, signed blank forms to be used by the gentlemen who might take the trouble to represent me at the polls. Every candidate has to do that. To people who do not know anything about elections it may seem strange that we should sign our blank forms in advance, but anybody running an election will know the reason why that has to be done. If I had had the slightest idea that Mr. Bain or Mr. Campbell would have been chosen to be my representative at the poll I would not have permitted it. If it had been alleged by the hon. leader of the opposition that they had not only acted as agents, but had pursued an improper course, I would have felt that I should have had the matter investigated. My hon. friend says that Mr. Bain is a fishery officer and that in that capacity he exercised an undue influence over the electorate. That is a very general statement. If the accusation could be made against Mr. Bain that while acting in his capacity as a fishery officer he had attempted to exercise any undue political influence by reason of his official position I would consider that a just cause for complaint. Mr. Bain does not receive a living salary for the work which he performs in his public office. I should reprefer that he should not engage in political controversy. But it is a question in my mind whether, in the case of an officer who is very competent and capable in the administration of the fishery laws, who does not get a living salary, and who devotes only part of his time to his official duties, the public service would be promoted by demanding his resignation under the circumstances.

With regard to Mr. Campbell, who, I believe, is a lighthouse keeper, nothing is alleged, as I understand, but that he acted as my agent in the booth. It is not alleged that he did anything improper or attempted to exercise any undue influence. I would regret that he acted as an agent and I would, as far as possible, give it clearly to be understood that I did not wish any government official to be my agent. Some of the other officials mentioned are postmasters receiving paltry salaries of $15 to $20. In most districts the post office is not a source of revenue, and the man who is made postmaster thinks that the payment is quite insufficient; hon. gentlemen opposite have frequently testified to that, asking that the salaries should be increased. If a post office is conveniently located, in a central store for instance, in many cases it is no advantage to the postmaster, but it is a public convenience to have the post office in such a store and it is hard to say that if the postmaster is an intelligent and active man, accustomed to take part in politics, he shall, by reason of his accepting the paltry salary of postmaster, be forbidden to take any part in politics. That seems to be stretching the power too far. Of course if such a man is taking a part hostile to the government of the day, perhaps he should be removed, but

I have in mind one postmaster in my own county who acted as agent for my opponent in my election, but who remains in office to this day. I thought it was too small a matter to refer to.

One case mentioned was that of a customs officer who held the position of deputy returning officer. The position of deputy returning officer is a judicial position, the deputy returning officer is not appointed by the minister, he is not appointed by the Liberal candidate, nor would he be appointed by the Conservative candidate if the Conservatives were in power. He is chosen by the returning officer. The returning officer for Shelburne county was appointed by my political opponents; he is a man who has always done his duty faithfully. In every election I have run in Halifax, Queen's or Shelburne, I have invariably had the returning officer be the sheriff. I have always recognized that it was the duty of the returning officer to select capable, fair-minded men, to choose them as far as he could equally from both political parties and to be careful at all times to select men of good character and reputation.

Mr. Payzant, the returning officer at Port Mouton, is a gentleman of good standing. I have no doubt that if he acted as returning officer he did well, and I am astonished to hear that he got into a wrangle with the Conservative agent.

Mr. LENNOX. He acted too well, he assaulted the other man.

Mr. FIELDING. We have courts in this country, and if there was trouble of that kind it was rather strange that we should wait five or six months and then have it brought up in this House. There are magistrates right under the eye of this person in Queen's county who would have protected him, and when after five months we hear of this case of assault for the first time, I look upon it with suspicion. Mr. Payzant is a reputable citizen, and if he has committed any violation of the law, the courts would secure protection for the man assaulted.

My hon. friend's adviser seems to have made a list of a number of Liberal officials in the county and to have taken it for granted that they always did something wrong. There is no evidence against them. He mentions a number of officials who, he says, took an active part. Some of the men he mentions I am certain never took part. Some of the men he mentions I know well as careful, judicious men and while I know I have their sympathies—they belong to old Liberal families—they have such conscientious views as to their duty that they would not take any part and I can say with the utmost confidence that some of the men named by my hon. friend as officials who took an active part in the election took no part whatever beyond exercising their franchise, if they did that. As I say I am sure that my hon. friend's adviser has simply taken a list of officials and assumed that they took part in elections.

In Ste. Croix, where the postmaster was receiving $25, there seems to have been more than political activity. The statement made some time ago was that the postmaster at Ste. Croix had been proceeded against under the provincial law and a conviction found against him for bribery. At the time I made inquiry and I was informed that the matter was then pending in the courts. The hon. gentleman revived the matter recently and led to some further inquiry. I have been advised the matter has been settled. I understand that the postmaster has resigned and as far as that matter is concerned, it is at an end.

The general principle laid down in the resolution passed two years ago is a sound principle, but I would ask the House not to press it too far, to the point of insisting that every man who holds some petty office must be turned out if he takes some respectable part in an election. I say that a man who takes an offensive part, who is offensive to his neighbour, for instance, should be disciplined, but I would hesitate to ask the House to press the rule to the extreme point mentioned by the opposition. It is easy to deal with one class of these cases; I say at once that an official, be he the holder of a large or a small office, who takes a part in the interest of one political party must share the fate of that party, and if a change of government occurs he has no right to complain if he be removed. We removed quite a number of officials in 1896 under that rule, and very grave complaint was made by hon. gentleman opposite.

Mr. R. L. BORDEN. I think the complaint was that they were removed without investigation.

Mr. FIELDING. No, my hon. friend will find many investigations. I know that in my own constituency no man was removed without an investigation and very few with investigations, because I thought that the matter was not of sufficient importance to make a fuss about. I accept unhesitatingly the principle of the resolution of two years ago, as a general statement of the principle which should guide and direct the public affairs of this country, but I think in interpreting and enforcing it, there should be moderation. I would strongly advise every public official in the Dominion, although he would get his appointment from one political party or the other, once he is in office to refrain from political activities. If he takes any part whatever in politics and a change of government occurs he must expect to share the fate of his party. If serving the party at present in power, if he is the holder of a living office, he should be told to take his choice of either refraining from political action or resigning. Whether that should be applied to every petty post

office in the country may be doubted. The principle holds good, but it may be a point whether it should be pressed as far as that.

Mr. LEMIEUX. As regards the postmaster at Ste. Croix, county of Annapolis, the matter was referred to the other day by the leader of the opposition (Mr. R. L. Borden) and he again referred to it this afternoon in his speech. I beg to inform him that at our request the postmaster at Ste. Croix, has resigned his position. Therefore the matter need not be brought up in the House in this debate.

Mr. R. L. BORDEN. When did he resign?

Mr. LEMIEUX. Since we learned that the judgment of the court in this instance had been sustained by the higher court. It was only lately that my attention was drawn to it, by the hon. gentleman.

Mr. R. S. LAKE (Qu'Appelle). Mr. Speaker, I am very pleased to find that the Minister of Finance (Mr. Fielding) is fully prepared to accept the principle which is embodied in the resolution of July 17, 1905; but it seems to me that he takes a most extraordinary stand in regard to the enforcement of that resolution. The resolution declares that no official of the government should take an active part in elections. Now presumably if there is disobedience to that resolution the government should be the one to take action, and if I have understood the minister's argument correctly it amounts to this that the government are not prepared to take action in regard to officials who are drawing trifling salaries, and in regard to officials who were drawing what he would call a living salary the government would only recommend them not to take part and that the government would suggest to them that if they were determined to take part in politics they might resign; but as to dismissing them from office, which surely should be the penalty of direct disobedience of a resolution of this House, he decided to leave that until the administration were turned out of power. That surely is not the position for a minister to take who is supposed to carry out the decrees of this parliament. He told us that for one official who had taken part in active politics in these days, there were a dozen who had taken part during the time the Conservative party were in power. I can only say that that is an utter mistake in regard to the Northwest.

Mr. FIELDING. It is not a mistake in the east.

Mr. LAKE. I am not able to speak from personal knowledge of the east, but I am from personal knowledge of the Northwest. From one standpoint at any rate the minister must be wrong, that is, that there are to-day in the Northwest a dozen officials of the Department of the Interior to every one that there was when the Conservative were in power. Last session, when a general discussion took place in regard to the administation of Dominion lands and the practical working of the Dominion Lands Act, I, in common with several other members of this House, brought to the attention of the government various cases of interference in the provincial elections which had just taken place, by officials of the Department of the Interior. We presented a number of affidavits to prove this fact, showing that some of them had even gone so far as to act as scrutineers or agents. The Minister of Finance did not seem to think that that would be a very gross act on the part of the officials. But I would like to point out to him that this offence is one which was specifically condemned by the Prime Minister in the year 1905. I brought to his attention the special case, of one sub-agent of Dominion lands who had acted in my presence as a scrutineer for my opponent in the Dominion election which had taken place just perviously, and he then stated that that was a case in which he would not allow an official to go so far. Yet when we bring to the attention of the Minister of the Interior almost directly afterwards the fact that a large number of his officials have been acting in the same way, no notice whatever is taken of the matter. In a subsequent debate I called the attention of the Minister of the Interior himself to the fact that he had directly encouraged one of his officials by allowing him to take the chair while he was making a political speech on behalf of one of the Liberal candidates in the provincial election, and the Minister of the Interior's only remark in regard to that incident was a cynical statement that he remembered the case, and that he thought the man had made a very good chairman. We brought a number of these cases to the attention of the Minister of the Interior and the government, and in the early part of this year I put a question on the order paper as to whether these officials of whom we had complained were still in the employ of the government, and in nearly every case I was told that they were. They had not, apparently, been interfered with. The argument has been used that a resolution of this sort should not apply to the minor officials of the government, but only to those who are getting a living wage. Now, the list which I brought to the notice of the Minister of the Interior did contain the names of a number of officials who are getting a living wage. For instance, I might mention Mr. Philip Wagner, the immigration officer and interpreter at Edmonton in the service of the Department of the Interior, who gets $1,200 a year. That gentleman was twice convicted of misappropriating the funds of the Galicians, of whom he was supposed especially to have the care; but

the Minister of the Interior saw fit, when he was released from prison to give him this appointment. My hon. friend from Calgary (Mr. M. S. McCarthy) last year brought to the attention of the House five or six different affidavits, stating that this man Wagner had been taking a very active part in the elections, treating the electors with barrels of beer and doing every thing he possibly could to induce them to vote for the Liberal candidate, yet he still remains in his office. Then there was Mr. J. A. Potvin who acted as scrutineer in the elections, as I proved to the House last year; he is still acting as an agent of the Department at $900 a year. Then, attention was called to the case of Mr. L. B. Cochrane, land agent and immigration officer at Medicine Hat, who has taken an active part in the elections in both provinces, who came to the province of Saskatchewan and acted as agent for a Liberal candidate there, and as far as I know still remains in office. But in regard to the question as to whether the resolution of the House should apply simply to officers who are getting a living wage, I take direct issue with my hon. friend the Minister of Finance. At any rate, I can speak with regard to the conditions which prevail in the Northwest. It is the minor officials who come into immediate contact with the settlers, and there are an enormous number of these minor officials to whom the opportunities of exercising influence upon the electors is more open than it is to the senior officials, from that simple fact. A subagent of Dominion lands, who draws any where from $300 a year to $900 a year, comes daily into contact with the settlers; they have to go to him to make their entries, to ask for an extension of time, to prove up their duties, so that day after day he is able to exercise influence upon them if he so chooses to do. I am perfectly satisfied that some of these officials do use their influence for party purposes. I am not going to say that this is universal, but I will say that it is extended very widely, especially among the minor officials. When dealing with this question last year, the Minister of the Interior took what seemed to me to be a very extraordinary stand. He declared that an official was not under any compulsion not to exercise his powers of speech in regard to public matters, which seemed to me to be a direct inducement to his officials to take part in elections, and directly in contradiction to the stand which was taken by the leader of this House. But he did go so far as to state that he was prepared to punish officials who went to the extent of improperly influencing settlers by terrorizing them or holding out improper inducement to them.

It is hard to understand exactly what he meant by terrorizing or holding out improper inducements. It is not to be expected that any official would go about terrorizing settlers although it is within the power of many of them to hold out improper inducements. The Minister of the Interior (Mr. Oliver) said that if it could be proved that any of his officials were doing that he would summarily dismiss them. But if officials are allowed to take active part in elections, they must exercise great influence. If we find a homestead inspector attending a political meeting and taking note of what is going on, he must no doubt exercise strong influence over those who go there and who vote. If he goes on the platform or goes to a polling booth, after having openly and publicly expressed certain political opinions, he must exercise a very strong moral influence on the electors. The Prime Minister drew no such distinction as the Minister of the Interior did between terrorizing and making use of improper inducements and going on the platform, acting as scrutineer or canvassing. It must be obvious that an official, with all the powers an official of the Department of the Interior has can exercise enormous moral influence on the voters, and when he does this he becomes, as the Prime Minister put it, a scandal to the community and his usefulness to that community, as an official, must be to a great extent impaired. The Minister of the Interior (Mr. Oliver) says that gentlemen on this side are guilty of disloyalty and are doing harm to the Northwest by calling attention to the fact that the officials in those provinces are exerting an undue influence in politics. For my part, and I think on the part of every member on this side, we must disclaim any imputation of that sort. The course of the Minister of the Interior is perfectly clear. He has only to issue strict injunctions to his officials to wholly abstain from taking an active part in elections, in accord with the resolution passed in this House, and I feel confident the great majority of the officials will obey him. Let him go further and make an example of one or two of the worst cases, and he will be implicitly obeyed in the future. In that way he will relieve his department from a very considerable number of these criticisms. Every government has condemned this practice of the officials paid by the country, who are the servants of both sides of politics, taking active part in elections and I trust that this government will go further than the Minister of Finance appears to admit they will. I trust they will take definite action and see that the will of this House is carried into effect.

Mr. WILLIAM ROCHE (Halifax). In the course of his remarks, the leader of the opposition (Mr. Borden) alluded to certain officials in Halifax county who had worked in favour of the government and against the opposition. I do not know of any such officials. But I am aware of this, that a

number of the officials, at present in the pay of the government, but who were appointed by the late government, have not refrained from working and voting against the government and from using expressions towards the leaders of the government which are not to be found in the book of homilies. If it be an offence for government officials to support the government, I think it is a far greater offence for them to oppose it and use expressions of contempt and aversion not consistent with the relations between servant and master. As regards Mr. Davidson, perhaps later on, if opportunity be afforded, I may be able to throw some light upon the inquisition persued by him and the inducements he holds out to obtain testimony against government nominees. As regards the appointment of a chairman in a political meeting, in the county I represent generally the magistrate or some official in the district is elected chairman and may preside at a meeting of Liberals and afterwards at a meeting of Conservatives. I do not think that that indicates partisanship. Frequently a leading man is elected and the candidates are glad to have some one of superior intelligence to preside. Therefore, to accuse an official of partisanship because he had presided at a meeting is carrying the argument very far afield.

Mr. A. C. BOYCE (West Algoma). The resolution is one of which the country stands greatly in need in order to secure the much desired purity of elections. I have not been very long connected with public life in Canada, but long enough to realize one of the dangers which stands in the way of our obtaining fair-play at an election either provincial or Dominion. That danger is emphasized by this resolution—the danger, the perniciousness of officials in the employ of the government in power for the time being going outside of their office in violation of their duty to the people that employs them and taking part in an election, sometimes harmless, as the Minister of Finance states, and sometimes in a way that is extremely corrupt and that brings disgrace upon the public service and upon the whole country. I have no desire to prolong this debate, but merely to emphasize what has been said by the leader of the opposition (Mr. R. L. Borden) and my hon. friend from Qu'Appelle (Mr. Lake) in this connection. But there are one or two flagrant instances that have been before now brought to the attention of the ministers of the Crown in the debates on this floor—cases the facts of which have been iterated and reiterated in the presence of the ministers, cases so flagrant that one wonders how these ministers of the Crown can ignore them. And yet not the slightest notice is taken of them. My hon. friend from Halifax (Mr. W. Roche) has spoken. He knows perfectly well what the evidence was in relation to his own election in regard to bribery and other corrupt practices by Dominion government officials in connection with that election. So he can speak feelingly.

Mr. WM. ROCHE. Does my hon. friend (Mr. Boyce) speak of evidence ?

Mr. BOYCE. Yes.

Mr. WM. ROCHE. I have the evidence here. Will he give me the case to which he refers ?

Mr. BOYCE. If the hon. gentleman (Mr. W. Roche) will look at page 21 of the evidence, I think he will find an interesting incident with which he is quite familiar. Now, I did not wish to weary the House by going into particulars. But my hon. friend does not seemed satisfied with my word. If he has the evidence, and of course, he had the advantage of hearing the evidence—

Mr. WM. ROCHE. No, I have not heard it.

Mr. BOYCE. Let me read him from page 18 of this evidence.

Mr. FOSTER. When is that election trial coming off ?

Mr. BOYCE. That is what I should like to know. My hon. friend (Mr. W. Roche) is waiting for the appointment of a judge—not impatiently. Now, I will read from the statement of one of the witnesses :

Mr. WM. ROCHE. In what case is that ?

Mr. BOYCE. The bribery referred to here is a gentleman by the name of James Kehoe.

Mr. W. ROCHE. He is not a government official. He gave no evidence.

Mr. BOYCE. No, for the reason that though he was subpœnaed and called he did not appear—like some others.

Mr. W. ROCHE. The hon. gentleman (Mr. Boyce) said that this man was a government official. He is not.

Mr. BOYCE. My hon. friend (Mr. W. Roche) asked me to read evidence. I will read it. He will see how far this person is a government official. I read from the statement of Augustus Putman :

Q. Do you know James Kehoe there?—A. Yes.
Q. Prior to the election do you remember being at Waverly ?—A. Yes.
Q. How long before the election ?—A. I have lived there.
Q. Do you remember meeting James Kehoe before the election ?—A. Yes, a good many times.
Q. Do you remember meeting him on one occasion when driving and getting into the wagon ?—A. Yes.

Q. What conversation took place between you ?—A. I asked him if my name was off the voting list. He said no. I said I thought it was.

Q. What more was said ?—A. He asked me what I paid for my vote.

Q. What did you say ?—A. I said I would take $10.

Q. What did he say ?—A. He said that that was rather steep.

Q. Did you see him again before the election ?—A. I did.

Q. Where did you see him ?—A. I saw him at Windsor Junction.

Q. Did you go anywhere with him that day ?—A. I went as far as Beaver Bank.

Q. What was said on that occasion ?—A. We were talking about the election, and he told me that he would give me $5 to stay at home.

Q. What did you say to that ?—A. He told me to meet him the morning of the election at Windsor Junction.

Q. What else did he say ?—A. He said that he would give it to me.

Q. Did you meet him there the morning of the election ?—A. I did.

Q. What was done ?—A. He said, I cannot give it to you myself, but I will give it to another man to give to you. He gave it to the other man who gave it to me. I saw him give to the other man. It was Charley McGuire.

Q. Look at these and say whether these are the notes ?—A. Yes, these are the notes.

Q. How do you know that these are the notes ?—A. Jim Adams asked me to initial them and he gave me a five dollar bill for them. I handed them to him after I had initialled them.

And then at page 23, the witness is asked by Mr. Ritchie :

Q. What is Kehoe's occupation ?—A. He is in the government employ. He is employed on the Intercolonial Railway.

I have only this sworn evidence to go by, and I have given it as it is here before me.

Mr. FOSTER. Is there any thing to show where Kehoe got the money ?

Mr. BOYCE. There is a good deal.

Mr. WM. ROCHE. The person the hon. gentleman (Mr Boyce) speaks of is in the employ of the Dominion Atlantic Railway.

Mr. BOYCE. My hon. friend (Mr. W. Roche) knows all about it. Perhaps he can tell where the $10,000 came from that a certain gentleman swore was in his hands.

Mr. WM. ROCHE. But the hon. gentleman (Mr. Boyce) spoke of bribery by Dominion officials. Now, this man is not a Dominion official. Also the hon. gentleman should remember that no evidence was taken for the defence, but that, after several witnesses had been examined—witnesses who were quite capable of being contradicted—the case was arrested by the judge, informing the counsel that he had no jurisdiction to try the case. I do not think my hon. friend should quote a case of that kind, where the defence had no opportunities to refute what was stated by individuals who confessed upon oath that they were guilty of bribery.

Mr. BOYCE. Since my hon. friend (Mr. Wm. Roche) has referred to the result of this evidence, he will pardon me if I refer to page 77 of this evidence where, at the close of the case, Mr. Justice Townsend, said :

We would like to know whether, in view of the evidence, the point would be considered of avoiding the election by consent and abandoning the personal charges.

I wonder what he will do about that. Now, I would not have taken up the time of the House had not the hon. gentleman (Mr. Wm. Roche) questioned my authority.

Mr. PATERSON. But this is not applicable to the question before the House, for this man was not a government official.

Mr. BOYCE. But the sworn evidence which I read, showed that this man was in the employ of the government on the Intercolonial Railway.

Mr. PATERSON. But I prefer to take the word of the hon. member (Mr. Wm. Roche) on that subject.

Mr. BOYCE. The hon. gentleman (Mr. Paterson) has the right to make his choice of course.

Mr. WM. ROCHE. The hon. gentleman (Mr. Boyce) said this gentleman is a government official. He is not a government official, but is an employee of the Dominion Atlantic Railway.

Mr. SAM. HUGHES. Was he a government official then ?

Mr. WM. ROCHE. No. I think, that in all fairness, a case of this kind should not be quoted, which was interrupted after two or three witnesses had been called

Mr. SPEAKER. I think the discussion is growing irregular.

Mr. BOYCE. I had no desire, Mr. Speaker to deal with this matter. I made the statement and was asked to give the evidence, and I have read the evidence as requested. There are other cases which are cases of great flagrancy, cases which ministers of the Crown cannot fail to take notice of in connection with this resolution. Two years ago I brought to the attention of the then Postmaster General the flagrant case of the postmaster at Thessalon. Every session since I have in some way referred to that gentleman, who still holds his position. We had the statement last session, and we had this session the affirmation from the Prime Minister, that any postmaster who was in receipt of a salary of $1,000 a year must confine himself to the performance of his official duties. That is in accord with what the Minister of Finance has said to-day. Now, here you have these statements of offi-

cials of this government reported to the Postmaster General and filed in the archives of the Post Office Department. You have it shown that this man became a defaulter, that he misappropriated public moneys; it was reported against him that he should be discharged, he was discharged upon the recommendation of the Postmaster General, and then what took place? After the fiat had gone forth for his dismissal he was allowed to file a letter of resignation. He filed a letter stating that his private business was of such great importance and his business interests were so large that he could no longer afford to attend to the duties of that post office, and that was the reason he was allowed to give for retiring from the office. He retired from his office in September, 1904, just before the Dominion elections. But you never saw a busier man in Eastern Algoma in the interest of my hon. friend from that riding (Mr. Dyment) than the postmaster at Thessalon. He appeared on every platform, he went through all the side lines, he did all he could to secure the hon. gentleman's election. I do not say he did it corruptly, or that he exercised any reprehensible means. But having assisted in East Algoma to give the seat to the hon. gentleman for another parliament, he turned his attention to the support of the Ross government which was then on the eve of an election, and he, together with other gentlemen, officials of the Ontario government, stumped through that constituency and interested themselves very earnestly in the interests of the candidate of the Ross government. Their candidate was defeated, the Conservative government was elected and the Ross government swept out of power. That was on the 25th of January. Then early in February, 1905, upon the recommendation of the hon. member for East Algoma, the same gentleman there thought that the postmaster at Thessalon should be retained, notwithstanding his own declaration now filed in the office of the Postmaster General that by reason of his private business he could not attend to the duties of that office. He has not disposed of his private business, he carries it on just the same as he did then, and yet although the fact has been drawn to the attention of the present Postmaster General and of the two former Postmasters General, nothing whatever has been done in that connection. The salary of that gentleman is $1,071.99. Now, what is the Postmaster General going to do with that case? Is he going to disregard his inspector's fiat? Is he going to keep a politician in that post office notwithstanding the fact that the Prime Minister has said that he must devote all his time to the office where he receives more than $1,000 salary? There is one instance, and there are many others of a kind.

There is another gentleman who occupies the proud position of postmaster at Copper Cliff. This gentleman is a very active supporter of the present government, and was very active in his efforts to secure the return of the candidate of the Ross government at the Sault Ste. Marie by-election. We had an election trial there in September, 1904, and some of the revelations are sufficiently well known throughout this country as to render it unnecessary for me to repeat them. But among one of the star findings of fact was that with respect to the postmaster at Copper Cliff, W. C. Kilpatrick. It was found that this gentleman had had placed in his hands a large amount of money with which to provide travelling expenses, transportation fees and so on, of voters from Copper Cliff to Sault Ste. Marie, that he used the money for that purpose, that he paid money to voters himself at Copper Cliff, and did provide transportation from Copper Cliff to Sault Ste. Marie and return for voters to vote for the Liberal candidate. All this is of record. The Postmaster General will find that Mr. Kilpatrick was reported for corrupt practices at that election. The salary which he was in receipt of as postmaster was $1,721.63. There is on record against him the judgment of the court reporting him for these corrupt practices to the Postmaster General. Does the Postmaster General think that this matter is beneath his notice, that it does not call for necessary consideration? There has been for a year in the possession of the Postmaster General, probably more than that, a petition signed by five hundred residents of Copper Cliff asking that that man be removed from office. I have asked the Postmaster General on the floor of this House, on the 12th of July last year, to inquire into the matter and to see that justice was done, and he made the reply promising that the matter would be investigated and that full justice would be done. When I inquired again this session my hon. friend replied to the effect that the interests of justice would be best served by retaining Mr. Kilpatrick in his position as postmaster at Copper Cliff.

But, Sir, it was not always thus, for there was an inoffensive postmaster at Kentvale on St. Joseph's island who had the temerity to vote for the Conservative candidate in West Algoma. He was not active in politics, the poor man was in receipt of only $25 a year, but he was summarily dismissed from his office immediately after the election, and for what reason? The Postmaster General will find that Sir William Mulock told this House that he was an offensive partisan, and for being an offensive partisan he was deprived of that princely salary of $25 a year. Then there was in 1899, the case of a man who occupied the position of postmaster at Little Current, and who happened unfortunately to be a Conservative. His post office was at that time a very small one, he was getting, I think, under $500 a year, and he was deprived of his office for the reason that he was engaged in other business, besides that of keeping the post office.

There is another gentleman, a fishery inspector, Mr. A. G. Duncan; he gets a salary

of $1,200 a year and for his expenses the large amount of $700 or $800 a year. How this is made up I do not know and cannot conceive. Let me tell the leader of the House and his colleagues that there is no more active politician upon St. Joseph's Island or in the district of Algoma than Mr. A. G. Duncan. My hon. friend can look at the newspapers and see that not long ago he wrote pleading the cause of the present Liberal member in the provincial House, Mr. C. N. Smith. He is active, energetic, and always on the spot at elections. I know that this gentleman is one of the most active agents that the Liberal party has up there. At times he is particularly active, assists in the appointment of the deputy returning officers, takes an active interest in canvassing and by multitudinous methods endeavours to secure the election of the Liberal candidate.

There is another gentleman who deserves consideration—Mr. W. L. Nichols, Indian agent at Sault Ste. Marie. Mr. Nichols is in receipt of a salary of $1,000 a year. If hon. members care to read the evidence in the Sault Ste. Marie election petition they will see that Mr. Nichols, although living at Sault Ste. Marie, was appointed, as I believe, in violation of the statutes of Ontario, as deputy returning officer at Michipicoten to which point the 'Minnie M.' was chartered to convey voters. He allowed every man who came into the polling booth from that boat to poll his vote. There was no objection, no question asked, Mr. Nichols sat there and they all voted. The records of that election show that Mr. Nichols was cross-examined at the trial as to why he allowed these men to vote, and as to why he was chosen to act as deputy returning officer. He said first that he did not know the men, that he was not familiar with the locality or the neighbourhood and he supposed that he was chosen because of his ignorance of the locality and of the people who voted. There is another case for the government to consider. Mr. Nichols holds the office of Indian agent there and there might be other cases mentioned. I have no desire to do Mr. Nichols or any other gentleman any harm personally, but I merely point out this as a matter of principle to show the insincerity of the government. If the government desires to stand by the principles which were laid down in the resolution of last year now is the time for the government to pronounce itself. There seems to be hesitation about crystallizing this resolution into action. Although the hon. Minister of Finance said many fine things and spoke very generously and broadly and with considerable honesty, I fancy, in regard to the practice of officials meddling in elections, when it came down to the actual point of endorsing this resolution the hon. gentleman found some reason for avoiding support of the resolution and thereby strengthening and clinching the resolution of last year. The cases I have mentioned being pertinent to the subject-matter of this resolution as they are, should they be condoned by this government? Do ministers of the Crown desire, when cases of this kind have been drawn to their attention, the particulars of which are on record, to have it go forth that they condone this kind of offence and that they are supporting a civil service which is composed of officials of this kind. If so, then the speech of the Minister of Finance in opposing that resolution would be in part, in order. I do not desire to credit the Minister of Finance with any such intention. I prefer to think that he was sincere in the platitudes that he indulged in and I am surprised that he, instead of calling on his followers to vote down that resolution, did not, in accordance with what is right and just and what would promote an efficient and disinterested service in the country, call upon his followers to vote for that resolution.

Hon. GEORGE E. FOSTER (North Toronto). In listening to the hon. Finance Minister (Mr. Fielding) I came to the conclusion that he had forgotton the history of this resolution in the House. He seems to have devoted his argument to the question as to whether it would be wise to support a resolution involving and including all the officials of the government. Well, he is about two years behind the times. He himself, and the Prime Minister, his leader and the party behind him who support him as well as the opposition in this House united in one resolution which affirms a certain principle and applies it without any idea of doubtfulness about it at all. That has passed. The government accepted it and the Prime Minister spoke enthusiastically in its favour. He even went so far as to particularize that if such and such officials did so and so, they should be dealt with at once and summarily dismissed. What was the resolution which passed in 1905?:

> That whilst it is desirable that every official in the employ of the parliament of Canada should enjoy perfect freedom of political opinion and the untrammelled exercise of his franchise in accord therewith——

We all believe in that.

> —no official should be engaged or be permitted to be engaged in partisan work of any description in the election of a representative to a provincial or Dominion legislature.

Who is the party who permits that or does not? It is the party who exercises jurisdiction over the officials and by that resolution the Dominion government not only gave their adhesion to the principle that no official—it did not say a man with a $5,000 salary or a man with a $1,000 salary or a man with a $500 salary—it made no distinction at all—should be permitted to engage in partisan work. The government having adhered to that resolution obliged itself to see that it was carried out, because it not only

imposed the duty upon an official of not engaging in politics, but it said that a man should not be permitted to engage in them. I think it is just as strong as the resolution could be made, and it did surprise me that two years afterwards the hon. gentleman should come down and discuss this question as if we were now conversing amongst ourselves as to whether it was a proper thing or not to declare that officials should not be permitted to engage in partisan work. From 1905, up to the present time they have been permitted to do so. The Minister of the Interior permits them to do it, calls them in to act as chairmen in his public meetings, travels with them through the country, gives them authority, as the minister did in Edmonton, to go on and do his part work, and do all those things that Wagner did as proved by affidavits. They may be the most active and the most partisan canvassers and yet the Minister of the Interior simply laughed at the House when my hon. friend called upon his friends to see that the resolution and the determination of the government were carried out.

Another man acted as chairman of his meeting; when asked about that he said that he did act as chairman of his meeting and he made a very good chairman. Here we have the Postmaster General with example after example, elicited from my hon. friend behind me (Mr. Boyce) of men in his employ who have been criminal, who have been reported for corrupt practices in elections and yet are retained for years thereafter as postmasters with salaries of $1,000 a year or more. This government goes to the public with an affirmation of morality in public life on their lips, declaring as they will and as they have that this is their principle and that they agree in it, and yet every years of their lives they absolutely authorize their officials in plain daylight to disregard the very principle they have laid down, keeping these men in office, and paying them. I say that that marks either a careless indifference or a cold-blooded cynicism which is based on the conclusion as is practically shown that there is no decent public opinion in this country, and that they can outrage public opinion in that way without suffering any ill consequences. I think that these gentlemen will find that they have made a mistake, they will find, as the Ross government found, that they may outrage public opinion for years and years, go back on their promises, make smooth professions to the public and violate them in their practical acts; they may be successful for some years but the time will inevitably come when the odd man in this country, the mugwump, if you will, the man who is not intensely partisan, will make up his mind and condemn the government which makes false promises and refuses to adhere to its pledges.

I cannot understand it; the Minister of Finance (Mr. Fielding) is a good sort enough, he is a decent citizen, he is a nice man to meet, he treats us as fairly as he possibly can and uphold his own party and keep them behind him, but he seems to think there is no such thing as adherence to principle, that a government with the dignity of Canada on their shoulders can one day affirm a solemn resolution and pledge themselves to carry it out, and then day after day and year after year do the exact opposite, and when case after case of grave offence is placed before them they will simply laugh at you and say as the Prime Minister did years ago: Well, what are you going to do about it, we are here and you are there? The power of the brute majority is behind them, they have it here and persuade themselves they will always have it in the country, but every one of these lapses from what is true and honest as a declaration of principle has its effect, and these lapses have become the rule and not the exception. Every one of these lapses sinks at last into the mind of the body politic and it will bear its fruit, the people of Canada will settle the matter at some election. Does it matter a single bit whether a man gets $50 or $500? Is that distinction in the resolution for which the Prime Minister voted, and to which he pledged himself and his government? Not at all it is 'no official.' The plea that a man would like to get the fee for acting as a scrutineer, advanced by the Minister of Finance as an excuse for breaking the solemn pledge of the government, has no weight. What does it matter what amount is paid to a man, the principle is the thing that is laid down there that no official should be permitted to take part in an election whether he gets $10 or $1,000 or $10,000 per year. What is involved in it is that, strictly speaking, no government has a right to use the people's money to pay a man to do election campaigning for them. I vote a part of that money, I pay a part of that money into the treasury; the whole people of Canada contribute the public revenue and the whole people of Canada are divided into two political camps or more. What right have you to take out of the public funds, the money of the people, any sum and pay a man ostensibly to carry on the duties of an office for the whole people while at the same time you authorize him to go out and do your electioneering for you? What right has the Postmaster General, after having more than one postmaster reported by the law as having been guilty of an offence in a Nova Scotia election, to retain the services of such a postmaster or to keep another man reported for immoral and guilty practices at elections for years after discovery, and then come to this House and in answer to question say: We do not think the public in-

terest is hurt by the retention of that man. It is not the public interest the minister is thinking of. What he meant was that the party interest was not hurt by keeping him there. I do not agree with him : I believe the party interest is hurt, I believe there are decent men in each party, decent men who say that it is not right for a man who ought to be a convict to be kept as postmaster for men and women of decent moral principles to approach from day to day and do business with. Yet he keeps him there in defiance of what he has done and says it is not in the public interest to dismiss him. It is not in the public interest to keep him and not in the best party interest either.

Take the case of Wagner, an immigration agent, a man who spoke the language of the poor Galicians, who was looked upon as a godfather of the poor fellow who came there an utter stranger in this country and was trying to find a place on which to build a home for himself. That man absolutely stole from the foreigners committed to his care, was convicted of that offence, lay in jail, was convicted twice and yet this government advanced his position and paid him a larger salary and kept him in their employ. Not in the public interest that he should be let go ? Not in the party interest is what they meant. Men who know the circumstances and are Liberals will yet read these gentlemen a lesson for keeping that kind of an official in their employ. The Minister of Finance, I think, should have met the situation better than by special pleading. He ought to have said : Yes, that is the resolution passed by this government concurred in by the whole House. It has been violated, as the leader of the opposition (Mr. R. L. Borden) has shown, we will see to it that these men are dismissed. But what is the punishment that the Finance Minister holds out. He says that the resolution does not mean that we shall dismiss them, it means that they take their political lives in their hands and when we go out and another government comes in, then that government may get to work and dismiss them. That is absolutely not the meaning of that resolution in any sense or form, and the Minster of Finance knows it well enough. Oh, but he says, we are only doing what you people did, we do what you did. In the first place, as we know that is not an answer, and there is no use my taking up that part of the subject at all. This House in 1905 came to a certain conclusion ; we all agreed, Liberal and Conservative, to that resolution, the government pledged itself to carry it out, it has absolutely not carried it out but has gone directly in the contrary direction. You never dismissed a man when you came into office unless there was an investigation, unless he was a violent partisan ? Who that remembers the discussion that took place in this House after the elections of 1896 does not know that hundreds upon hundreds of Conservatives were dismissed ? A man in my own county was dismissed after investigation. He was a lighthouse keeper and got $80 a year for keeping the lighthouse. That man did not take any part in the election with the exception of going out to the poll and depositing his ballot. But he had a brother who was an active worker for myself in that county ; and, Sir, will you believe it, after the investigator was sent from St. John and investigated the whole case, and reported that this man took no part in the election except to vote, that man was summarily dismissed from his lighthouse position, and has been kept from it until this day—simply because he was a brother of an active worker in the field against the government. Why, Sir, a Liberal member living not sixty miles from Ottawa was written to by a minister of the Crown after 1896, and it was intimated to him that there were a lot of men along the canal who were not really civil servants, and that if he would make out a list of names, he could replace them all if he wished to do so. To the honour of that man, at that time a member of the House, he refused to send in the list, and the old men were kept on. But here we have example after example. The hon. gentleman says it does not matter much if a fishery officer is an active partisan. A fishery officer in Nova Scotia, with the lobster business, the bounty business, the fishing license business under his supervision, and he an absolute autocrat in charge, is in a position to exercise a more effective and deterrent influence than almost any other officer you can mention. His influence is just as strong as that of the land official in the Northwest. There is a man who knows that after three years of work he is to be reported on by the inspector. His influence, in canvassing, threatening, driving, appearing on the platform, and the like of that, is such that many a man who would like to vote, says : Well, I have not got my patent yet; my papers are not out; I have to be recommended or otherwise by this official, and I had better just keep mum during this election or vote for the government candidate and make sure of my patent. This is a universal feeling in the Northwest, and these minor officials can absolutely hang up an applicant for months. I know a case in which they did hang up an applicant for months. About the same date, for the same service, they hung up one who was a Conservative for four or five months, while the man who was a Liberal got his patent in quick time and regular order. That is what these officials do, and the government, I do not care whether it is Conservative or Liberal, ought to cut itself loose from that kind of influence, and ought to give to the people of this country the untrammelled right of free men, to vote without menace of

impending calamity, without fear of adverse government or official influence being used against them ; for that is a form of bribery just as intense and just as masterful, and may be more so, than is the kind which takes dollars and cents and the emoluments of office as its methods.

Mr. WILLIAM ROCHE. I do not wish to add to what my hon. friend——

Mr. SPEAKER. The hon. member has already spoken.

Mr. WILLIAM ROCHE. With the permission of the House, only one remark. The hon. gentleman said that a man named James Kehoe gave money to a man named Putnam. Putnam was an informer, and this is his evidence, which my hon. friend from Algoma should have gone on and read Page 24.

Q. Where did you get the marked money ?—A. I went into the hotel with Adams. I saw Adams first——

Some hon. MEMBERS. Order.

Mr. SPEAKER. The point of order is taken against the hon. member.

Mr. WILLIAM ROCHE. Will you permit me ? I shall be just a moment.

Mr. SPEAKER. Impossible.

House divided on amendment of Mr. R. L. Borden.

YEAS :

Messieurs.

Alcorn,	Hughes (Victoria),
Ames,	Jackson (Elgin)
Armstrong,	Lake,
Barker,	Lancaster,
Barr	Lennox,
Bennett,	McCarthy (Calgary),
Bergeron,	Marshall,
Blain,	Martin
Borden (Carleton),	(Queen's, P.E.I.),
Boyce,	Northrup,
Chisholm (Huron),	Perley,
Christie	Porter,
Clements,	Pringle,
Daniel,	Roche (Marquette),
Elson,	Schaffner,
Foster,	Staples,
Fowler,	Taylor,
Gunn,	White,
Haggart,	Wilmot
Henderson,	Wright (Muskoka.)—40.
Herron,	

NAYS :

Messieurs.

Adamson,	Macdonald,
Archambault.	Maclean (Lunenburg),
Aylesworth,	Macpherson,
Bureau,	McCool,
Calvert,	McCraney,
Carney,	McIntyre (Perth),
Cash,	McIntyre (Strathcona),
Chisholm (Antigonish),	McKenzie,
Clarke,	McLennan,
Conmee,	Marcile (Bagot),
Copp,	Marcil (Bonaventure),
Cyr,	Michaud,
Crawford,	Miller,
Demers,	Oliver,
Derbyshire,	Paterson,
Desjardins,	Pickup,
Devlin (Nicolet)	Power,
Dubeau,	Proulx,
Dugas,	Reid (Restigouche),
Fielding,	Roche (Halifax),
Finlayson,	Ross (Cape Breton),
Fortier,	Ross (Rimouski),
Gauvreau,	Ross (Yale-Cariboo),
Girard,	Schell (Glengarry),
Hughes	Sinclair,
(King's, P.E.I.),	Sloan,
Jackson (Selkirk),	Smith (Nanaimo),
Johnston,	Smith (Oxford),
Kennedy,	Talbot,
Knowles,	Telford,
Laurence,	Templeman,
Lavergne	Tolmie,
(Drum. & Arth.),	Turgeon,
Law,	Turriff,
Lemieux,	Watson,
Loggie,	Zimmerman.—70.

PAIRS :

Messieurs.

Ministerial.	Opposition.
Parmelee,	Worthington,
McColl,	Ward,
Harty,	Reid (Grenville),
Brodeur,	Monk,
Greenway,	Tisdale,
Logan,	Lefurgey,
Black,	Kemp,
Lapointe,	Paquet,
Belcourt,	Macdonell,
Bole,	Bristol,
Emmerson,	Walsh (Huntingdon),
Galliher,	Brabazon,
German,	Lewis,
Brown,	Broder,
Grant	Sproule.
Hall,	Maclean (York, S.)
Harty,	Seagram,
Fisher,	Osler,
McCarthy (Simcoe),	Avery,
Martin (Montreal, St. Mary's),	Leonard,
Pardee,	Wilson (Lennox),
Schell (Oxford),	McLaren,
Tobin,	Ganong,
Verville,	Morin,
Wilson (Russell),	McLean (P.E.I),
Burrows,	Clare,
Caldwell,	Cockshutt,
Walsh (Montreal, St. Annes),	Smith (Wentworth),
LeBlanc,	Crocket,
Campbell	Lalor,
Gervais.	Forget.

Amendment negatived.

Motion agreed to, and House went into Committee of Supply.

At six o'clock, committee took recess.

After Recess.

Committee resumed at eight o'clock.

Immigration—salaries of agents and employees in Canada, Great Britain and foreign countries, $200,000.

Hon. FRANK OLIVER (Minister of the Interior). This is the same as last year.

Mr. BERGERON. Are these the salaries of the employees in Great Britain?

Mr. OLIVER. In Canada, the United States, Great Britain and Ireland to the 31st March, 1908. In Canada there are one hundred and thirty-three salaried officials, thirty-three in the United States, seventeen in Great Britain and Ireland, three on the continent.

Mr. BERGERON. Those in Canada and the United States are not doing the same work?

Mr. OLIVER. Those in Canada are receiving and distributing agents. Those abroad are collecting agents.

Mr. J. D. REID. I have heard some of our young men complain that the foreigners get better treatment than they do. The Doukhobors and Galicians are met at Halifax by these Canadian immigration agents, taken out to the west and given the very best pieces of land there, and all free. But when our young men from the other provinces arrive in the Northwest, these immigration agents do not give them the opportunities of getting homesteads such as they do the foreigners. Our young Canadians make the best settlers in the west we can get, and there is no reason why they should not receive as good treatment as these foreigners. They are young men from the country districts, they are not thoroughly up in the laws of the country, and they ought to have every inducement given to them to encourage them to settle. I have heard many complaints in the last year or two in that respect. I do not know if other members have heard any, but if so now is the time to mention them and have them remedied. The young men from the districts I have heard from are complaining very bitterly and some are going to the United States, whereas if the same encouragement was given to them as to the foreigners they would settle in this country.

Mr. J. J. HUGHES. I have heard complaints of exactly the opposite character. I have been told that inducements are held out, though not by the government, to young men from the maritime provinces to settle in the Northwest, and the consequence is that these provinces are being stripped of their population and it is very difficult to get help to work on the farm. Some of our farmers have been obliged to sell out and go to the Northwest and other places where it is easier to get farm help. The Canadian Pacific Railway for some years past gives very low transportation rates to the young men to go to the harvest fields in the Northwest. Flattering inducements are held out, and the consequence is that our young men go out there, and when they get there inducements are held out to them to remain, and many of them do remain. Therefore, in the maritime provinces, where our population is not growing—in the case of Prince Edward Island it has been reduced within the last decade—our farmers and others who wish to get help are not able to obtain it and are unable to cultivate their farms to the same extent as they otherwise would.

Mr. BERGERON. What is the remedy?

Mr. J. J. HUGHES. I really could not say. I do not suppose any one can prevent the Canadian Pacific Railway from offering low transportation rates, and I do not know that the government could apply any remedy. I did not rise to suggest any remedy, but merely to point out to the hon. member for Grenville (Mr. Reid), who complains that the young men from the eastern provinces are not encouraged to settle in the west, that down in the maritime provinces we complain that too much encouragement is given them, if not by the government, by other agencies.

Mr. J. D. REID. So far as Ontario is concerned, it is short of help, and so far as encouragement to go out west during harvest season is concerned, no doubt the Canadian Pacific Railway gives our young men encouragement to go out, but what I complain of is that when they do get out there they are not shown the places where they can settle and are not given the same advantages in selecting lands and locating as are given to foreigners. A great many of them return home. On the other hand, when these foreign settlers arrive in the Northwest they are taken in hand by the agents and given every assistance, while that is not done in the case of our own men. I am only stating what is reported to me, and, of course, I may be wrong. But if there is any truth in these statements there should be a change of method, so that every thing may be done to keep our own men in our own country. As to those agents in the United States, I think that our country has been sufficiently advertised in the states and that all there who are likely to look towards our Northwest as a field for settlement are posted as to its advantages. The main point is that foreigners should not have advantages which are denied to our own people: for nobody will doubt that our own young English Canadians and French Canadians are better suited to settle and develop our Northwest than any foreigners can possibly be.

Mr. DANIEL. I concur in the suggestion made by the hon. member for Grenville (Mr. J. D. Reid). I think his complaint is well founded, for I have heard it said a number of times that foreigners are better treated in the Northwest than are our own people in so far as looking after them on

arrival is concerned. But I have also another complaint to make with regard to our immigration methods. It appears that the whole effort of the government is directed toward procuring settlers for the Northwest. But there are other parts of Canada besides Saskatchewan, Alberta and the territories. I believe that it is true that in the old country the immigration officers of Canada are not supplied with literature showing what the eastern provinces, for instance, have to offer to intending immigrants. The consequence is that we get none of this immigration, or practically none. The fact is that our eastern provinces are being depleted, some of our people going to the Northwest and many others going to the United States of America—I think that the tendency of emigrants from our eastern provinces is rather into the United States than into our Northwest. I am of opinion that the eastern provinces are entitled to consideration at the hands of this government. The minister will correct me if I am wrong in saying that the Immigration Department of the Dominion is not provided with any literature advertising the eastern provinces. An hon. member of this House who is now present, told me the other day of an experience he had had. He was requested by a friend in the old country to let him know where he could get information with regard to Nova Scotia and New Brunswick; and he was unable to find any printed material bearing on the eastern provinces in the Department of the Interior at Ottawa, nor was he able to learn that immigrants could be furnished with information of that kind in the Immigration Department in the old country. I do not know what reason the government may have for taking this stand, but I think the matter is one that should be explained. I think the minister should state to us why immigrants are induced to go solely to one part of the country and not to others which need them, I think, perhaps, quite as much.

Mr. BERGERON. I desire to make a remark or two and to put some questions to the minister now, so that when he rises to speak he may have all the complaints and questions before him. But first I may explain that, although I have had five or six copies of the estimates in English, every one of them has been taken away—I will not use a stronger word. I sent up for another copy, and am informed that there are no copies in English, but a copy in French has been sent me. I find that it is not the same as the English edition. In the English copy, which I borrowed from yourself, Mr. Chairman, I find that the vote for immigration is $810,000, while in the French edition it is $607,500. Nor is the item numbered the same in the two editions—in the English it is No. 57 and in the French No. 55. I draw attention to the fact that the documents which members need for carrying on their work here disappear. The place here is filled up with messengers. Somebody should be put in charge of the Chamber to see that members' papers are not taken away. It is very disagreeable to be obliged to send for a new copy of the estimates every time we go into Supply.

Mr. FIELDING. Can my hon. friend be right, as to the difference in the two editions? Are they the same date?

Mr. BERGERON. Yes, they are the same thing. Yet, there is the difference I have spoken of. There is a difference in the paging also—this item is on page 32 in the English and page 33 in the French. Of course this does not matter, but the other does.

Mr. OLIVER. Look at the title of the book.

Mr. BERGERON. I got this English copy from yourself, Mr. Chairman, and it is the same as the other—1906.

Mr. DEPUTY SPEAKER. It is my fault. I now send the hon. gentleman (Mr. Bergeron) a copy of the estimates we are now discussing.

Mr. BERGERON. Well, Mr. Chairman, the new copy you send me is just the same. My hon. friend should see that the papers in the House are not taken away.

Mr. FIELDING. I cannot guarantee that.

Mr. BERGERON. My hon. friend has the purse, and he can get somebody to prevent that being done.

Mr. FIELDING. There are no lack of purses, there are of officials.

Mr. BERGERON. We have a lot of messengers here who have not much to do, and they might stay in the House after it is adjourned and see that the papers are not taken away. I am not the only one to complain, some of my hon. friends are complaining of the same thing. An hon. gentleman on the other side of the House was complaining that the whole file of his 'Hansards' was taken away. Would the Minister of the Interior tell me how many there are of these agents for whose salaries he is now asking?

Mr. OLIVER. There are 133 in Canada, including temporary clerks at the head office. There are about thirty clerks in the head office, and about one hundred agents of various kinds outside the head office in Canada. Their business is to receive the immigrant on arrival and convey him to his destination, and then help him to his location on the land. We really do not leave him from the time he lands at Halifax or Que-

bec until we locate him on his place. We have a line of connection all along.

Mr. BERGERON. Who is the agent at the city of Quebec, and who is his assistant?

Mr. OLIVER. Patrick Doyle is the agent, and a Dr. Lavoie was recently appointed assistant.

Mr. BERGERON. I think Mr. Steyne was the assistant.

Mr. OLIVER. He is the chief clerk.

Mr. BERGERON. Why was Dr. Lavoie appointed in the place of Mr. Steyne?

Mr. OLIVER. This appointment was only made recently in view of the expected large tide of immigration.

Mr. BERGERON. Where is Dr. Lavoie from?

Mr. OLIVER. From Quebec.

Mr. BERGERON. I am informed he is an American citizen, from Fall River.

Mr. OLIVER. He may be. Of course there are many Quebec people who are citizens of Fall River, but I do not know that this gentleman is.

Mr. BLAIN. About those officers we have recently been appointing in the province of Ontario, I think the minister said two in each riding; does this amount go to pay these officers?

Mr. OLIVER. No, we have to ask for a sum in the estimates to provide for paying these agents a commission.

Mr. BENNETT. Is there a Mr. J. B. Henderson appointed at Orillia, what are his duties, and what pay does he receive?

Mr. OLIVER. Mr. J. B. Henderson is appointed at Orillia, his duties are to locate farm labourers, and he is to receive a commission of $2 for each labourer located with farmers in that locality.

Mr. BENNETT. Where will he get the labourers to locate?

Mr. OLIVER. We will do our best to forward the labourers from the seaport.

Mr. BARR. Does he send in a list of the number required?

Mr. OLIVER. The understanding is that these gentlemen are appointed on commission; of course they may do their work or they may not. But the understanding is that they inform themselves as to the requirements in their vicinity and they inform our agents at the sea-board. They also inform our officers here and we inform the agents at the sea-board, also our agencies in the old country; so that if possible we may send immigrants from the old country to the various points in Ontario where these gentlemen have been appointed to conduct the labourers to their destination amongst the farmers who have applied for them.

Mr. BENNETT. How long will a labourer have to remain with a farmer in order that the agent may earn his $2?

Mr. OLIVER. We cannot control that.

Mr. BENNETT. If he pleases he can place him with any person else than a farmer?

Mr. OLIVER. Then he does not get any commission. We take no cognizance of any labour in this connecion except farm labour and domestic servants.

Mr. BENNETT. I think this is the most fearful and wonderful plan that was ever evolved in the mind of any minister. He will have a list of claims for commissions that will make the minister shudder when he sees it. He says no matter how long a labourer works for a man he is entitled to the $2. He meets a train at the town of Orillia, where there is no more necessity for a Mr. Henderson to hunt up farm labourers than there is for a wagon to have five wheels. As soon as Mr. Henderson puts in a return that he has placed John Brown with Tom Smith he gets $2. Assuming that the labourer don't like his first place and comes back to Mr. Henderson, who places him somewhere else, will the latter be paid $2 more?

Mr. OLIVER. Yes, so far as I am aware.

Mr. BENNETT. Well, then, Mr. Henderson will keep the game going as long at it will last. From what I know of him, this will be a splendid arrangement for Mr. Henderson, because he is the paid organizer of the Liberal party in the county of Simcoe. There is no necessity of any agent of this kind in a town like Orillia, where labour is being sought for day in and day out. It is a busy town where lumbering operations, farming, and everything else is in full swing. Will the minister say who recommended Mr. Henderson, and what are his qualifications?

Mr. OLIVER. I could not say at the moment who recommended him. When it was decided to make this endeavour to meet the requirements of the farming community in Ontario the office here took what measures they could to get information as to who would be willing to act in this capacity, and who would be likely to act in good faith. Of course, we have been misled with regard to the good faith of some of these gentlemen who have been appointed, but we hope that in the majority of instances the experiment will work out satisfactorily. At any rate we know that there is a demand in Ontario for farm labour and we know that there has been in the past considerable difficulty in the arriving immigrant finding the place that was really waiting for him. A stranger from the old country landed in

the city and while there was probably employment waiting for him inside the city he certainly would not travel out in the country himself looking for employment that he might never get. The farmers came into the cities and tried to pick these men out. It was felt that there was a possibility of a useful work being done in arranging to find out by some means right in the country district where the labour was required what labour was required and take the labourer right to where the labour was called for. There is no question about it but there is a very great demand for some service of that kind. We made some attempt last year to meet that requirement. We have had some measure of success. We are making an attempt this year on somewhat different lines. From the experience of last year we hope to have improved results.

Mr. BENNETT. Is there any appointment in the town of Collingwood and if so what is the name of the party appointed ?

Mr. OLIVER. I may say that the list which I hold in my hand was laid on the table some weeks ago.

Mr. URIAH WILSON. There is no reason why you should not give it now ?

Mr. OLIVER. Not at all ; but I want it understood that this information has been in the possession of the House for that length of time. There has been no attempt to conceal anything in regard to these appointments.

Mr. BERGERON. Is it published in any of the reports ?

Mr. OLIVER. No.

Mr. HENDERSON. Where can it be had now ?

Mr. OLIVER. Right here.

Mr. HENDERSON. The minister says it was laid on the table.

Mr. OLIVER. Yes.

Mr. HENDERSON. Where can that copy be found ?

Mr. OLIVER. I cannot tell; ask the clerk.

Mr. HENDERSON. I think that the minister perhaps could give me the information that I desire.

Mr. OLIVER. I have to assure the hon. gentleman that I could not.

Mr. HENDERSON. Well then, I am very sorry.

Mr. URIAH WILSON. I think the minister had better read that list and then we can get it on 'Hansard' so that we can all see it. I would like to know if this system is carried out in any other province than Ontario ?

Mr. OLIVER. The gentlemen appointed at the town of Collingwood is Mr. Geo. Watson, jr.

Mr. BENNETT. What other position does he occupy under the government ?

Mr. OLIVER. I have no idea.

Mr. BENNETT. And I expect the minister does not care either ; I think he has another position.

Mr. HENDERSON. Would the minister be good enough to read that list and put it on 'Hansard' that we may all be able to see it ? I would like to know whom he has appointed for the county of Halton and I will state my reasons. Last year, I understood, there was nobody appointed for the county of Halton. Farmers from my county went into Toronto and endeavoured to procure farm help, and as my information is that they were told by agents they met there that they were not acting for the county of Halton and more than that that the agents who were there to locate farm labourers were demanding from the farmers a commission, a fee, a tip for so doing. I would like to know from the minister if it is the intention that the farmers should pay this commission or is it the intention that the government should pay it, Are the farmers to understand that they are not to be called upon to pay this commission ? I think it well that that should be known because my information is that a man occupying a similar position made a demand on the farmers of a fee for recommending farm labourers to them. I think this information should be made public so that the farmers will know exactly what is expected of them. In the meantime I would like the minister to read the list so that we will have it on 'Hansard.'

Mr. OLIVER. The conditions last year were not at all as they are this year. I do not know what agent my hon. friend has allusion to. I would like if he would mention the name of the agent of this government who demanded a commission.

Mr. HENDERSON. I am not able to give the name. I received that information from a farmer in the county and I do not suppose he knew the agent's name. There were about a dozen agents appointed in various counties last year but it chanced that none of them was from the county of Halton. When application was made by a Halton county farmer to one of these men the farmer received the answer that he was not appointed for Halton and he declined to assist him but at the same time an intimation was given that he did assist him he would expect to be if paid for it. I understand that these men were paid $100 a month by the government for these services. All I want is that this should be made public so that the farmers would know just exactly whether they are supposed to pay this commission or not.

Mr. OLIVER. I would be very glad to be informed as to the name of the agent of the government last year who asked for commission. Of course, in appointing so he acted in a most unauthorized manner and I beg to assure the hon. gentleman that if the fact of his having done so had come to the attention of the government his $100 a month would have ceased there and then. However, we are not continuing that system this year. The reason why there was no agent appointed for the county of Halton was that we did not feel justified in asking a sufficient appropriation to employ salaried agents for each county. We asked for an appropriation to enable us to pay salaried agents for a group of counties.

Mr. URIAH WILSON. Have you the same kind of agents yet ?

Mr. OLIVER. No, we found difficulty last year because one man was not able to meet the requirements of a group of counties, it being a physicial impossibility, and therefore there was a reasonable measure of dissatisfaction. Yet. there was a considerable expenditure of money. We did place a great many farm labourers. We did a certain amount of very good work but we did not do enough of it. This year instead of employing salaried agents for a group of counties it is proposed to employ two commission agents in each county in the hope that by doing so we will, with a considerably less expenditure of money, more closely and fully meet the requirements of the case.

Mr. HENDERSON. Does the government pay the commission ?

Mr. OLIVER. The government pays the commission. Of course, in appointing so many commission agents as we have done we are very likely to make mistakes in not getting the best man or in getting a man who does not take that interest in the work which would be desirable.

Mr. BLAIN. On whose recommendation were these men appointed ?

Mr. OLIVER. I could not answer that. We had to get information which would warrant us in making an appointment from whatever source was available.

Mr. J. D. REID. What do you pay them?

Mr. OLIVER. We propose to pay a commission of $2 for each labourer placed with farmers.

Mr. J. D. REID. That is $2 paid on each immigrant in addition to the amount paid in England or the continent ?

Mr. OLIVER. Yes.

Mr. J. D. REID. Where does a man wishing to get help have to send information ?

Mr. OLIVER. The farmer communicates with one of the local agents who sends the information to Ottawa and we send it down to the seaports and to England in the hope that the agents there may be able to ticket a man right to the locality where help is needed. Besides that, of course, we have men at the seaports to pick up what might be called loose fish and send them to the agents.

Mr. BERGERON. Have you any of these agents in Quebec and if not, why ?

Mr. OLIVER. No, one reason is because the province of Quebec is so convenient to the ocean port. Last year we employed one agent and may employ him again this year to work in the eastern townships. We sent this man over to the old country with a view to his getting in touch with the people so that he might attract them to the eastern townships where there was some demand for farm labour.

Mr. BERGERON. There are many townships besides the eastern townships in Quebec.

Mr. OLIVER. We have not provided for any other counties of Quebec except the eastern townships.

Mr. URIAH WILSON. In addition to the commission the minister has mentioned they get $10 for advertisements and incidentals.

Mr. OLIVER. They are permitted to spend $10 for these purposes but they have to produce vouchers showing that they have spent it.

Mr. BARR. I find from the list that there are many more of these agents employed than the minister has indicated. In my county they are three and one of these lives between three and four miles from the station so I do not see how he could possibly do his duty and attend to these immigrants who are coming to that part of the country. I am surprised that the minister could not tell us who advised him as to the making of the appointments. Of course as it is natural to expect they are all good reformers and as far as my county is concerned, they are all very good men well adapted for the work ; but in one or two cases, the appointments are peculiar owing to this distance from the station. If there are many coming to a county as there are in my county this allowance of $10 would not go far. I suppose the minister noticed a case reported in the Toronto papers of a number of immigrants who arrived in Toronto without money, who were not permitted to stay in the government shelter without paying the accommodation, who were found on the street and sheltered for the night by a hotel keeper near the station. I would point out that our boys going to the west are not looked after to the same extent as foreigners coming into this

country and they find this ground of grievance. Then too, the system of settling these foreigners in colonies has resulted in their not learning English which prevents Canadians or those speaking English from locating near them as they would not be congenial neighbours. I think the whole system of immigration is not one which is to the best interest of this country. We have a very large vote here, over $200,000. We have agents all over the old country and the result is that a great many of them are doubtless taking the money and doing very little in return for it.

Mr. BERGERON. Has my hon. friend an agent of the department in Montreal at whose office immigrants will find all the informations they require when they land there and if so what is his name and salary?

Mr. OLIVER. There is an agent at Montreal, John Hoolahan.

Mr. BERGERON. Where is his office?

Mr. OLIVER. 167 St. Antoine street.

Mr. BERGERON. That is the first time I have heard his name. To my mind the best part of the work is done by Mr. Marquette whose office is in Little St. Antoine street. At any hour of the day you find a string of men and women at his office which is very small. I believe that Mr. Marquette in under the local government, but I thought that he had also a commission from this government. He should have, as he knows more about this business than any body else. A good many of our farmers in Quebec go to that agency for young boys who have just arrived from England, and very often adopt them as their own children, and generally they give good satisfaction. I am not so much complaining that our people go to the Northwest as I am that our farmers cannot get the help they require, and if these young boys from England were brought to the office of Mr. Marquette, where they would be at the disposal of the farmers who require them, a great deal of good would be done. Mr. Marquette does much better work than any one else, because he knows his work, he has been in it for twenty-five years, and he is well known. If the government would give him the same inducement that they give to their agents, he would do a service that would well repay them.

Mr. J. D. REID. I wish to corroborate what my hon. friend has just stated. In the last few years I have had occasion to go to Montreal to look for different kinds of labour. I have gone to the agent the hon. gentleman mentioned, Mr. Hoolahan, and I must say that it is absurd to keep his office up in the way it is. Those in charge do not seem to know anything about immigration. On the other hand, I was referred some years ago to Mr. Marquette. When I went to him and told him what I wanted, he said that he was appointed by the local government, and that it was not within his jurisdiction to interfere in any other part of Canada than Quebec; yet he assisted me to get the help I required. He seems to be a very fine gentleman and an active man, thoroughly up to his business, the right man in the right place, and, as my hon. friend says, his place was crowded while the other office was absolutely useless.

Mr. BERGERON. I am very much surprised to hear that Mr. Marquette is not an official of the Department of the Interior, as he is doing work for that department every day in the year. The immigrants who come in, both men and women, who are very much required in Montreal as domestic servants, go to Mr. Marquette's office, and I am sure he deserves recognition from the Department of the Interior.

Mr. OLIVER. I understand that an arrangement has recently been made whereby Mr. Marquette is to get the benefit of the $2 commission for supplying help to farmers. My hon. friend will agree that a large demand, such as now exists for immigrant labour, is comparatively new in the city of Montreal and vicinity. It is a well known fact that the maritime provinces and the province of Quebec have rather been subject to emigration than immigration; that is to say, they have had a large surplus population which sought employment in other fields, so that it would have seemed rather an ungracious business on the part of the government to use efforts to bring people into these sections of the country and crowd out still more the native born population. The present demand for immigrant labour in those provinces is a new condition, which up to the present time has not been fully appreciated by the Immigration Department. However, as I have already had occasion to say, the policy of immigration must change with the changing conditions, and I beg to assure my hon. friend that it will be the duty of the Immigration Department to meet the requirements to which he refers as it arises, and in so far as we can meet it in a reasonable way. In regard to the office in Montreal, it is not an immigration office in the ordinary sense of the word, but rather a detention hospital for immigrants who come by way of Portland and New York in the winter time, and who make their landing in Canada at Montreal. The immigrants who come to our own ocean ports of Halifax and Quebec, are put on the cars and carried through to their destination, but for those who come by Portland or New York, we have to make this provision for their care at Montreal.

Mr. BERGERON. I do not want my hon. friend to be under the impression that we

have too large a population in Quebec. As he understands, families in that province are pretty large. For instance, a farmer living on seventy-five acres of land has five or six sons. Some of these young men are very active, energetic and intelligent. My hon. friends department has been circulating literature which is very well got up and well worth the money spent on it. Many young men who have seen that literature want to go to the Northwest where they have a brighter future, and that is no doubt a very good result. But they have to be replaced on the farms they leave, and these immigrants who come out here to work and take up land, might just as well begin in the province of Quebec as in the Northwest. This place of Mr. Marquette is not a hospital, but a little bit of a house, altogether too small. It should be considerably larger. I am very glad to learn that my hon. friend has made arrangements with Mr. Marquette. I am sure that he will not have from any of his agents that satisfaction in a practical way as he would get from Mr. Marquette, for Mr. Marquette knows the class of immigrants very well, he knows those who are seeking for help, and exercises very good judgment in placing the immigrants. But I would ask my hon. friend if possible to enlarge Mr. Marquette's place so that it may afford shelter for those who are waiting for employment. In justice to Mr. Marquette, I must say that I have known him a number of years and have had opportunities of judging of his work. I know that he takes a great interest in it, that he has given great satisfaction both to those seeking for employment and those wanting to engage them, and in fact in many instances has paid out of his own pocket to help those who had not the means to pay their own way. I know that at times he has paid the board at the hotels of women pending their getting employment. There is another institution, principally for women—I do not remember its name—to which women are sent immediately on arrival in Montreal. I think it is on Colborne street. It is a small place, with not sufficient accommodation, and sometimes the women have to go to a hotel, and I know of cases where Mr. Marquette has paid their hotel fare out of his own pocket. A man who shows so much zeal and public spirit ought to be encouraged, and I am glad to hear that the hon. minister has made an arrangement with Mr. Marquette for the future. The only thing I would ask him to do at present is to provide a larger house because the present one is not at all adequate to the requirements.

Mr. BOURASSA. A good deal of this discussion is entirely out of order. There is another item, yet to be voted, for these distributing agents. The item we are now discussing is that of immigration agents. These distribution agents are not included in the number which the minister gave a moment ago, namely, 133 agents in Canada.

Mr. BERGERON.

Mr. OLIVER. No.

Mr. BOURASSA. Therefore this is not at all the item concerning distribution agents. The list which was asked by the hon. member for East Simcoe (Mr. Bennett) will be paid under an item which will appear in the supplementary estimates.

Mr. BERGERON. But I asked how many in Canada.

Mr. BOURASSA. It is not the same kind of agents. I do not say that my hon. friend is out of order, but what I say is that the discussion relating to these agents, whose work is the distribution of immigrants for farm labourers, is not included in this item. Out of those 133 agents in Canada, thirty-one I understand are on the local staff at Ottawa, leaving about one hundred distributed throughout Canada. I would like to have a list showing how many in each province, leaving out altogether those who have for their duties the distribution of farm labourers.

Mr. WARD. I would like to ask the hon. minister, even at the risk of being out of order according to the hon. member for Labelle (Mr. Bourassa), why it is that in the list I have seen just now there is a discrimination in favour of the county of Northumberland as against the county of Durham. There are four agents about to be appointed for the county of Northumberland, which is very little larger in population than the county of Durham, and there are but two agents for the county of Durham. Although Durham is not represented by a government supporter, I do not think that would weigh for a moment with my hon. friend, and people in the north part of the county have as much right to be served with those agents as people in Northumberland. We have only two in Durham, each of them in the front on the lake shore, so that the farmers in the north will have to go some twenty or thirty miles to come into communication with the agents. Why not have more agents appointed in Durham as well as in Northumberland?

Mr. OLIVER. I am unable to answer my hon. friend. I do not think there is any reason. We have appointed rather a formidable number, and I was a little afraid that our friends opposite, who are inclined to be critical, would think that we are rather over doing possibly a good thing. However, as my hon. friend tells us that in the county he represents, there are two in the front and none in the rear, if he will be good enough to give me the name of a suitable person, who would be in the part of the county not at present looked after, I shall be very glad to make the appointment.

Mr. BENNETT. A Tory too.

Mr. OLIVER. I do not know whether he will be or not. I take it for granted that

my hon. friend will recommend some one who will be likely to discharge the duties creditably, and that will be good enough for me.

Mr. WARD. So far as the appointment at Port Hope is concerned, I have no objection to Mr. Powers, because he is a man who will fulfil the duties, if there are any, very well. But there is a large village at Milbrooke, some eighteen miles north, where a large distributing centre for labour could be had, and I should be very glad to have one established there.

Mr. OLIVER. As soon as my hon. friend will hand me the name, I will see that the appointment is made.

Mr. BARR. Have those agents been notified of their appointment? The farmers in the county of Dufferin are not aware who the agents are, for I have a great number of letters asking if any agents have been appointed. This is the time of the year when our farmers are looking for help and they want to know where to look for it. Yet, so far as I know, no notice has been given of the appointment of those men or their duties.

Mr. OLIVER. I am very sorry if the agents appointed in that locality have not made their appointment known. On January 15, a circular was addressed to them so that they ought to know by this time that they were appointed, and what they have to do, and as they are free to make an expenditure up to $10 for advertising, if they have not made themselves known, they have not done what they should have. With a large number of appointments such as are on the list, made without personal knowledge on the part of our officials here, we cannot expect that they will all be right up to the mark. But now that the season is opening, we hope to have some practical supervision, and where there is any delay, we will try to get them into action or supplant them by somebody else. Nothing will be left undone.

Mr. BOURASSA. I insist on a decision being given. We have been discussing appointments, and salaries, and the policy of appointing agents who are not going to receive one cent under this item.

Mr. HENDERSON. I am surprised at such a point of order being raised by the hon. member for Labelle (Mr. Bourassa), who for about half an hour to-day spoke in the House while he was out of order. He seems to think everybody should be in order but himself.

Mr. BOURASSA. I spoke seven minutes exactly.

Mr. HENDERSON. Then he was seven minutes out of order.

Mr. BOURASSA. I want your decision, Mr. Chairman. I want to discuss the question of the distribution of farm labourers, and if it is going to be discussed under this item, all right. But we might just as well discuss the railway policy of the Militia Department.

Mr. URIAH WILSON. I would like to know who has the right to say that these are not agents of the government. They are agents of the government, and we are discussing the salaries of agents of the government. I think we have a perfect right to discuss any agents that are receiving commission for locating immigrants in any of the provinces.

Mr. J. D. REID. I think that if we discuss the item more fully we will pass the other items more rapidly.

Mr. BOURASSA. All right.

Mr. OLIVER. I have not been making any objections. I would rather discuss the items separately, not that I wish to avoid discussion on the one or the other, but I think we can get a much more intelligent idea of the matter by keeping the two subjects separate. My hon. friend raised the question at the beginning, a very important one, but we have lost sight of it. I have heard, as my hon. friend has heard, that the native Canadian does not get the same show in the Canadian west as the foreigner. Well, that is a mistake. There is, however, this to be said, that the foreigner who does not speak the English language needs and receives an attention that an English speaking man does not need, and would resent if offered him. Therefore when foreigners come here speaking no language but their own, who are not familiar with our laws and system of government, if we wish them to acquire an understanding of the advantages that are offered to them and of the obligations which they are taking upon themselves, we must pay them an attention that the Canadian certainly does not require, because he understands thoroughly our laws and is himself a part and parcel of the government. But so far as facilities for locating lands are concerned, that is to say, the selection of lands, making entry therefor, and so on, precisely the same facility is offered to every one alike. Our land offices are as wide open to one man as to another. The German, the Galician, the Doukhobor, when they reach the land agencies or the many sub-agencies receive no favours over the Americans or the Canadians. There is no distinction in any way to the disadvantage of the Canadian. But I beg to assure my hon. friend that while it is not the policy of the government to enter upon a campaign to induce people from the eastern provinces to go to the western provinces, and I have every reason for believing that such a campaign would not be looked upon favourably by the eastern provinces—indeed we are not allowed to enter upon such a campaign, I want

to say that when eastern Canadians come here, there is nothing too good for them in the minds of the administration.

Mr. J. D. REID. Is there any assistance given to the foreigner in the way of grain, or money advanced to him, or anything the like of that ?

Mr. OLIVER. No.

Mr. J. D. REID. Suppose a foreigner arrives in the Northwest without any funds to start with, do you make him any advance to help him that is refused to incomers from any of the Canadian provinces ? I have heard something of that kind, that advances are made to foreigners in the way of seed grain, in giving them more time to repay, advantages that are not given to young men from the eastern provinces.

Mr. OLIVER. I am glad my hon friend raised that question, because it is an idea that is in the minds of some people, and it is just as well to clear it up now. There is no such system of giving advances to anybody because they come from one country or from another.

Mr. J. D. REID. Are advances made ?

Mr. OLIVER. Under certain circumstances. For instance, during the past winter when there was a blockade and certain difficulties arose that I need not enlarge upon, there were found in the country south of Battleford people who had gone out on the prairie far from railroad communication but expecting to be served by the Grand Trunk Pacific when it was built. These people were under special disadvantages during the past winter. and the money that they intended to spend on seed grain they had to spend for fuel, and they suffered serious disability. We did make some provision for assistance to these people. Police patrols were sent out during the severe weather, and, where families were found to be in an impoverished condition—possibly through lack of money. or possibly not—advances were made to them of provisions, and later on, of fuel. This grant was not made on grounds of nationality, but simply because of the conditions which prevailed.

Mr. J. D. REID. I am speaking of immigrants who came into the towns in the spring.

Mr. OLIVER. There was nothing of that kind—so far as I am aware there never was anything of that kind, except in the single case of the Doukhobor community, who were brought in here as the result of a special movement carried on under specia' conditions. There was an advance to that community, I believe. The ordinary immigrant gets no consideration except in facilities to place him on his land. If, after he gets in, misfortune overtakes him, we may come to his rescue, let him be of one nationality or of any other. Of course, native Canadians are the least likely to require such assistance. They are better adapted to the circumstances, and they know the circumstances ; perhaps they are better fixed, and they are better rustlers. They are the best people we can have there. But, where a man needs assistance, the circumstances being the same, he is given that assistance regardless of his nationality. Of course, these are not free advances. If a man receives an advance, it is because he needs it and wants it ; and the government takes security on his homestead for advances, which, in due time, he must pay before he gets his patent. We have been led to believe that it is better policy to do it in that way so that it shall not be considered a charity. It is an advance, a loan, which the settler is expected to repay.

Mr. J. D. REID. It may be that the information I received arose out of the case of the advance to the Doukhobors. My information was very strong, but, if the minister says that there has been no advances to people under such circumstances as to discriminate against Canadians, of course, I accept his statement.

Mr. BARR. Take those immigrants who come under the auspices of the Salvation Army, is it not true that they have an advantage over the Canadians who go to the Northwest ? Are they not taken charge of and placed upon their lands, while the Canadians must look up an agent to hunt out his own land ?

Mr. OLIVER. The Salvation Army is an institution entirely separate from the government. If they make arrangements to receive and care for immigrants to come in under their auspices that is their business ; they do it at their own expense.

Mr. URIAH WILSON. Do not they rereceive a grant from the government ?

Mr. OLIVER. We give them the same bonus that we give to other booking agents.

Mr. URIAH WILSON. Does the government not give them a grant besides ?

Mr. OLIVER. We give them $5,000 a year, as assistance to their head office in London, and we do it on the ground that they handle their own people who come out, relieving us of responsibility. But that is the only consideration that they get. As booking agents they are given $5 per head for immigrants. and if they distribute farm labourers in Ontario, they get the same commission as do other agents we have appointed.

Mr. BARR. The Ontario government gives them a grant too.

Mr. OLIVER. We have nothing to do with that. The operations of the Salvation

Army in distributing immigrants are particularly in the eastern provinces and not to any great extent in the Northwest. The salaries covered by the item under discussion represent the machinery by which the immigrants are distributed on land.

Mr. BOURASSA. I do not wish to see the very important question raised by the hon. member for St. John (Mr. Daniel) set aside. That is the question of the encouragement that should be given by the government to the Canadian citizens of the eastern provinces who wish to settle in the Northwest. This question has been debated once in this House, but it has not been probed to the bottom. The other day my hon. friend the Postmaster General (Mr. Lemieux) referred to the feeling in the province of Quebec on this subject. My hon. friend likes once in a while, to be provincial in his views. I have never regarded this from the provincial point of view, but have considered it from the point of view of the citizen of Eastern Canada as well as from the point of view of the citizens of Canada at large. I claim, as I have always done, that the best settler you can have for the Northwest is the Canadian citizen. I say that not from any jingoistic feeling—I do not claim that we are any better than any other people; but for the very reason that we are the people of this country, for the very reason that we have settled the older portions of this country, we are better prepared to carry on the settlement of those portions that have yet to be opened up. But, while I hold this view I have no objection to any foreigner coming in to settle in Canada. In spite of what has been said by those who choose a time to criticise me when I have no opportunity to reply, I have never spoken, either in the province of Quebec or elsewhere, a single word in disparagement of the policy of bringing desirable immigrants into Canada. The only places in Canada where I have discussed the question of the immigration of French people especially are Toronto, Hamilton, St. Catharines and Orillia. I do not think my hon. friend, the Postmaster General, will accuse me of having gone to those cities to pander to the race sentiment of the French Canadians or to make cheap popularity for myself at the expense of his patriotic colleagues and himself. I shall treat this subject also in the province of Quebec, but, in doing so, I shall hold the same language that I have held in Toronto and these other places and that I hold in this House; and this is a course which I invite the Postmaster General and his followers to adopt, for it will be something entirely new in their political career. I repeat, I have not discussed this question in the province of Quebec, I have never 'roamed' through the province of Quebec talking on this question, but I have discussed it in the heart of English-speaking Canada.

Mr. LEMIEUX. Will my hon. friend allow me a question?

Mr. BOURASSA. Certainly, as many as you like.

Mr. LEMIEUX. That is a question of fact. If my hon. friend will cool down a little may I ask him did he not discuss that question in the county of Quebec in my presence on nomination day?

Mr. BOURASSA. Certainly.

Mr. LEMIEUX. Then why did you say that you never have?

Mr. BOURASSA. I said that I had never been roaming around the province of Quebec endeavouring to raise the feelings of the French Canadian people on that question.

Mr. LEMIEUX. That is not——

Mr. BOURASSA. Let the Postmaster General control himself and cool down a little. The question was raised in the county of Quebec by the hon. member for Quebec county (Mr. Robitaille). His programme was a very simple one. It was that we should encourage the settlement of our own people rather than that of foreigners, and that in the bringing in of foreigners we should not recklessly ignore the claims of our own people. That I supported then and still support. On the question of French immigration—that is the point I have raised and I do not want the Postmaster General to divert from it—I say that I have never discussed it outside of this House or outside of Ontario.

Mr. LANCASTER. Is the hon. gentleman in order in telling the committee what he has done in roaming around the country? What has that to do with this item? Who cares what he has done?

Mr. BOURASSA. The point of order was left aside with the consent of the Minister of the Interior and the Postmaster General. It was stated that they were ready to have the whole question discussed. This item out of which the government is going to pay the salaries of the immigration agents in the different countries of Europe relates directly to French immigration as well as to settlement in the Northwest.

Mr. LANCASTER. Mr. Chairman, I still say that if the hon. gentleman tells us all that he has done personally in roaming around the country it has nothing to do with this item.

Mr. BOURASSA. My hon. friend is quite right, but the point of order comes too late. If the hon. gentleman had raised it five

minutes ago I would have been obliged to sit down.

Mr. LANCASTER. I tried to.

Mr. BOURASSA. I simply took the same liberties that have been taken by other members. I have been looking through the list of agents who are to be paid under this estimate. There are agents in Canada, one in Prince Edward Island, fifteen in Nova Scotia, six in New Brunswick, twenty-four in the city of Quebec, five in the city of Montreal, thirty-five in the general offices at Ottawa, twenty in Winnipeg and twenty-nine throughout the Northwest. As will be seen by hon. gentlemen this does not include one of those distributing agents to which my hon. friend from East Simcoe has been referring. I may have a word to say later on about these.

Some hon. MEMBERS. Are these distributing agents?

Mr. BOURASSA. No, these are the immigration agents centred at the immigration offices in different parts of Canada. What I want to point out is that these fifty-one agents quartered in the eastern provinces, that is in Prince Edward Island, Nova Scotia, Ontario and Quebec, have no other business and have no other instructions from the government than to receive these immigrants and ship them to the Northwest. Therefore, they have nothing to do with the work which the hon. member for St. John (Mr. Daniel) would like to have done. We the people of the eastern provinces are contributing to the salaries of these agents as well as the salaries of the agents in the older countries. Now, the whole staff is organized on this footing: The men on the other side have offices, three or four of which I visited in Europe, filled with literature, with maps and pamphlets of all kinds setting forth the advantages of Manitoba and the Northwest. Against this I have nothing to say, but I claim that we the people from the east have the right to have the advantages of our eastern provinces set forth in the literature of the government and made known to the immigrants who leave the other side in order that they should make a choice as to whether they should settle in the east or west. The hon. minister made a statement a moment ago that the eastern provinces. especially Quebec and the maritime provinces, have an overflowing population or that up to a few years ago they had an overflowing population and did not want immigration to come in.

Mr. LEFURGEY. It is flowing away too fast from the maritime provinces.

Mr. BOURASSA. That statement was corrected beforehand by one of the members from Prince Edward Island, who was claiming that the population of the province was decreasing although every one knows that with its splendid soil and climate Prince Edward Island could support a larger population.

Mr. LEFURGEY. Better communication with the mainland would increase the population.

Mr. BOURASSA. That may be one thing. I do not want to allow that very important red herring to come across my trail. Now, it would be the same with New Brunswick, Nova Scotia, Quebec and Ontario. I quite admit that immigrants who would find suitable conditions for settlement in the eastern provinces are not the same kind of immigrants who would only desire to go to the west in order to have, for a small price, a large quantity of land which they are not obliged to clear. But I claim that you can get from Scotland, from Ireland, from England, from Belgium, from the north end of France, from Brittany, from Auvergne, from Franche Comté a most desirable class of immigrants. Let me suggest to the hon. Postmaster General when he next goes to France not to stop altogether in the French capital where he may have very nice chats with French ministers, but to go through the provinces of France where the farmers are poor, where the farmers have large families, where they do not emigrate in large quantities because they are not attracted to the outside, but where you can get a splendid race of hardy farmers, as in Britany where they are farmers and fishermen, in Auvergne where they work part of the year in their own country and do, as some of the farmers in Scotland and Ireland do, go to the richest departments of France to work in the harvesting and then go and do their small harvesting in the mountains. You can get from these mountains a hardy race of men who would come to our eastern provinces and take up small farms because any of them have a small capital at their disposal of $1,000, $2,000, $5,000 and as much as $10,000, who will go into the older provinces as some of them have done without any inducement whatever from the government, without any literature being distributed amongst them, having come of their own will because they happened to learn something about Canada. They would settle on a farm of 50 or 100 acres upon which a Canadian family does not find it easy to make a living, cut it into two or three small farms and devote themselves to intensive cultivation and gardening. We have a few settlements of that kind around Montreal, we have some near St. Hyacinthe and near Quebec and I have some in my own constituency around the town of Buckingham, Frenchmen, Germans, Irishmen, Belgians, men of different races, who are splendid gardeners, excellent farmers, who understand the intensive system of cultivation which they bring from

Belgium especially. Belgium to-day offers the most splendid field for immigration that you could desire. It has been stated and it may be stated again that we have one immigration agent in Belgium, but I may say here in the hearing of the Minister of the Interior, whether it was under his authority or not I do not know, that the representative of the provincial government of Quebec has written in a document which he has produced before the legislature that our federal agent in Belgium had received strict orders, or at least pretended to have received strict orders, not to direct any immigration to the province of Quebec, but to use only a line of propaganda that would induce people to go to the western provinces.

Now, Sir, it is the same thing in England, it is the same thing in France, it is the same thing almost everywhere where this government or the preceding government had agents or representatives. It is against this kind of policy that I protest. I claim that we have room for a large number—perhaps not for hundreds of thousands, I would not wish for that either from France or any other country, I would not care for an immense influx of population to come into the older provinces—but I claim that if instead of looking to the number you were looking to the quality, if instead of trying to induce all sorts of people to come here by the hundreds of thousands so that you might show big figures in your statistics before the House and the country, if you had some care for the future and for the present good of the country you would try to get the best kind of people you could from any of the most civilized countries, especially from those that are akin to us, particularly Great Britain, France and Belgium ; settle in the older provinces those who have some money and who would go in for the intensive system of cultivation and direct to the west those who prefer to settle on the prairie.

Some mention has been made of the work of the Salvation Army and the splendid kind of people they are sending us. We are told that a bonus is paid on these immigrants in the usual way but, moreover, that the Salvation Army gets a subsidy from the government in order to help them in their work. I repeat what I have had occasion to say in other circumstances. As far as reforming people in the country where they operate. I have nothing but praise for the Salvation Army, but I claim that we who have at heart the welfare of our country ought not to allow the Salvation Army or any other organization to send to us all the worst characters of the country in which they operate in order simply to get rid of them. What do I find in a London newspaper, in 'The Record' of the 21st December last ? This has been sent to me from England and shows you the kind of work which is going on there and the kind of immigrants we are getting for whom we are paying first $5 on the other side and are going to pay $2 to have them distributed on the farms in Canada. I shall not read the whole advertisement, but I shall give the principal part :

> No relief without work. Beggar tickets and married men's relief tickets on application. Labour homes and other institutions in all parts of the United Kingdom, giving a fresh start in life to ex-prisoners, loafers, unfortunates, tramps, drunkards, hooligans, 3,000 sent this year from penury at home to prosperity in Canada. Donations earnestly requested towards £100,000 fund for emigration of 20,000 next year.

Is the Minister of the Interior (Mr. Oliver) prepared to state here that it is a good and patriotic policy to not only allow this kind of immigration to be operated against us but also to pay $5 for getting those people here ? If the minister of the Interior is so anxious about reforming the hooligans and the drunks and the tramps and the unfortunates, and the loafers and the ex-prisoners, let him go there and join the Salvation Army and convert them at home and leave them there ; but I claim that the people of Canada who have a feeling of responsibility for the future of this country should not encourage that kind of policy, the result of which will be to attract 20,000 people of the classes I have mentioned and described.

If I am going to be painted all over this country as an absolute rebel, as a provincialist, as a man appealing to the racial feelings of his compatriots because I denounce this kind of policy, I am ready to stand the accusation, but I repeat that I am ready to go and discuss this question in any English speaking city in Canada as I have done this winter. I am prepared to say that whether they come from England, Scotland or Ireland, or from France, Belgium or Germany, we do not want in this country the kind of characters depicted in this advertisement; that not only should we not offer them inducements to come, but that we should put a stop to this kind of work. I am prepared to say further that a good honest decent farmer from France or Belgium is better than a hooligan from London, and that a good and decent farmer from Scotland is ten times better than a hooligan from Paris or Marseilles or Bordeaux. I do not want any hooligans to come here but, on the contrary, I do want an intelligent propaganda carried on with regard to immigration. I claim that to secure a decent kind if immigrant it is not necessary to pay that bonus or to keep those officials. I claim, on the contrary, that as we want to address ourselves to the best farmers of the countries of Europe, that are akin to us in temperament, in feeling, in religion, in national traditions, all that it is necessary for us to do is to have a few good agents there, who would not seek to

carry on a speculation at the expense of the health of the Canadian nation, but who would receive a fair salary for doing their duty towards the Canadian people. It would be sufficient to have the right kind of agents there and the right kind of literature, literature that would make known to the people of the different nations of Europe, all the advantages of all the provinces of Canada, and not to have agents who would receive orders from the Dominion government to throw into the cellar pamphlets that would show to the people of Belgium the advantages of the province of Quebec or the province of Ontario. We are not paying either the minister of the Interior or his staff of permanent officers or agents to discriminate against one part of Canada in favour of another. I am in favour of sound immigration for the whole of Canada; I am in favour of advertising the advantages of Canada, but I am against this policy which consists in taking the money of eastern Canada to replete the Northwest with all sorts of people, and secondly I am against a policy which consists, as I have said, in advertising our country as I have described it as a patent medicine to cure the social evils of the poorest classes of all the nations of Europe. I hope we are all devoted to Canada and to the future of our country.

With regard to the organization of these agencies, I have stated after visiting them, that they are not agencies of immigration to Canada, they are agents of immigration to the Northwest of Canada. The Minister of the Interior was candid enough to admit it to-night, but he says circumstances change. They changed a good while ago. I would like a clearer statement by the minister that he is not only going to put a stop to that discrimination against the older provinces of Canada but is going to rearrange his system of agencies as well as his literature. I remember the first time I was in Europe visiting one of the Canadian offices and I found a map issued by the Interior Department upon which one-third of the best part of the province of Quebec was annexed to the United States. That was an official map issued by the Interior department showing the whole country south of the St. Lawrence, in the Montreal district, as annexed to the United States and belonging to the state of Vermont and the eastern part of the state of Maine. I pointed that out to the ex-Minister of the Interior, and he ordered those maps to be corrected. I hope the present minister will be kind enough to make some corrections in his literature, and have a few pages devoted to the mineral, agricultural, fishery and lumber resources of the province of Ontario, Quebec and the maritime provinces. Now, I would like to know what is the basis of the organization for the distribution of farm labourers in the eastern provinces. If I understood the minister aright, it is entirely confined to the province of Ontario. If I were not aware that the hon. minister does not know a great deal about the province of Quebec, I would have been astonished at the statement he made that in Quebec we do not need farm labour, and that therefore he had for that province only one agent in the eastern townships. I would like to know from the minister what is the number of those agents in Ontario?

Mr. OLIVER. One hundred and ninety-eight.

Mr. BOURASSA. How many for the maritime provinces?

Mr. OLIVER. There are none.

Mr. BOURASSA. So that we have to-day 198 officers who have instructions to keep some of the immigrants for the province of Ontario, and we have none in Quebec except one in the eastern townships. I may tell my hon. friend that I am a descendant of generations of farmers in the district of Montreal, and we have at least eight or ten counties south of Montreal, which are the richest counties in the province of Quebec and some of the richest in the Dominion of Canada, where the need for farm labour is just as great as it is in any portion of Ontario. I suppose I shall be accused of pandering to the feelings of my compatriots if I say that we have as great need for the appointment of such agents for the province of Quebec as there is for their appointment for the province of Ontario. We need them for the counties of the Richelieu valley and for the counties of the St. Lawrence valley as much as they are needed in the eastern townships. My hon. friend says that because these counties are near the ports we need not appoint agents. Does he imagine that the farmers are going to go every day to Montreal to hire immigrants? Many of these farmers are just as far from the port of Montreal as the farmers of the eastern townships are from the port of Quebec. Why not give them the same attention and care as you do this county or that county in the province of Ontario? I quite realize that when you do nothing towards bringing farm labourers from Belgium and France, it is to a large extent not necessary to have that kind of organization in the province of Quebec. Of course, you will occasionally find a farmer in the province of Quebec who has no children or some of whose children have settled elsewhere, and who is glad to adopt a young boy from England and bring him up as his own child; but that it not what I mean when speaking of farm labour. What I mean is that when the time arrives for the hay harvest or the grain harvest, there is an imperious demand for labour both in the counties south of Montreal and in the counties north of Montreal. In Quebec, in St. Hyacinthe, in Valleyfield, in Three Rivers, in Sorel, the demand is just as great as it is in any town of Ontario. If the hon. gentle-

man were right, it would be sufficient to have a few agents in Montreal to send labourers to Ontario as the people would need them. But there should be agents in the various small agricultural towns, where they could get information direct from the farmers. The farmers coming to market will tell the agent: I would like to have a farm labourer from this date to that date. Another will say: I need two. In that way the agent in the district would be able, a few weeks or months before the time of harvest, to say: We shall need fifty or one hundred labourers, as the case might be. How can you expect to have that information with only one agent at Sherbrooke, and with the staff shipping all the farm labourers to the west? Without a similar organization in the various eastern provinces to do for the east what you do for the west, it is perfectly useless to expect to bring about a change of conditions. I think the time has come when the Department of the Interior should change its policy from top to bottom, as far as that is concerned, and pay a little more regard to the people in the east without discriminating at all against the people in the west.

Mr. WILMOT. I beg to enter my complaint in regard to what the hon. member for St. John brought up a short time ago on the subject of the attention paid by the Immigration Department to the requirements of the maritime provinces. I hold in my hand a letter from a prominent official of that department in answer to a request made to me by a friend going to England. He wished me to obtain from the department some immigration literature, with the idea of inducing farm labourers to come to the province of New Brunswick. The reply of the official of the Immigration Department goes on to say:

> In compliance with this request, I am sending from my office an assortment of literature, including copies of 'Last Best West,' 'Where and How,' 'The Canadian West,' 'How to Succeed in Canada,' and an 'Index Map.' It is not usual to issue literature relating particularly to the older provinces, but this year we have printed a small pamphlet of the province of Prince Edward Island, and another on the eastern townships of Quebec, both of which have been sent to Mr. J. Bruce Walker, assistant superintendent of emigration, 11-12 Charing Cross, London, S.W., England, for distribution in the old country, and I am asking him to forward to you a number of copies of both these pamphlets, together with a supply of the regular advertising matter which is kept in his office.

We could have no better authority than that letter to show that, as the Immigration Department is conducted, there is a total disregard for the maritime provinces. I suppose there are no people in the Dominion of Canada who rejoice more in the great resources this country has in the great west, with its wonderful fertility, and with all its various attractions for immigrants from Europe and elsewhere to come and settle and make for themselves prosperous homes. The time has come when some attention should be paid to the maritime provinces. As the hon. member for Labelle (Mr. Bourassa) has said so eloquently and well, the conditions of the maritime provinces will suit better many people from the older countries than will those of a prairie country. The attractions and resources of the maritime provinces should be taken up by the Immigration Department and presented to intending immigrants. Our country is not a desert. It has very great resources. Of course, it is not, take it all through, as fertile as the great west. It is not as fertile in a general way as the lands around the great lakes, but throughout that country there are excellent farming lands. Many of the farms at present are deserted and others are not worked to their full capacity, simply for the want of farm hands, and I think it is the duty of the department, which should have the interests of the whole country at heart, to direct greater attention to the maritime provinces than it is doing now. We cannot have a great country unless our maritime interests are considered along with those of the Northwest. We cannot have a great interior producing vast crops and furnishing homes for a large population, unless our maritime interests are considered as well, not only from the agricultural standpoint but as regards the development of our ports and shipping interests. By inducing immigrants to come there, not only those who will turn their attention to agriculture, but those who will take up other employment, so necessary to the success of this country, we shall not only be aiding our maritime provinces, but our prairie provinces as well. I fail to find that the policy of this government has been directed sufficiently towards the development of our maritime interests. I am speaking now especially with regard to the Immigration Department. But we live in hope that a change will come to the advantage of our country. I felt it my duty to join in the complaint made by the hon. member for St. John's (Mr. Daniel), and I trust the day is not far distant when the Immigration Department will give more attention to the interests of our provinces down by the sea.

Mr. SINCLAIR. There is no province in any part of Canada which requires distributing agents more than the province of Nova Scotia. While we have in Nova Scotia a great variety of resources, agriculture is still our greatest industry. That province has been drained of its population by our people going to the United States and to-day many of them are going to our Northwest. They are also being employed in our own coal mines and ships, so that our farms are practically deserted. There are large portions of the province from which the young men

have been all drained away, and the farms are in the hands of the old men so that it is impossible to carry on agriculture there effectively for the want of labour. I am surprised that the Minister of the Interior (Mr. Oliver) should have appointed distributing agents throughout the country without including Nova Scotia, but as this policy is only being started, I trust that the needs of that province will not be overlooked when the minister completes his plans for the appointment of all distributing agents.

Mr. TAYLOR. I understood the hon. member for Labelle (Mr. Bourassa) to say that the minister had appointed no distributing agents for the province of Quebec and now we have the hon. member for Guysborough (Mr. Sinclair) complaining that Nova Scotia has been left out. But I find they have appointed ninety-eight for Ontario. What does that mean? It means that Quebec is all right and that Nova Scotia is all right, but the government want a foothold in Ontario. Therefore they have appointed one man in each constituency of that province with some supporters to do political work. These distributing agents are not needed in the province of Ontario at all. The Ontario government are looking after that work which this government is now undertaking to do. This is simply a duplication of the work which the province is doing. The Ontario government are looking after the advertising, and they have their agents to whom applications may be made and who will look after the immigrants and distribute them. But this Dominion government has appointed a special agent in every constituency in that province; it is paying the local press for advertising; and paying these men $2 a head and their travelling and other expenses. Let me give you a sample of the accounts paid. The minister is asking a vote of nearly a million dollars for immigration purposes. What benefit are the people getting for the money? Just let me give you a few specimen bricks of how the money is being paid. The minister paid G. P. Ward from July, 1905 to July, 1906, Pullman cars, $197, and for July to October, 1906, $88. G. A. Johnston was paid $144.50 from July, 1905 to June, 1906. H. W. Ross was paid from July, 1905 to June, 1906, $229, and from July, 1906 to October, 1906, $110. L. J. Kehoe was paid from July, 1905, to April, 1906, $85. James White from July, 1905, to June, 1906, $245, and from July, 1906 to October, 1906, $104. Or to these five agents, $1,297.50 was paid for Pullman cars. For meals to these gentlemen on the dining cars there was paid the sum of $2,989; or a total of $4,286 was paid to these five agents for riding on Pullman cars and dining and looking after these distributing agencies. Every dollar of this money was paid by the department. But when the accounts went to the Auditor General he refused to pass them, and they called on these five agents to refund the money. Has the hon. minister got it all back back?

Mr. OLIVER. Some of them have repaid and some not.

Mr. TAYLOR. And the country has lost it. James White has not refunded I am bound to say, $4,000 of the people's money wasted in this way besides other large expenses and big salaries. These men were up at night and thought they ought to work in some little extras, as appears by their letters. I have other accounts here. Mr. Dan. McGillicuddy wanted to do immigration work out in the west just at the time of an election. He went to the Minister of the Interior and they handed him $150 as an advance although at the time he was a servant of this House working for the Debates Committee, working up an index, and an index which was not needed at all except for the purpose of giving him a job. They thought he was a trustworthy man to send out with boodle during the election and they gave him $150. He went out and then sent in a Bill for $700 for attending the affairs of the immigrants on Pullman and dining cars. The time has come when a stop should be put to this kind of expenditure. Canada is advertised enough and people will come here without our paying $5 to the North Atlantic Trading Company or anybody else to bring them here. This work that we are doing today is just a duplication of the work which the province of Ontario is doing itself. It is not needed, and we do not want a Dominion election agent in my county or any other county. The Ontario government is looking after that and distributing all the people who come in. But this government for the purpose of throwing a little pap to some of its supporters and have them there handy to do a little work that is needed appoints one agent in every constituency in the province. That is the way our money is wasted.

Mr. SAM. HUGHES. Were the Ontario government agents or the Dominion government agents appointed first?

Mr. OLIVER. I could not say anything about the Ontario government agents.

Mr. SAM. HUGHES. I can tell the minister, then, that the Ontario government agents were at work for years before the agents of this government were in the field. It was only when the system was perfected and found to work well that his department—I do not know whether under the hon. minister (Mr. Oliver) or under his predecessor—appointed men to these jobs.

Mr. J. D. REID. The hon. member for Labelle (Mr. Bourassa) is now in his place. A few minutes ago he made a severe attack on the Salvation Army. I am sorry the minister (Mr. Oliver) has not seen fit to——

Mr. BOURASSA. The hon. gentleman (Mr. J. D. Reid) is mistaken. I did not make a severe attack on the Salvation Army. On the contrary I praised the Army. But I did make an attack upon the Department of the Interior in connection with their work so far as Canada is concerned. In case my hon. friend (Mr. J. D. Reid) has understood that the advertisement I read was of the Salvation Army, I may explain that he is mistaken. This is the advertisement of an institution called the Church Army, and it is in connection with another organization called the League of the Friends of the Poor, of which the Princess Louise Augusta of Schleswig-Holstein is the President.

Mr. J. D. REID. I thought he objected to the Salvation Army being paid a certain amount to assist immigrants to this country.

Mr. BOURASSA. For a similar kind of immigrants to these.

Mr. J. D. REID. I am not wrong then in saying that the hon. gentleman (Mr. Bourassa) objected on that ground. I understood him to say that the Salvation Army were bringing into this country hooligans, loafers and drunkards.

Mr. BOURASSA. No, that is the other organization.

Mr. J. D. REID. So far as the Salvation Army is concerned, I think it has done a great deal of good, not only in this country, but throughout the world, and I believe they bring in a great deal better class of immigrants than some of the agencies of the government do. For instance, take the North Atlantic Trading Company. This concern got $5 a head for every immigrant they brought into Canada.

Mr. TAYLOR. For every one that came.

Mr. J. D. REID. There was no way of having these immigrants selected, and many of them were of the classes mentioned by the hon. member for Labelle. If I had to choose between the system of bringing in immigrants through the North Atlantic Trading Company and through the Salvation Army, I would certainly choose the Salvation Army.

Mr. BOURASSA. My hon. friend (Mr. J. D. Reid) knows that I condemned the system of the North Atlantic Trading Company.

Mr. J. D. REID. I know it. It appears that I misunderstood the hon. gentleman (Mr. Bourassa) in thinking that he condemned the Salvation Army. As to the question of immigration from France which was mentioned here, so far as I am personally concerned I should be pleased to see a large immigration from that country. I was in Paris and while there I tried my best to find a Canadian agency. It was with great difficulty that I found it, and if my memory serves me right, I had to go through a little lane and up a back stair to find the office.

Mr. TALBOT. When was that?

Mr. J. D. REID. Four years ago.

Mr. TALBOT. Does the hon. member mean the Bureau du Canada?

Mr. J. D. REID. Yes—where Mr. Fabre lives.

Mr. TALBOT. Surely the hon. gentleman is not serious.

Mr. J. D. REID. I say that when I went to Paris and tried to find the office of the Canadian agent, I had to go through some kind of a little lane and up a back stair.

Mr. TALBOT. The hon. gentleman made some mistake in the place.

An hon. MEMBER. You must have gone in at the back door.

Mr. J. D. REID. I went there and saw Mr. Fabre.

Some hon. MEMBERS. Oh, oh.

Mr. J. D. REID. The hon. gentlemen need not try to belittle what I say. There was no front entrance, but you had to go into a little lane and up a back stair.

Mr. TALBOT. If the hon. gentleman (Mr. J. D. Reid) will allow me to correct him: the Bureau du Canada in Paris—I have been there twenty times—is on the Rue de Rome, one of the leading thoroughfares and in the very heart of Paris.

Mr. J. D. REID. Then, it is not in the same place where I found it.

Mr. TALBOT. It has been in the same place for twenty years.

Mr. J. D. REID. The place where I found it I thought not a suitable place to advertise such a country as this. They should have better rooms, they should have more on the staff. When I was there there were only two or three people there, and they did not seem to take the interest that, I think, should be taken in our work of immigration from France. If that is all there is for advertising Canada in France I do not think it sufficient.

Mr. BENNETT. In view of the fact that there are two agents of the department in East Simcoe, I should like to know how the farmers in that county will approach these gentlemen. One of them is Mr. Henderson. Certainly he has time on his hands and is an active man. He would be pretty busy this summer on the voters' list, but he will be able to give some attention to this immigration in the meantime. The other

agent is an active politician and a hardware merchant. Will these agents find out what farmers want men and write to the department, or what will be done ?

Mr. OLIVER. They are expected to inform themselves by whatever means may be suitable and convenient, as to the requirements of the farmers in their vicinity. As I have already informed the House they are given authority to spend up to $10 in advertising. The idea is that when they receive appointment they will either advertise or take other means to let the farmers know that they will deal with the department on their behalf. They are supposed to take a list of the farmers in their vicinity who require help, the wages they will pay, the kind of employment they will offer, and so on. They will forward this to the office in Ottawa, and the office in Ottawa will communicate with the port of arrival and also with our agencies in Europe. It will then be known that a certain number of farmers, say in the neighbourhood of Orillia, require help of a certain kind and offer such-and-such wages, and that if the immigrant will go to Mr. Henderson he will be afforded means of finding employment.

Mr. BENNETT. And for this the agent will get $2.

Mr. OLIVER. If he places the immigrant he will get $2.

Mr. BENNETT. But if the immigrant does not like the job and stays only two days ?

Mr. OLIVER. That is a pretty fine point. I think we have not brought it down quite as fine as that, but certainly it would not be the intention to pay a commission unless the labourer remains a reasonable time with the farmer. That is a matter the adjustment of which will have to be worked out.

Mr. FOWLER. Does the department pay the agent a second time on the same immigrant ? Suppose the agent places the immigrant with John Smith and gets his $2. The immigrant remains with John Smith a few days and then comes back to Mr. Henderson who places him with Mr. Brown. Does the agent get $2 again ?

Mr. OLIVER. No, I can guarantee the hon. gentleman (Mr. Fowler) on that point. We won't allow ringers.

Mr. M. E. PAQUET (L'Islet). (Translation.) Mr. Speaker, On the occasion of a famous debate on April 9, instant, parliament sought to solve the immigration problem. It is not my intention to discuss this question from a party point of view, but I feel that I am called upon to make certain observations which I consider as timely when this sum is asked for by the government to cover immigration expenditure. The first chapter of this important question might properly be headed : 'Let us keep our people at home.' In the southeastern districts of the province of Quebec, emigration to the United States caused an awful lot of harm, the cause of which it is useless for me to state. We must look forward. Year after year a number of our families feel compelled to cross the border, and our aim should be to adopt such steps as will bring about the absolute cessation of such a condition of things. Canada needs all of her sons to ensure the prosperity of the country, and it behooves the government to build as expeditiously as possible the National Transcontinental Railway in order to provide new fields of colonization, agriculture, commerce and industry to our people. It belongs to the government to encourage and develop the co-operative societies, the object of which is to properly improve the economic conditions of the farming community and the labouring classes. It pertains to the various governments to establish and improve a system of technical schools so as to promote the industrial welfare of the country. It pertains to this government to encourage and assist our colonization societies and to give them a proper direction in order that they may be fruitful in their results. Those colonization societies are working very actively towards the repatriation of our countrymen, as unquestionably evinced by the 26,547 Canadians who were brought back to Canada since the 1st of January, a most encouraging showing.

What is said of the work of repatriation by our leading agents ? Mr. W. D. Scott states in his report of July last, that 'the repatriation of French Canadians from the United States attracted the attention of the department a few years ago and is meeting with satisfactory results.' The 'Courier de L'Ouest,' a paper friendly to the Minister of the Interior, stated on January 10, 1907 :

> We ask that the stream of emigration which flows towards the United States be directed here. Of course it is too late to form a solid group, but we have established numerous strong-holds here and there in the Northwest.

Again on February 14, the same paper said :

> We gather pretty authoritatively that 3,000 settlers at least would yield to the first attempt at repatriation in Fall River alone.

What is the object of that constant emigration of our people to the United States ? Our neighbours lead a strenuous industrial life. If we wish to keep our people at home and induce those that have left to come back, we must, according to an author, initiate an industrial policy by which it will be possible for the government to better the national life and ensure permanency to the development of the intellectuality, the

wealth and the welfare of the community at large.

According to the Auditor General's report we have spent during the fiscal year 1905-6, $90,629.95 in advertising Canada's resources and opportunities in the United States. Of that amount $79,742 were for printing in the English language, $4,046 in the Flemish language and $6,837 in the French language. Would it not be more suitable that a higher percentage be spent in the Franco-American press towards advertising Canada's possibilities. I am aware of the difficulties that are being met with in repatriation. I am aware that our brethren to the south are desirous of coming back to their country, but I believe that greater efforts should be made by our agents with that object in view. The question of French emigration was fully discussed in the House on the 9th instant, and I will make but a passing observation on that subject. I will ask the government to make a more intelligent and more active propaganda in France, where we have but two agents. I should think that our efforts should be directed especially towards securing emigrants in the provinces. It seems to me that much better results could easily be obtained in our old motherland in these days of political, religious and civil oppression for a large part of the community. It is admitted by Mr. H. Lorin in his masterly work, 'France as a Colonial Power,' that 'Canada affords a good ground for the economic expansion of France.' Belgium is over populated and it becomes more imperative for her every day to expand over the world through her people and her products.

Here is what Mr. D. Tréau de Coeli, our agent in Belgium says in his annual report:

> There has been a decrease in the number of my correspondents, because I did not advertise Canada in whose interests I am here working. I am fully confident that the most difficult period in the way of emigration work in Belgium is now over and that henceforth a good class of Belgian settlers will go to Canada.

The French and the Belgians have invested large sums of money in the Northwest, in Algeria, in the Congo, in South America. They are now investing more heavily in our country, where such a bright future is open to the civilized nations, and I invite the government to better advertise Canada's resources in France and Belgium. We have magnificent lands and rich mineral deposits and our neighbours cast an eye of jealousy on our water-powers, and we should endeavour to secure French and Belgian capital as eagerly as we receive American investments.

Mr. Gerald Adams, delegate of Canterbury to the Board of Trade Congress held in Montreal in 1903, wrote an important article on immigration in the British Isles, in the 'Empire Review' of February, 1907. According to that economist our agents should never be suspected of performing their work through the medium of private companies. It is a grave mistake to concentrate one's efforts in cities and practically ignoring rural districts. The British citizen who is at all familiar with the agricultural life is not easily reached by our agents. The Canadian government should establish immigration bureaus in the heart of all rural districts, especially in those counties affected with a depression in farming, such as Essex, Kent, Surrey and Sussex.

Sir, I do not ask the government to close our ports to immigration from Southern Europe, but I ask it to exercise a most careful and a most watchful supervision over all classes of people coming to us from those countries, if we want our own to be happy and prosperous materially, morally and socially.

Hon. Mr. LEMIEUX. (Translation.) Mr. Speaker, as my hon. friend from L'Islet appealed to the Postmaster General, I will gladly answer the questions which he puts to me. He spoke of the French Canadians emigrating to the United States. Of course this debate originated to-night not on emigration but on immigration. No other hon. gentleman more than I would sincerely deplore such emigration if it really existed, but let me set my hon. friend's mind at rest on that score, because Canadian emigration to the United States has wonderfully diminished, if not practically stopped, in the last ten years.

Mr. PAQUET. (Translation.) I have stated a while ago that emigration from the southeastern districts of the province of Quebec had caused inestimable damage to our population. I stated also that every spring a good many families in my district feel obliged to emigrate across the border. I should have added perhaps that when the government has brought the construction of the Transcontinental Railway to a practical solution, new fields will be open to our people for colonization and agriculture, and then emigration will have come to a stop.

Hon. Mr. LEMIEUX. (Translation.) I am not personally aware of that state of things which my hon. friend (Mr. Paquet) complains of as actually existing in his constituency, but I do say that generally speaking the migratory movement of our people towards the United States has considerably subsided, if not completely ceased in the province of Quebec of late years. Of course it is impossible that, owing to the important French centres lying in the eastern states, there should not be here and there a slight exit to the United States, but as I stated, emigration has practically stopped.

I am happy to say, Sir, that I have secured much information in the past few months

at the Department of the Interior concerning the work of our agents and their propaganda for the repatriation of our people. There are in the eastern states and in certain western states of the American Union, a number of agents appointed by this government and also by the government of the province of Quebec, whose duty is to promote repatriation. I learn by the reports of the Lake St. John Colonization Society and the North of Montreal Colonization Society that their efforts are meeting with much success indeed.

My hon. friend is quite right in stating that the construction of the National Transcontinental from Winnipeg to Quebec and from Quebec to Moncton will open up new fields of operation for our people in that part of the province where he lives. In fact that will be our New Quebec. I am all the more pleased to hear that statement in the hon. gentleman's mouth, that some of his colleagues occupying seats around him have strenuously opposed at the time of the discussion on the Bill, the passing of that national highway across the province of Quebec.

The government should doubtless encourage the establishment of technical and commercial schools, and endeavour to spread education. A very strong move in such a laudable direction has lately sprung up in Montreal and Quebec. I speak from a province of Quebec view point, as I hope the hon. gentleman does not ignore the fact that deputations come to us every now and then from the manufacturers' associations and workingmen's unions asking that the government should promote technical education in the country. To what extent would the federal government be allowed to use the people's money for that purpose ? This is a question of constitutional law which my hon. friend the Minister of Justice (Mr. Aylesworth) is more in a position than I to pronounce upon. At all events, every body is satisfied that the government of the province of Quebec and our great national institution, Laval University, have taken up for good the question of higher commercial education and technical schools. There already exists in Montreal a technical school established by the English-speaking community. Our own people are following in their footsteps and quite recently the government of the province of Quebec, giving way before public opinion, apportioned a considerable sum for the purpose of establishing technical schools.

Concerning the co-operative societies to which my hon. friend (Mr. Paquet) has alluded, he cannot ignore that I am personally in accord with the views which he has expressed on that subject. We had occasion, during the present session, thanks to the patriotic initiative of the hon. member for Jacques Cartier (Mr. Monk) to have a special commission, whose object was to secure information from experts. We have listened to Mr. Alphonse Desjardins, who has founded a people's bank in Lévis, a co-operative society for savings and discounts. We even had the good fortune to listen to His Excellency the Governor General, Lord Grey, who is honorary president of the International Co-operative Association. And I may say that if my hon. friend's from Jacques Cartier Bill is not passed at this session, it will be owing to the fact that the government has decided, after hearing the evidence adduced before the commission, to embody the principle of it in a government measure.

My hon. friend (Mr. Paquet) also referred to the fact that the government should endeavour to secure more French settlers for the province of Quebec by carrying on a more active propaganda in France. I may say that ever since 1896 and even prior that the Canadian government has had an agency in that country. Hon. Hector Fabre, a former senator in our parliament, a distinguished gentleman, one of the most remarkable literary men Canada has ever produced, has been acting as our commissioner in France for a good many years now. He publishes in the French capital a paper called 'Paris-Canada,' the main object of which is to spread throughout the country better knowledge of Canada and its advantages. He was successful for several years in stimulating emigration to Canada by successfully carrying out a scheme by which lectures were to be delivered throughout France on the great possibilities of our Dominion. Since then, two more agents were appointed to help him along, Mr. Paul Wiallard and Mr. Foursin-Escandre, the latter being widely known in Canada, having lived among us for several years. He was instrumental in settling several French groups in the North-west Territories and his proficiency in matters pertaining to colonization is beyond question. He was for several years employed with the Canadian Pacific Railway, and I doubt very much if we have in Europe an agent better able than he to direct immigration to our ports. I may say the same thing for Mr. Willard, who has been represented as a mere amateur absolutely ignorant of conditions in Canada. True, such language did not emanate from my hon. friend (Mr. Paquet), but the public press in the province of Quebec tried to have him pass as utterly unfit for the position he holds, a thing I cannot agree with. Not only is Mr. Wiallard fully qualified, but he is thoroughly informed on our country, he is an honourable man, he is fully aware of the requirements of colonization in Canada and he has worked wonders as such since his appointment as emigration agent in France. I will observe, however, to my hon. friend what I already observed before the House some time ago, and that is, first,

that the French do not emigrate ; this is a notorious fact in Europe. They do not emigrate even to their own colonies, Algeria, Madagascar, Tonquin, &c. The number of French immigrants is so restricted that indeed it is not worth while talking about. Moreover, owing to a system of military conscription which prevails in France and which compels the government to treat with severity whoever attempts to dissuade young men from performing service, all recognized immigration agents are meeting with no quarter from the authorities. But some will say : Do not go to Paris to secure immigrants, we don't want the French from the large cities, we don't want graduates from universities, literary men, intellectuals who know nothing of farm life and who are unable to earn a living by strength exertion; those are not the desirable class of people we need, but get us the agricultural class, the peasants from the provinces. But, as I said, statistics will prove, and they cannot lie, that not only the citizens of the large cities such as Paris, Bordeaux, Lyons, &c., do not emigrate, but the peasantry as well.

As far as French investment are concerned, I may say to my hon. friend from L'Islet that they have acquired wider proportions in Canada in the last few years. The 'Crédit-Foncier,' a French institution in Montreal, is doing very good business. As a rule, French savings have been very timid ever since the Panama failure. The French country people are used to saving their doubloons in the traditional woollen stocking. At most do they buy the state stocks, and French capital, as I said, is seldom seen to emigrate since the Panama crisis.

Mr. PAQUET. (Translation.) Does not the hon. minister think that we could secure more French capital in this country if our efforts in France led to more active emigration work, and a better system of advertising our resources and possibilities.

Hon. Mr. LEMIEUX. (Translation.) My hon. friend will allow me to say that like Frenchmen, French capital does not care much for the outside world. It is universally recognized to-day that France in the richest country in the world ; in no banks in any country is there such accumulation of gold as in the Bank of France, and yet that gold does not go much out of the country, at least not out of Continental Europe. Russian loans have been negotiated there, however, and the Bank of England is a frequent borrower, but America seems to have but little attraction for French gold. Still and all, I hold, like my hon. friend from L'Islet, that with more activity on the part of our commercial agents, with amended treaties and owing to the intense development of our young country, French capital may some day come to stay in Canada.

Such are, Sir, the few remarks that I wished to make in answer to my hon. friend from L'Islet.

Mr. JOHNSTON. Some allusion has been made, both to-day and in previous discussions on immigration questions, to the character of the immigrants brought to this country by the Salvation Army. I am in a position to speak from experience as to the quality of that immigration. To the constituency which I have the honour to represent there have come quite a large number of people sent there by the Salvation Army. This immigration has been going on for the last two or three years, so that we now have there quite a large number of these people. I have taken considerable interest in the matter and have watched the character of these people sent there from time to time, and I can state as a matter of fact that there is no reason whatever to quarrel with the character of that immigration so far as I have observed it. I know of only one case that proved unworthy, and the Salvation Army authorities took charge of it. I make this statement in order to meet the attempts that have been made on the part of some interested parties, or on the part of some body who may not be interested to discredit the character of this immigration. Now some complaints have been made to the Minister of the Interior that sufficient immigration was not coming to certain quarters of this country. I am not in a position to make such a complaint ; on the contrary, complaints have reached me within the last few weeks that too much immigration was coming to my constituency. I have several communications from people in my constituency to that effect. The mayor of Sydney, for instance, has written to me on more than one occasion pointing out that too many immigrants were coming to that town, and asking me to see if the tide could not be arrested.

Mr. SAM. HUGHES. I desire to draw the attention of the minister to a subject which, although it is not covered by any of these items, perhaps he will allow me to mention on this occasion. In 1885 a number of loyal men met their death in the Northwest rebellion in outlying points ; for instance, at Frog Lake a couple of men from my own county met their death, one of them being a young man named Gilchrist. I understand that they were buried where they fell. A former minister of the Interior, the Hon. Thos. White, proposed taking this matter up, but he passed away about the time it was brought to his notice, and I understand nothing has been done in the matter since. I take this opportunity of drawing the minister's attention to the fact that the graves of these men have never been marked, although they are known. The intention was, I think, to have their

bodies brought to some central point and decently interred. I would like to suggest to the minister that it would be a proper action on his part to detail some of his officers to take charge of this matter, and see that these men are properly interred. Has the minister any data in connection with it ?

Mr. OLIVER. I am sorry to say I have no data on the subject except that which my hon. friend has just given the House. I do not know what the understanding of the previous government was, or what promise was made by a previous minister ; but if there was a promise of that kind, certainly I would feel bound to see that it was carried out.

Mr. MARSHALL. A good deal has been said to-night about farm labourers, but nothing about women. Would it not be well to encourage women to come into Canada, good strong women and girls ? Manufacturers in this country are handicapped very much by shortness of female help, particularly the canners. I would like the minister to consider whether it would not be well to encourage women to come over, and give a bonus on bringing them as well as the men. Another question. Can any one that has not been appointed by the government get a commission for bringing in immigrants to different localities ? I ask this question because I notice that the agent the minister has in Aylmer, Ontario, has not brought in many immigrants, but they have been brought in to that town by other parties, and the farmers have paid $2 a piece for them.

Mr. OLIVER. To whom did they pay the $2 ?

Mr. MARSHALL. To the party that located the help.

Mr. OLIVER. By what means were these people located with the farmers ?

Mr. MARSHALL. By the clerk of the town, I think. I do not know who got the fee but I think the farmers paid the $2.

Mr. OLIVER. If our agent had anything to do with it of course he was not entitled to any consideration, but if our agent is found taking any money from a farmer for any services not rendered, his connection with this department ceases forthwith. ;

Mr. MARSHALL. I do not think he got a cent.

Mr. URIAH WILSON. I do not at all agree with the idea of appointing local agents to distribute immigrants in this country. Last year the local government had the immigrants come to Toronto, and applications were made to the local member, who located them all over my riding, and I heard of no trouble and no complaints. I think it is a waste of money. We are always complaining that we are spending too much money as it is. I agree with a good deal that the hon. member for Labelle (Mr. Bourassa) has said about the kind of immigrants that we ought to get in this country. In fact I almost thought that the hon. Minister of the Interior had forgottten himself and was making one of his old time speeches because it was so much like what he used to say when he was a private member of this House. I wish also to refer to the security we are getting for advances. We were told over and over again by deputy minister Smart that the Doukhobors have given security for advances on the lands that were given to them by the government and at the same time they did not own a foot of land in this country. They would not take it on the terms upon which the government offered it to them. There is another matter in regard to which I differ with members of this House, and that is that the government should not make any provision for transporting people from one part of this country to the other. The old provinces are complaining of being depopulated. At the last general election we in the province of Ontario lost six members because we had not increased our population in keeping with the increase in the province of Quebec. I say it is not the business of the government to move people from one part of the country to the other.

Mr. BOURASSA. In case there is a tendency on the part of some people to go to the United States does my hon. friend not think it would be well to try and keep them here and to send them to western Canada rather than to allow them to go to the United States ?

Mr. URIAH WILSON. Yes, but where are you going to draw the line ? My hon. friend (Mr. Bourassa) thinks he can decide everything, even points of order. He thinks that everything he says in this House has to go. We cannot keep people from going to the United States. If they want to go and if they can get good openings there they will go, but I am opposed to the government helping people to go from one part of this country to the other.

I understand that the North Atlantic Trading Company are making a claim on account of the cancellation of their contract. We had paid them up to last September $306,000 and for the last three years we paid them $228,178.42. They had expended $84,428.61 leaving a balance to them for the three years of $133,749. or about $43,000 a year for each of the last three years as profits. They were required to expend $15,000 a year but they spent in three years something like $24,000 more than that. I would like to know what position the government is in in reference to the North Atlantic Trading Company at the present

time. I do not know whether this comes under this item or not. I have contended for a good many years that the government ought to itemize the immigration estimates a good deal more than they do, ought to give us details of them, but they generally pass them in two or three large amounts and I do not think it is fair to this country or to parliament, because this information should be given to the public before their money is spent. I would like the minister to tell us what position the North Atlantic Trading Company is in in reference to a settlement with the government.

Mr. OLIVER. The North Atlantic Trading Company have still a balance coming to them.

Mr. URIAH WILSON. How much ?

Mr. OLIVER. We have not settled how much. They claim on all the immigrants received in Canada before the 30th November last, a balance of about 1,500. We are in negotiation with them on that point. We have not come to a conclusion yet, but that is the amount that is in dispute between us. Perhaps we will pay it all and perhaps we will not.

Mr. URIAH WILSON. There must be more than that in dispute between you.

Mr. OLIVER. I am informed that is all. Of course they have written claiming in a general way that they are entitled to some special consideration because of the cancellation of their contract, but they have not stated anything definite in that regard and we have not entered into any discussion with them on that point.

Mr. SAM. HUGHES. They are not being paid for any immigrants now coming in ?

Mr. OLIVER. No, they are not being paid for any one coming in after the 30th November.

Mr. FOWLER. Are they suing you on account of cancellation ?

Mr. OLIVER. They have not so far. They have written us letters in which they claim an indefinite consideration because of the cancellation of their contract.

Mr. FOWLER. By way of damages ?

Mr. OLIVER. I do not know that they say damages but that would be the inference. We have not discussed that point with them. When they take proceedings it will be time enough to consider the matter and discuss it with them.

Mr. FOWLER. I understand that the hon. member for Labelle was making some objection to the character of the immigrants that are being sent out by the Salvation Army and kindred associations. For the benefit of the hon. member for Labelle I might read an article that appeared in the 'Witness' to-day with respect to a number of immigrants who have just arrived by steamer at the port of Halifax.

A despatch from Halifax reports the arrival there yesterday afternoon of the Dominion Line steamship 'Southwark,' chartered by the Salvation Army, with 1,365 immigrants. The steamer had an uneventful voyage. The newcomers are all English——

That will be sad news for the Minister of the Interior who objects to English people.

—with the exception of a party of Dutch people, numbering about thirty-five. The immigrants are in charge of Colonel Rathwell, of London headquarters ; Staff-Captain Patterson, of Quebec, and Captain Vienstia. The Halifax Salvation Army band was at the pier when the 'Southwark' docked. The passengers are reported to be the finest looking class of settlers landed at Halifax this season.

These are all English with the exception of 35 Dutchmen.

There were 1,125 adults, 225 children under fourteen years of age, and fifteen infants. Colonel Rathwell says he has seen nearly all the Salvation Army people who have come to Canada, but this shipload surpassed them all in quality. Nearly every man in the party is a tradesman, or experienced farmer, and has a position waiting for him. 'England can ill afford to lose the people the Salvation Army is now bringing into Canada,' said Colonel Rathwell.

Mr. A. A. McLEAN. What is the name of the officer in Prince Edward Island and what are his duties ?

Mr. OLIVER. The gentleman's name is McLaughlin. We are trying a little experiment in regard to Prince Edward Island, something on the line of the discussion which has taken place already. We have been a little cautious in undertaking such experiments, but we thought we would be safe in undertaking this one in regard to the island. It is no doubt a very fertile agricultural country and it no doubt has suffered from a depletion of population and a depression in the price of land. We thought that under such circumstances it might be that we could find in the old country some people on the small rented farms who would be glad to purchase land of their own and who would be glad to accept conditions as they are in the island, that possibly they might transfer their capital and ability and industry from the old country to the island and be willing to pay a fair price for the sake of having their own land and in this way add something to the population of the island and tend to increase the value of the farm lands. With that view we prepared some literature last fall and sent Mr. McLaughlin to the old country to see what he could do in attracting the small farming class in the old country, who would be able to buy the cheap farms of the island and thereby increase the general value of farm land and possibly

add to the wealth of the province generally. It was thought that in the event of success we might extend our operations to the other maritime provinces and perhaps to all the eastern provinces, but we wish to be a little cautious and do not want to experiment on a large scale until we have some idea of how the experiment will work. A month or two ago we sent a similar agent from Nova Scotia to bring before the small tenant farmers of the old country the opportunity offered them of acquiring cheap and good farms of their own in Nova Scotia.

Mr. URIAH WILSON. What is the government going to do about this North Atlantic Trading Company after sending their own officer to Amsterdam, having him make a thorough inspection of the books and report that the company had not only carried out their bargain with the government, but had spent in three years $24,000 more than the bargain called for. The minister said that results are what was bargained for. The bargain was that they should spend $15,000 a year. They wrote the minister a letter dated the 12th of November in which they point out their view of the reasons for the cancellation. They state in the first place that the minister is a new man and knows nothing about the transaction, that the deputy minister is also a new man and that Mr. Preston is too far away and as a matter of course cannot be consulted, while Mr. Scott, the Superintendent of Immigration, has never taken much interest or had much to do with it. That is what they say about the fitness of these gentlemen for their office. I do not say that in a fault finding way, because new men would naturally be in that position and I do not blame Mr. Scott as he has had his hands full without that. After talking about the onslaught by the opposition, they say:

> We must conclude that your government felt itself totally unable to resist these attacks, not having a sufficient knowledge of the services we were rendering and was therefore driven to take the responsibility of cancelling the agreement, even though in absolute repudiation of its very definite terms.

The minister knows as well as any body in the House that this was a contract for ten years; that it could not be cancelled except on four years' notice given in writing as long as both parties kept up their part of the agreement, but the minister has not only cancelled it, but he said a little while ago that this government is being asked by the company what they are going to do about it; they had made arrangements for a propaganda for years, had been well equipped with a staff and everything and had just got things nicely into operation when the contract was cancelled. Now they are claiming damages—

I have not heard of their committing suicide. I suppose the government has saved them from that by not giving the names. There was a clause in the contract providing that they were not to break the laws in any country in which they operate, and I do not see how the government can assist them in breaking the laws or upholding them if they break the laws of any country, after their agreement not to break them. I do not see any excuse for the government withholding the names; the public have a right to know them, and when the government shield these men and refuse to give the names to the public they are parties to the crime—and I will call it a crime because I do not think we should encourage agents to go to any country and violate the laws. We want to live at peace, to be honest and we would despise that kind of thing in private life. I hope the minister will tell us how he gets around that clause in the contract which is for ten years. These men are reported by his own agents to have fully complied with the arrangement and are now claiming damages for the opportunities they should have had to earn money.

Mr. OLIVER. We propose to deal with the matter according to our understanding of the terms of the contract and of their fulfilment. In regard to the cancellation of the contract and our liability under it, I took advice from the Department of Justice before giving notice of cancellation and was informed by that department that the government was not liable——

Mr. URIAH WILSON. Is that in writing, and will you bring it down?

Mr. OLIVER. Yes, it is in writing and I shall bring it down. I was under the impression that it was down. I cannot give the words exactly, but the meaning is that the government was to pay according to the contract, provided the money was voted by parliament; that is to say, the company in their contract took the chance of parliament——

Mr. URIAH WILSON. That is too small.

Mr. OLIVER. It may be small or large, but they took the chance of parliament voting the money to make the payments required by the contract.

Mr. TAYLOR. I do not think the government could have done it, after the discussion that took place here.

Mr. OLIVER. At any rate the contract was cancelled before the discussion took place and the advice of the Minister of Justice was received considerably before the contract was cancelled. I had that advice before I gave notice of the cancellation or of course I would have felt that there was a possibility of being compelled to pay damages which I think we are not subject to pay.

I wish to refer to a number of statements made in this debate, the first in connection with the policy of the department as to the class, kind or quality of people it is the purpose of the government to induce to come to this country. Our friends a few days ago were very funny in reading from 'Hansard' of some years ago expressions which I had used in the House on the subject of immigation, indicating what my views then were on the subject, as to the necessity and propriety of selection in immigration, and they seemed to be under the impression that the views which I expressed then were not the views which I hold now. I beg to inform my hon. friends that the views which I expressed then I have the honour of putting into force now, and that the policy of the department to-day is essentially and distinctly a policy of selection in immigration, and not a policy of indiscriminate immigration, and that the practice of payment of bonuses to steamship agencies is adjusted on that principle, so that the bonus, being payable only on people who fill certain requirements, is not an inducement to the booking agent to send the class of people my hon. friend spoke about, but is an inducement to him not to book that class of people, because he gets $5 a head for the people who are desirable, while he does not get a cent for the people who are not desirable. In regard to the immigration of people to the eastern provinces of Canada, I have had occasion to say before, and I think everybody here will agree with me, that every interest of every part of Canada is served by the settlement and development of the western provinces. It would surely be a mistake, if we have say a thousand farmers coming to Canada, to settle those farmers in the lake St. John district of the province of Quebec rather than on the prairies of Manitoba or Saskatchewan, if we are looking to agricultural development that will assist the industrial, commercial and financial development of the country at large. Is it not true that a thousand farmers, men of capital and enterprise, settling in the province of Saskatchewan will add to the wealth of the country in five years, five or ten or fifty times as much as they would if settled in the Lake St. John district? Then, why should we use the public money of the Dominion to send people to where their opportunities are less rather than to where their opportunities are greater, when the very purpose of bringing them is that they shall take the best advantage possible of their opportunities, for the benefit of everybody in all parts of the country? Under the change of circumstances that has taken place by reason of the development of the western country, partly because of the attraction of people from the east to the west, but more because of the industrial and commercial prosperity in the east resulting from the development of the west, there exists to-day a demand for labour in the eastern provinces of Canada such as was never known before in those provinces. Now, surely nobody would want a government to bring from continental Europe or from the British islands to this country, people who are looking for daily wages when our own wage-earners were seeking their wages on the other side of the line? Surely we were not doing wrong in turning to account and developing the Northwest before we ran a labouring population into eastern Canada to crowd out our own workers. But when the demand for labour in eastern Canada has increased to such an extent as no man has ever seen it before, then is the time when the government may take account of that fact, and may, with the consent of parliament, take some means to provide for the need of labour as it exists in the eastern provinces. We are trying an experiment in Ontario, and it will be noticed by the House that whereas the members representing the other eastern provinces are strongly in favour of this policy, the members on the opposition side at any rate, from the province of Ontario, are almost unanimously against it. These are some of the difficulties under which we labour in administering the Immigration Department. However, I think it will be admitted that there is a demand for farm labour in the province of Ontario, and that whoever meets that demand will be doing good, whether he gets credit for it or not.

Mr. FOWLER. It has been stated that the government of the province of Ontario, has already taken steps to look after that branch of immigration work. In the provinces of New Brunswick, Nova Scotia and Prince Edward Island the local governments have not been doing that work. Why then did the Federal government not devote its attention to those provinces rather than to the province of Ontario where the work was already being done?

Mr. OLIVER. The reason is that we did not consider what the one government or the other government was doing. The demand for farm labour came to us from Ontario; it did not come to us from the maritime provinces to anything like the same extent. It is not our business what the Ontario government is doing, whether it is doing well or ill. If there is a necessity for work to be done along the line of the effort we are engaged in, it is our duty to fulfil that requirement as far as we are able to do it.

Mr. SAM. HUGHES. Does the minister think it right for the Dominion government officials to take charge of immigrants brought in by the agencies of the Ontario

government, on their arrival at Quebec and side track them from their destination ?

Mr. OLIVER. If my hon. friend has been informed to that effect, he has been misinformed.

Mr. SAM. HUGHES. I have been informed by the gentleman in charge of the work in Ontario.

Mr. OLIVER. I have heard some statements attributed to that gentleman, and I am bound to say that they are not always close to the fact.

Mr. SAM. HUGHES. He is a good sound Liberal.

Mr. OLIVER. Whether he is or not, I can only say that the statements credited to him in the past have not always been accurate. As long as the demand exists in Ontario for farm labourers, which the Ontario government is not filling, we surely are not doing wrong in trying to fill it. Now, I want to draw a distinction absolutely and strongly between the responsibilities which the government has assumed in regard to farm labour and in regard to any other kind of labour. We are out to assist farm labour, and we are not out to assist any other kind of labour. That is to day we are not out to bring competitors to the artisan class in the province of Ontario or any other part of the Dominion. With regard to the bringing out of women, we are assisting, as far as possible, the bringing of domestic servants, but we are not attempting to assist or facilitate in any way the bringing out of any other class of female workers. Nor are we assisting to bring any class of male workers except those who want either to go on the land and cultivate it themselves or engage in its cultivation for others or to work in railway construction. Canada is constructing a vast mileage of railways and needs railway labourers very much. We believe that the wages given in the construction of railways afford a magnificent opportunity to the poorer industrious workers of the older countries to earn money which will enable them afterwards to go on free lands, and we are offering inducements to railway labourers to become settlers.

Mr. SAM. HUGHES. Have you any systematic arrangements with the railway companies?

Mr. OLIVER. No, we are simply advertising the facts of the case. We are not engaging railway labourers as such. We do not want the man who only comes to Canada to earn a wage in working on a railway, but we want to get hold of men who are hardy, industrious and ambitious but have not the means to come out and settle on farms. To that kind of man we say here is work and wages for you which will enable you later on to take advantage of the offer of free lands which Canada holds out to you.

Mr. URIAH WILSON. I would like the minister to tell us when the supplementary estimates will probably come up on immigration as I have something more to say and will reserve it until then.

Mr. FIELDING. They will be down Tuesday or Wednesday and discussed as soon as possible afterwards.

Mr. URIAH WILSON. I would like to know when because I do not want to stay here all summer.

Mr. FIELDING. You are not more anxious to get away than we are.

Mr. URIAH WILSON. I want to say a word about the minister's excuse for cancelling the North Atlantic Trading Company's contract. We have this government, with a majority of fifty to sixty, saying it cannot pass certain estimates. My experience of the past twenty years is that if the government brings down an estimate, it matters not what it is for, it will likely go through.

Mr. McKENZIE. From a remark dropped by the Minister of the Interior to the effect that, to all appearances, the Ontario members were opposed to this experiment for supplying Ontario farmers with farm help, I wish to say that such is not the case. From my experience in going through the counties of Ontario, especially the western counties, this movement is a very popular one; and when some hon. members state that the Ontario government is engaged in this work and consequently it is unnecessary for the Dominion to take part in it, I have to say that the Ontario government has never reached more than a few counties outside of Toronto to any great extent.

Mr. URIAH WILSON. They have reached Lennox and Addington.

Mr. McKENZIE. I say not to any great extent. I have personal knowledge of the necessity for farm help in the western parts of Ontario, and I ask the Department of the Interior to turn its attention in this direction with the object of getting out young men from the old country who would spend two or three years on Ontario farms and then go west and obtain homes for themselves. If the department would do this and keep up the supply, according as these young men left us after we had trained them, their places would be taken up by others. There is room for both governments in this work, and if other provinces want to have the work extended to them, as the experiment is perfected, they have the right to ask for it. The experiment is very popular and necessary in the interests of agriculture in the older provinces, especially Ontario.

Mr. LAKE. Would the Minister of the Interior kindly tell me if he has calculated the relative cost of immigrants from the

United States, from the United Kingdom, and from other countries?

Mr. OLIVER. It is impossible to give my hon. friend an answer that would really meet the question. We may take a number of figures and strike an average, but the result need not be really a very satisfactory answer. I am informed that, as we calculate it, the cost is about the same from Great Britain and the United States, and it averages really about the amount of the bonus, which averages about $5 a head. The House will understand that under our system, we do not pay on more than about one-third of the immigrants who come, as only about one-third are eligible to receive the bonus. That is how the cost amounts to not more than about the amount of the bonus.

Mr. LAKE. The hon. member for Strathcona (Mr. McIntyre) the other day gave us some figures which he said he had received from the Immigration Department. He said that so much money had been spent in each country and that from each we had obtained so many immigrants. His figures showed that the immigrant from the United States cost on an average $4.28, from Great Britain, $1.75, and from all other countries, $2.32. I have been making calculations myself on such figures as are supplied by the Auditor General's Report, and my figures work out somewhat on the same lines. That is to say, that the British immigrant costs much less than the American and less also than the continental. I would like the minister to give instructions to have that calculation made, as it is very important that we may see what he is spending in each country and have it brought before the House when the supplementaries come down. One matter I would call attention to it is this. As the cost of every immigrant from the United States is so very large, is it worth while to continue those orders of a million copies of the Winnipeg 'Free Press' which each year involve an expenditure of some $30,000 ? When it was decided to send out a large number of copies of an eight page newspaper, was the job put up to tender ? It seems to me that, in a case of that sort, it would be desirable that tenders should be called for.

Mr. OLIVER. I cannot answer the question as to the amount of money spent in proportion to the number of immigrants received. But I will get that information. At the same time I do not agree that it will be a statement that will have any pertinence to the real point at issue. There is no means of knowing what proportion of these immigrants have come as a direct result of the expenditure made. There might have been an immigration from some of these countries without any expenditure.

Mr. LAKE. It can be arrived at very nearly. Does the minister include in the present estimate another edition of a million copies of the Winnipeg 'Free Press' ?

Mr. OLIVER. No such item is included. At the same time I consider that the order to the Winnipeg 'Free Press' was a wise and prudent expenditure. The Winnipeg 'Free Press' is the newspaper which, above all others, is the great journalistic representative of Western Canada. The special edition contained a vast amount of valuable information, and, being in this particular newspaper, it carried weight such as it could not have carried in any other publication. As to the immigration induced by this publication, my hon. friend is perfectly well aware that the tremendous appreciation in the value of farm lands in the Northwest is due to the movement of people into our country from the United States more than to any other cause, and that that movement has been promoted mainly by such publications as this and by the efforts of our agents in that country. It is possible that the time has come when we can get on without further immigration effort; but, if my hon. friend (Mr. Lake) holds that opinion, I think he will be alone in the Northwest in holding it. At the present time, every town in the Northwest has its fifty thousand club or its hundred thousand club. The people are spending their own money in large sums for the purpose of keeping up the flow of immigration which has been the cause of the prosperity of that country and the prosperity of this.

Mr. LAKE. The hon. minister (Mr. Oliver) seems not very anxious to get his estimates through, when he is continually raising contentious questions. He suggests that I want to put a stop to immigration effort, which he knows is not the case. No such suggestion was ever made by me.

Mr. OLIVER. Did not my hon. friend (Mr. Lake) say the time had come——

Mr. TAYLOR. Sit down.

Mr. LAKE. I will answer a question, if the minister wishes to put one ?

Mr. OLIVER. I want to put this question : Did not my hon. friend say that the time had come to cease such effort as this ?

Mr. LAKE. Nothing of the sort. The minister cannot show in 'Hansard' any statement of mine to that effect. I know it is a very favourite trick of his to impute statements to hon. gentlemen on this side of the House which they never made.

Mr. OLIVER. Mr. Chairman, are we allowed to use such expressions as that ?

Mr. DEPUTY SPEAKER. I do not think that that word should be employed in debate.

Mr. LAKE. What word ?

Mr. DEPUTY SPEAKER. 'Trick.' It suggests a taking of advantage. I do not think it should be employed.

Mr. LAKE. I withdraw the word 'trick' and will say, it is a favourite habit of the minister, as I have noticed over and over again, for he has used it often in relation to my own remarks. What I am suggesting is that when it is proposed to issue a newspaper with specially prepared matter such as was issued in the Winnipeg 'Free Press,' the contract should be put up for public tender. There are three newspapers in Winnipeg each of which has a great name in the west, and they should all have an opportunity to tender on a work like this. I do not want to follow the example of the minister and obstruct his estimates, but, there is one question which I should like to ask. Has there been a great leakage from the immigration that went into the Northwest? The census returns indicate that there has been a leakage. Has the minister found many of the people who have gone to the Northwest leaving it soon after their arrival?

Mr. OLIVER. There is always a considerable back-wash of immigration. Not every one who comes into the Northwest finds it desirable to remain. And, of course, we have no means of holding them.

Mr. LAKE. Can the minister give us any figures? Is any note taken of those who go out?

Mr. OLIVER. We are busy counting the people who come in, not the people who go out. The census gives the necessary tally. It shows the number of people who are in the country, and the Immigration Department tells the number of people who have come in. We do not keep track of people coming in and going out in the ordinary course of travel.

Mr. FOWLER. The minister stated that this gigantic issue of the Winnipeg 'Free Press' and the labours of his agents in the country to the south of us, were largely responsible for the great influx of settlers from the United States into Canada. I take exception to that statement. To my mind the fact is that the much abused real estate agents are responsible for the greater part of this valuable immigration. They have done five times more than all the literature which has been distributed by the government and the labours of its agents who get so much per head for every body who comes in, whether they bring them in or not. But there is one matter to which I wish to direct the attention of the minister, a matter very important to the success of future immigration and very important for the welfare of the people already in the country. If the hon. gentleman has seen the bulletins, he will know that a strike has been declared among the coal miners in the Crow's Nest Pass.

He will remember the great suffering that was caused last winter by reason of the scarcity of coal in that country, a country where coal is a very necessary article. If this strike continues for a considerable length of time there will be much worse difficulty during the coming winter than there was during the last; because, in addition to the difficulty of obtaining coal at the mines, is the very great difficulty of obtaining cars to haul that coal from the mines and distribute it among the people. This is a very serious matter, and I earnestly direct the attention of the government to it. It is of the most intense importance, it seems to me, that the government should at once take up this question and endeavour to have this strike settled so that the mines may go on working, and coal may be mined in order to keep the people warm next winter. I trust the government will not lose a moment. Perhaps the Minister of Labour has already taken steps in order to avert this calamity which is impending.

Mr. DANIEL. Before this item is carried I would ask the minister if he could not give some promise that he will take into consideration the view that has been expressed in regard to providing literature to be sent to the old country pointing out the opportunities of the eastern provinces. The member for Cape Breton (Mr. Johnston) said there was too much immigration into his part of Nova Scotia; but the immigration he is getting there is not that to which I refer. I presume he refers to miners and helpers about the large industries in that part of Nova Scotia. The men I speak of are farm labourers and farmers. We have in New Brunswick, I am sorry to say, many farms that are not being worked, or have been worked and are now lying idle, the people have gone away, and they are such farms as would yield a good return to any one who cultivates land properly. We have many opportunities of that kind. I would like the minister, if he feels like doing so, to state that he will take this matter into consideration and get up some literature in regard to that part of Canada, and show that the eastern provinces will not be neglected in the future as they have been in the past.

Mr. OLIVER. I think my hon. friend is rather blunt in asking me to give a pledge offhand that a certain policy will be adopted. What I have said has been done in the case of Prince Edward Island, Nova Scotia, Ontario and Quebec should be sufficient guarantee to him that the interest of New Brunswick will also be looked after in due course. But I would not like to pledge myself to a definite course of action until I am fully satisfied as to what course would be the best. I think it is not well for us to jump to conclusions too hastily. The responsibility of inducing people to change their place of abode and cross the ocean is

a serious one, and I hesitate to take it without being satisfied that I am warranted in doing so. I will promise the hon. gentleman that the interests of New Brunswick shall have as full consideration at the hands of the immigration department as the interests of any other province of the Dominion.

Mr. TAYLOR : Perhaps the Minister of Labour will be prepared to make a statement, if not to-night, then to-morrow, in answer to what my hon. friend from King's-Albert (Mr. Fowler) has said with regard to the strike that has taken place to-day in British Columbia.

Mr. LEMIEUX. With regard to the reported strike in the Crow's Nest Coal mine I think that what has been published in the papers is not quite true. According to the last communication I had at about six o'clock, there will be no strike but a full investigation will take place. It is to be hoped that there will be an investigation and that it will prevent a strike. What has been published in the newspapers is that a referendum took place amongst the men, a majority of whom declared in favour of a strike. But they have not struck, and they will submit themselves to the law and go before a board. They have sent me the name of their representative on that board, so have the mine owners. There is, however, a discussion between the department and the mines owners as to whether we will accept the name that has been suggested by them. We find that the gentleman whose name has been presented to us is himself more or less connected with the coal mines and should not be on the board. We have given the company 24 hours to select another name. So far as I know, unless something new has taken place since six o'clock, there is no fear of a strike ; on the contrary, everything goes to show that there will be a happy settlement of the difficulty.

Mr. HERRON. Has the minister any news with regard to the Edmonton coal strike, which I see by the bulletin board this evening is declared ?

Mr. LEMIEUX. I have no information as to that.

Mr. FIELDING. I would suggest that the Minister of the Interior suspend his estimates in order that we may pass a number of other items which are of a purely routine character and are not likely to provoke discussion. If there is any one who objects to any vote it may stand for future consideration, and in this way we may dispose of a good deal in a short time. If the suggestion is adopted, I will begin at the beginning and if any objection is taken to any item we will reserve it, but if there is no objection we will pass it.

Dominion police, $37,500.

Mr. AYLESWORTH. There is an increase of $500 because five men have become entitled to increases by reason of going up in the classification from one grade to another.

Mr. DANIEL. I heard the other day that some constables of the city were around this building. Have the Dominion police control of this building ?

Mr. AYLESWORTH. The Dominion police in the building are attached to the Department of Justice and are in charge of the superintendent of Dominion police. I am not aware that any officers about the building are connected with the city police force. I have always assumed that they were Dominion police only.

Mr. DANIEL. I did not see them but I was told that there were constables belonging to the city in this building the other day.

Mr. AYLESWORTH. On duty ?

Mr. DANIEL. I believe so. I do not know if there was any infringement of a provincial or city law, but it appears to me that it ought to be decided whether this building is under the control of the Dominion authorities or under the control of the provincial or city authorities.

Mr. AYLESWORTH. I will make inquiries about it. It is entirely new to me. I took it for granted that there were no police constables on duty in this building or on the premises except the men belonging to the Dominion police.

Mr. FOWLER. Speaking of the police, are they in charge on Sundays as well as on week days ?

Mr. AYLESWORTH. Not the full staff.

Mr. FOWLER. Because there seems to be sometimes occasion for the services of the Dominion police. This very last Sunday an occasion of that kind arose. One of the messengers had to take hold of a drunken man and put him out of the corridor of the House. This has got to be quite a resort for people around town who come up here on Sunday. I do not know what particular attraction there is for them unless it be the bar that was abolished some years ago but which seems to have attained quite a vigorous growth since that time. I know that when I came up on Sunday one of the messengers was engaged in putting a drunken man out of the corridor.

Mr. AYLESWORTH. I am informed by the sergeant-at-arms that there are not supposed to be any city police about the premises. The only police officers are the Dominion police who are on duty while the house is in session. If any necessity for a police constable arises when the House is not in session, I suppose it would be simply a matter of city police jurisdiction.

Mr. SAM. HUGHES. Have the Dominion police anything to do with the control of the bar in this House on Sunday ?

Mr. FIELDING. There is no bar in this House.

Mr. SAM. HUGHES. When you see a continuous train of gentlemen coming into this building on a Sunday morning there must be something in the House to attract them.

Mr. AYLESWORTH. I do not think there is any such feature of the House under the charge of the Department of Justice.

Library of parliament, $42,737.50.

Mr. SAM. HUGHES. Who selects the books for the library.

Mr. FIELDING. The librarians largely although there is a joint committee of both Houses in connection with the library.

Mr. SAM. HUGHES. There are quite a number of works of reference that one wishes to get in connection with the library and it is very difficult to find them. One will search in vain for anything like an accurate life of Samuel De Champlain. The works are not works of accuracy. They are written with the object of giving a false history in many instances.

Mr. FIELDING. If the hon. gentleman would call the attention of the librarian to any works he misses I have no doubt that he would be very glad to supply them.

Mr. FOWLER. I would like to ask the hon. Minister of Finance if the books in the library are purchased under the direction of the library committee or by the librarians themselves ?

Mr. FIELDING. I must not answer too positively because my knowledge is very limited, but I understand that while the committee directs the business the librarians have a very considerable measure of authority in purchasing books. There are certain classes of books which it would be proper that they should purchase, although on special matters I have no doubt that the committee give them directions.

Legislation—printing, binding, &c., $186,000.

Mr. TAYLOR. In reference to the printing of the voters' lists, I have received the following letter, and I think there is a good deal in it :

It strikes me that there is no very good reason why the Dominion government should continue the practice of printing the voters' lists in the way they do. These sheets are very unhandy, and it would be very little more expense and a great deal more convenient if the lists were printed in book form like the Ontario voters' lists. It would be convenient if the lists were printed separate in each polling subdivision in book form with a blank page opposite each printed page.

Mr. AYLESWORTH.

I think that suggestion is a good one, and I do not think it would cost much more. The Ontario lists are printed in that form but in the Dominion election we have the big sheets which are very cumbersome and inconvenient and I do not think would cost more to get them out in pamphlet form.

Mr. FIELDING. I would be glad to call the attention of the Secretary of State to this suggestion.

Mr. JOHNSTON. I agree entirely in the suggestion.

Mr. E. M. MACDONALD. I would like to join my hon. friend from Leeds (Mr. Taylor) in his suggestion. It seems to me that the lists as printed are prepared with a scientific desire to give as much trouble as possible.

Mr. FOWLER. How often are they printed, and to how many copies is a member entitled ?

Mr. FIELDING. They are always printed on the eve of a general election and they are printed for by-elections. My recollection is that each member and each defeated candidate at the preceding election is entitled to 25 copies.

Some resolutions reported.

FIRST READING.

Bill (No. 164) to incorporate the Fidelity Life Insurance Company of Canada.—Mr. Johnston.

Mr. FIELDING moved the adjournment of the House.

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

Mr. FIELDING. We may take up one or two non-contentious Bills but at an early stage the House will be moved into Committee of Supply and the acting Minister of Public Works will continue his estimates.

Motion agreed to, and House adjourned at 12.25 a. m., Tuesday.

HOUSE OF COMMONS.

TUESDAY, April 16, 1907.

The SPEAKER took the Chair at Eleven o'clock.

PUBLIC ACCOUNTS COMMITTEE.

Mr. GEOFFRION moved :

That the 11th, 12th, 13th, 14th, 15th, 16th, 17th, 18th, 19th, 20th, 21st, 22nd, 23rd and 24th reports of the Select Standing Committee on Public Accounts be concurred in.

Mr. SPEAKER. Unless the House consents this will have to stand as a notice of motion.

Mr. FIELDING. I notice that there is quite a number of reports and motions made to concur in them. Perhaps it would be well to let them lie on the table for a day or so until they appear on the order paper. I am not aware of any objection to them but I think it is as well that we should pursue that course.

Motion allowed to stand.

THE PETAWAWA CAMP.

Mr. SAM. HUGHES. I draw the attention of the leader of the House to a report from Toronto which appears in the 'Citizen' this morning, in regard to the confiscation of the Petewawa camp site, by the government, under the British North America Act. I do not suppose the leader of the House knows the details of the case and I have merely to ask, if, without any formal motion, he would be good enough, to bring down the papers in connection with this matter before the House closes.

Mr. FIELDING. My hon. friend is right in saying that I am not familiar with the details, and therefore I would not like to give an answer now. If there is any information which can be brought down quickly I will be glad to have it done. More than that I cannot say now.

YUKON—EX-COMMISSIONER CONGDON.

Mr. FOSTER. I asked the Minister of the Interior some days ago for the report with reference to the investigation made into Mr. Congdon's business in the Yukon. I fear the minister has forgotten it.

Mr. FIELDING. I will draw the attention of the minister to it.

JUDICIAL VACANCY—NOVA SCOTIA

Mr. BOYCE. I ask the leader of the House if any appointment has yet been made to the vacancy in the judiciary of Nova Scotia.

Mr. FIELDING. There have been two vacancies, one of which has been filled; the second vacancy which occurred recently has not yet been filled.

NEW BRUNSWICK JUDICIARY.

Mr. FOSTER. I ask the Minister of Justice whether the government has yet received information as to legislation passed in the province of New Brunswick, looking to the appointment of another and seventh judge in the Supreme Court; and if it is intended to ask from this House at this session an appropriation to pay for such proposed judge?

Mr. AYLESWORTH. The only knowledge I have of the circumstances to which the hon. gentleman has alluded is derived from the public press. It was not the intention of the government to introduce any legislation on the subject in this House at the present session.

PERSONAL EXPLANATION—Mr. SAM. HUGHES.

Mr. SAM. HUGHES. I notice in one of the morning papers a heading that in the House of Commons yesterday I made an onslaught, I believe, on the clergy. I do not wish to enter into a discussion of that matter, further than to say that I made no onslaught on the clergy; I simply recited a few facts.

REPRESENTATION OF SASKATCHEWAN AND ALBERTA.

House again in committee on Bill (No. 51) to readjust the Representation of the Provinces of Saskatchewan and Alberta in the House of Commons, and to amend the Representation Act.—Sir Wilfrid Laurier.

Mr. FIELDING. This Bill was reported by a special committee of which my hon. friend from Assiniboia (Mr. Turriff) was the chairman and I will leave the matter in his hands.

Mr. FOSTER. When we discussed this Bill in the House last time, there were some errors discovered which could only be corrected by a careful reference to the map, and it was understood that the two sections of the committee were to meet and correct these inaccuracies. I do not see Mr. Lake here, but I imagine that has been satisfactorily arranged.

Mr. TURRIFF. The committee met and went carefully over the Bill from beginning to end, and there were three clerical errors all told that had been pointed out before, and we arranged it and made the corrections on the Bill which is now in the hands of the chairman of the committee. It was perfectly satisfactory.

Bill reported, read the third time and passed.

REVISED STATUTES — SCHEDULE A.

House again in committee on Bill (No. 148) to amend schedule A to the revised statutes, 1906.

Mr. W. F. MACLEAN. I want to bring to the attention of the House a discovery that has recently come under my notice in connection with the revised statutes, and which is of great importance to the public of Canada. It is this: that the revised statutes in so far as one particular Bill is concerned has resulted in a direct change. The greatest liberties have been taken with the statute; there has been a reduction in

the effect of the statute in some cases and an enlargement in others. I direct the attention of the Minister of Justice to what has happened in regard to section 9 chapter 110 of the statutes as revised in 1886. I hope the minister will get the revised statutes of that year in his hands and follow what I have to say. What I now propose to state to the House, has been prepared for me by able counsel in Toronto, and I think is worthy of attention; it is in reference to the law in regard to railways and railway tickets which was under discussion not long ago.

By section 9 of chapter 110 of the Revised Statutes of Canada, 1886, every railway company in Canada was compellable to repay to every holder of a ticket, the cost of his ticket if unused in whole, or in part less the ordinary and regular fare for the distance for which such ticket had been used. Such repayment had to be at any station or office of the railway or company between and including the points covered by the ticket.

By section 8 of said statute every person guilty of an offence against said statute was liable upon summary conviction before any justice of the peace to a penalty not exceeding $50, and not less than $20 and costs, or to imprisonment for a term not exceeding ninety days and not less than ten days, or to both penalty and imprisonment in the discretion of the justice.

By section 7 of said statute and by subsection 4 of said section 9 of chapter 110, the sale by any person of an unused portion of any ticket, otherwise than by the presentation of the same for redemption, as provided in said section 9 was declared to be an offence and was declared to be punishable as in said section 8 provided.

62 and 63 Victoria, chapter 38, section 2, amended section 7 of said statute by making the prohibition of sale of tickets apply to steamboats and ferries as well as to railways.

By the revision of the Statutes of Canada in 1906, chapter 110, Revised Statutes of Canada, 1886, became chapter 38, Revised Statutes of Canada, 1906, and by said revision sections 7 and 8 and subsection 4 of section 9 of chapter 110, Revised Statutes of Canada, 1886, are eliminated ; section 7 is amplified and re-enacted as section 10 of chapter 38, 1906.

The elimination of said section 8 of chapter 110, Revised Statutes of Canada, 1886, did away with the means provided for punishing railway companies, or their agents, for neglect or refusal to comply with the provisions of said section 9.

Section 10 of chapter 38 of Revised Statutes of Canada, 1906, reads as follows :

10. Every person who—

(a) except those authorized as hereinbefore mentioned, sells, or offers for sale any railway, steamboat or ferry passenger ticket, or pass, ticket, certificate or other instrument, enabling any person or purporting to entitle any person to travel on any one railway, steamboat or ferry, or more than one railway, steamboat or ferry, or any part of one railway or parts of several railways to which this Act applies, or,

(b) issues the unused portion of any ticket, otherwise than by the presentation of the same for redemption under the provisions of this Act ; or

(c) fraudulently alters, changes or imitates the signature of the agent or the date written or stamped upon any ticket ;

is guilty of an offence against this Act and shall upon summary conviction hereof before any justice of the peace, be liable to a penalty not exceeding fifty dollars and not less than twenty dollars and costs, or to imprisonment for a term not exceeding ninety days and not less than ten days, or to both penalty and imprisonment, in the discretion of the justice.

The penalty provided in this section is provided for the breach of this section only and there is no penalty provided in this statute for breach of section 8 of this statute or for any other section of the statute.

There being no provision by way of penalty made in chapter 38, Revised Statutes of Canada for breach of section 8 of said statute, it might be urged that section 164 of the Criminal Code, chapter 146, Revised Statutes of Canada, 1906, which reads as follows :

164. Every one is guilty of an indictable offence, and liable to one year's imprisonment who, without lawful excuse, disobeys any Act of the parliament of Canada or of any legislature in Canada by wilfully doing any act which it forbids, or omitting to do any act which it requires to be done, unless some penalty or other mode of punishment is expressly provided by law;

would apply, and it is clear that said section 164 would apply were it not that section 11 of chapter 38, Revised Statutes of Canada, 1906, provides that every complaint respecting an offence against this Act shall be prosecuted under the provisions of part 15 of the Criminal Code, and as part 15 of the Criminal Code relates only to summary convictions before a magistrate it is just as clear that the Criminal offence named in section 164 of the Criminal Code could not be so tried.

The result of the revision of chapter 110 of Revised Statutes of 1886 and of the consolidation of 62-63 Victoria, chapter 38, section 2, is to free all railways and their agents from the possibility of punishment for refusing to obey the provisions of section 8. chapter 38, Revised Statutes of Canada, 1906.

Was the elimination of clause 8 of chapter 110, Revised Statutes of Canada, 1886 made purposely at the behest of the railway companies, or was it accidental ?

This statement has been very carefully prepared by a learned counsel in Toronto who has been following this statute and the effect of the revision of the law of 1886 as it is embodied in the revised statutes of 1906. He finds that while in the original Act a penalty is provided for disobedience of the Act both as against the railway company and as against the citizen, in the revised statues of 1906, that penalty is limited expressly to the passenger, and the penalty that formerly existed as against the railway company is removed. If that is true, and again I am advised that it is true, I wish to know and the people of Canada wish to know if similar liberties have been taken with all the statutes of this country in that revision. I am also told by other gentlemen who have looked into the matter personally that they have found changes of this character, and if that be the case it is

time we knew about these things. If it is the case we cannot afford hereafter to accept a revision of the law as we accepted it this session. Nobody had an opportunity of reading the statutes; we took the word of the Minister of Justice and the assurance of the government that the commissioners to whom was entrusted this delicate duty of revising the statutes had taken no liberties with them, but as a matter of fact had consolidated them in such a way that no substantial changes had taken place, no changes from the original intention. It makes the public suspicious that in a case where the railway company is involved and there is a penalty as against the railway company and also as against any individual of the public, if that penalty is removed as against the railway company and is continued as against the ordinary individual a great wrong has been committed, and while I would not, just at this moment, ask the Minister of Justice to answer what I say, I intend to hand him the statement and hope before he has finished with this Bill that he will make a statement in regard to this very important matter.

Mr. LENNOX. I have noticed in looking up the statutes that there are changes which seem to me to go beyond the mere revision, changes which amount to amendments of the Acts. For instance in the General Railway Act, in section 199 and section 237, if I remember the numbers correctly, there are, in my judgment, very material changes, and I also see that in the opinion of Mr. McMurchy who has issued an annotation of the statutes there are changes in those sections which will probably affect cases which have been decided under that. I do not wish to go into the matter now but I would call the attention of the Minister of Justice and of the government to the fact that if the revisers have taken the same liberties throughout the revised statutes they have in the case of the Railway Act it will be found that they have far exceeded their jurisdiction and their duty, that they have practically made an amendment of the various provisions instead of confining themselves to mere verbal alterations in order to make the statutes more harmonious. I shall take occasion before the next session to look carefully into the matter and see to what extent this practice has prevailed; I did not wish to bring it up this session as we have not time to deal with it.

Mr. AYLESWORTH. I would suggest that this discussion is scarcely germane to the matter before the committee, which is simply the consideration of some amendments with regard to the Northwest Territories in the schedule to the revised statutes. The matters referred to are matters, as the hon. gentlemen have said, which have not previously been brought to my attention. In reference to the point raised by the hon. member for South York (Mr. W. F. Maclean) I find that chapter 38 of the present revised statutes appears to repeat every section of the enactment of chapter 110 of the statutes of twenty years ago. The sections are not arranged in the same order but every section of the statute of 1886 is to be found, so far as I am able to see, in chapter 38 of the present revised statutes, and I am unable to appreciate the point that has been attempted to be made with regard to the matters referred to by the hon. member for South Simcoe (Mr. Lennox) who has not been very specific. I venture to think, however, that if the Railway Act as contained in the new revised statutes is studied it will be found that no liberties whatever have been taken with that legislation in the existing law.

Mr. W. F. MACLEAN. I hope that what the minister says is the case, but the case as I have put it to him has been prepared after a very careful examination of both laws, and I trust that he will read the statement over carefully and see whether there is not justification for the statement as I have presented it to him.

Bill reported, read the third time, and passed.

EXPORTATION OF ELECTRIC POWER.

Amendment made by the Senate to Bill (No. 60) to regulate the exportation of electric power and certain liquids and gases, read the first time.

Mr. AYLESWORTH moved second reading.

Mr. R. L. BORDEN. What is the amendment?

Mr. AYLESWORTH. The only alteration is the substitution for the word 'three' of 'six months' in the third section, which provided that any person who, before the passing of the Act, was lawfully engaged in the exportation of power or fluid should not be compelled to obtain a license until three months after the coming into force of the Act. The Senate has changed this to six months.

Amendment read the second time and concurred in.

INSPECTION OF MEATS AND CANNED GOODS.

Amendments made by the Senate to Bill (No. 33) respecting the inspection of meats and canned goods read the first time.

Mr. FISHER moved second reading.

Mr. R. L. BORDEN. Explain the amendments.

Mr. FISHER. Section 12 of the Bill, as it came from the Senate, which is section 10 (b) of the Bill as reprinted for the House of Commons, provides for the stamping of the names and addresses of the canners

on the canned goods. We have had very urgent representations from a number of dealers to the effect that they are satisfied with the provisions of the section in every respect except as regards the export to certain markets. In England the importers insist that the goods shall have no mark. They put their own trade mark on. I think that is rather an unfortunate condition of affairs, but the trade is so set in that way that until they have been educated to a certain extent it seems impossible for our people to get over that difficulty. The following amendment was inserted in the Senate to this clause:

Provided, however, that if it be established to the satisfaction of the Governor in Council that such marking would hinder the sale of such articles in a British or foreign market, he may exempt such articles from the provisions of this section.

I was told recently that also in some parts of the United States they objected, and our fish and lobster canners in the maritime provinces have been sending goods to markets in the United States which require that the cans shall not bear any mark at all. This amendment does not exempt them when sold in our home market, and will only apply in case it is proved to the satisfaction of the Governor in Council that the marking will interfere with the sale abroad.

Mr. LALOR. Does this apply to all canned goods?

Mr. FISHER. It does not apply to meat goods, but only to vegetables, fruit and fish.

Mr. SPROULE. But what is there to prevent these goods, the marking of which is not insisted on, from being sold in Canada?

Mr. FISHER. They cannot if not marked, because the rest of the Act requires them to be marked if sold in Canada.

Mr. R. L. BORDEN. Will the package be marked with any certificate that it has been inspected by officials of the government?

Mr. FISHER. This does not relieve them at all from the necessity of inspection and the government stamp of inspection where that is required but that is not required in the cases I have referred to.

Mr. R. L. BORDEN. I thought that the reasons given in support of the Bill included the consideration that it was necessary, when goods from Canada went to foreign markets, that they should be accompanied by some certificate that they had been inspected in this country. That is the case with regard to meats. Does it not equally apply to goods of this character?

Mr. FISHER. The whole Bill did not apply, as far as that point is concerned, to goods of this character. It only applied to meat goods. The others were only to be stamped with the marks of the manufacturer.

Mr. LALOR. But it is not necessary these goods for export should be marked?

Mr. FISHER. If this provision passes the goods can be exported to a foreign market without any mark at all, but cannot be sold at home, and the foreign market must be specified in the order in council. My idea would be that this exemption should only be granted on its being proved that it was absolutely necessary for the trade.

Mr. R. L. BORDEN. If these goods are sold in Canada will they bear any certificate that they have been inspected by officers of the government?

Mr. FISHER. Only the meat goods.

Mr. BERGERON. How many inspectors?

Mr. FISHER. For the meat inspection about forty or fifty, for the canned goods general inspection as many as will be found necessary, probably half a dozen to ten.

Mr. BERGERON. And will these fifty or sixty inspectors be moving around the country?

Mr. FISHER. There will be one for every large canning establishment.

Mr. LOGGIE. I would draw the attention of the minister to the fact that France and Germany import more canned goods without labels than any other foreign countries. The United States import them in that form to some extent; and England, to a very limited extent. The greater proportion of the canned lobsters sent into France and Germany go in with unlabelled tins, the buyers holding the packers responsible for the class of goods they sell. I would like the minister to take note of these two countries, and also of Russia. In this last named country they have a special bronze label which they put on their tinned lobsters.

Mr. FISHER. This amendment made in the Senate covers the case to which the hon. gentleman (Mr. Loggie) refers, and includes foreign countries as well as Great Britain.

Mr. BERGERON. How many inspectors are there now?

Mr. FISHER. None as yet.

Mr. BERGERON. Was there not an inspector for meats at the abattoir in Montreal?

Mr. FISHER. That was a local inspector.

Mr. BERGERON. Will there be any conflict between the local and the Federal inspectors?

Mr. FISHER. No.

Mr. LALOR. Will poultry be included as meats under this Bill ?

Mr. FISHER. That whole question was threshed out before. Poultry will be included as meats.

Mr. LALOR. I may say, on behalf of the canning industry, especially all those canners who put up poultry, that there seems to be a certain amount of suspicion of the material packed in cans and called poultry. We are most anxious, therefore, that that part of our industry, especially should be rigidly inspected.

Mr. J. D. REID. What means has the minister of knowing that it is poultry that is put into these cans instead of something else ?

Mr. FISHER. That is proved by the fact that it passes inspection.

Mr. BERGERON. Is the Minister sure that there will be no conflict between the local and federal inspectors ?

Mr. FISHER. No, there will be no conflict.

Motion agreed to, and amendments read the second time and concurred in.

Mr. FISHER. Before leaving this Bill, I would like to move that it be sent back to the committee to make one small amendment. In section 12 of the Bill as printed for the Senate, or 10 (b) of the House of Commons Bill, it is provided that every can shall be stamped with the initials of the Christian name, the full surname and address of the packer. I wish to add 'or of the dealer for whom such articles are packed.' It has been represented to me that, in a number of cases, firms have their goods packed for them, they becoming responsible for the goods and the quality of the goods, and that, in such a case, it would be a hardship if the individual packer's name was required to be put upon them. I think all necessary safeguards can be thrown about the Bill with this additional amendment ; and, as I have wished all through to interfere as little as possible with the course of the trade, I have asked the House to add these words, which would enable the dealer, or the packer who was having goods packed for him outside of his own packing house, to put his name upon them and be responsible for them instead of the actual packer.

Mr. SPEAKER. It would be well to consider for a moment whether it is regular to propose such an amendment or not.

Mr. FISHER. If you rule, Mr. Speaker, that it is not in order to amend a Bill coming back from the Senate in this way, of course, I must not present the amendment in this form.

Mr. SPEAKER. I would suggest that it be allowed to stand that we may have an opportunity to look into the matter. I think, without having had opportunity to give the point full consideration, that where a matter has been concurred in by the other House, that cannot be amended here. If something had been amended by them, it could be amended here. If I am correct in that, it would not be in order to go beyond that point.

Mr. R. L. BORDEN. In that case, the same point could be practically covered by introducing a new Bill. I imagine that no difficulty would be raised by any one in the House.

Mr. FISHER. Perhaps, the better way is to allow the Senate amendments to be adopted, and I will consider a Bill to amend this. I move that the Bill do now pass and that the title be as in the order paper.

Motion agreed to and Bill passed.

INSPECTION AND SALE ACT—AMENDMENT.

Bill (No. 162) to amend the Inspection and Sale Act—Mr. Fisher—was read the second time.

Hon. SYDNEY FISHER (Minister of Agriculture) moved that the House go into committee on the Bill. He said : The Bill contains practically two points. The first is to amend section 326 of the Inspection and Sale Act, chapter 85 of the revised statutes, which deals with the size of fruit baskets, and makes a little change. The second part is in regard to the balls of binder twine, and provides that offences under that section shall be dealt with on conviction before one magistrate instead of two ; further, that the fines shall not be shared with the inspector or informer, but shall be disposed of by the minister, and shall form part of the Consolidated Revenue Fund. These are the main objects of this Act. I may add, with regard to the size of the baskets which is dealt with by this Bill, that in the revised statutes, chapter 85, section 326, the size of the baskets in which berries or currants are to be sold in Canada is regulated. Clause 2 of that section says :

> Every basket of fruit offered for sale in Canada, unless stamped on the side plainly in black letters at least three-fourths of an inch deep and wide, with the word 'quart' in full, preceded with the minimum number of quarts, omitting fractions, which the basket will hold when level-full, shall contain, when level-full, one or other of the following quantities :—
>
> (a) fifteen quarts or more ;
>
> (b) eleven quarts, and be five and three-quarter inches deep, perpendicularly, inside measurement, as nearly exactly as practicable.
>
> (c) six and two-thirds quarts, and be four and five-eighths inches deep, perpendicularly,

inside measurements, as nearly exactly as practicable.

The amendment changes that to say in subsection (b) :

Eleven quarts, and be five and three-fourth inches deep perpendicularly, eighteen and three-fourths inches in length and eight inches in width at the top of the basket, sixteen and three-fourths inches in length and six and seven-eighths in width at the bottom of the basket, as nearly exactly as practicable, all measurements to be made inside of the veneer proper and not to include the top band.

Section (c) in the present clause :

Six and two-thirds quarts and be four and five-eighths inches deep inside measurement as nearly exact as practicable.

The amendment changes that to say :

Six quarts and be four and one-half inches deep perpendicularly fifteen and three-eighths inches in length and seven inches in width at the top of the basket, thirteen and one-half inches in length and five and seven-eighths inches in width at the bottom of the basket, as nearly exact as practicable, all measurements to be inside of the veneer proper and not to include the top band.

Then it goes on to say :

Provided that the Governor in Council may by proclamation exempt any province from the operation of this section.

This has been done in deference to a demand from the fruit growers who have asked, the last two years, that this change should be made. They made representations to the Department of Trade and Commerce and to the Department of Agriculture a year or more ago asking for this change. I may say that the statute as it stands and the definitions of the baskets were based on the request of the fruit growers. At that time they believed these were the ordinary baskets of commerce, and they asked that these provisions, with these definitions, should be incorporated in the Act, which was done when the Act was passed some five or six years ago.

Mr. J. D. REID. How do they compare with the size of baskets in the United States?

Mr. FISHER. I cannot say exactly, but there is no regular standard in the United States.

Mr. J. D. REID. This won't prevent United States baskets coming in?

Mr. FISHER. It will unless the Governor in Council exempts any province from the operations of this section. I understand that gentlemen in the Senate from the western provinces desired this clause to be inserted. A considerable quantity of United States fruit enters those provinces in baskets, and they consider that at certain seasons it would be a great hardship to be cut off from that source of supply. I may say that any basket larger than provided for in these definitions is free to be legally sold in Canada, and any basket which is smaller may be sold, provided the word 'short' is stamped upon it. As a matter of fact, these very dimensions which are now being made legal have been used for some time back very largely, with the word 'short' stamped upon them. But the fruit growers, especially those in the province of Ontario, have been making an insistent demand for this change. They made the demand last session, but the Department of Trade and Commerce was not prepared to make the change without inquiring into the matter more fully, in order that the interests of all classes might be best served. The fruit growers believe that these are the proper dimensions which the trade demands, that they are the most convenient, and the department decided this year to grant their request.

Mr. SPROULE. And the exemption of any province by the Governor in Council?

Mr. FISHER. During certain seasons of the year in Saskatchewan and Alberta they get a large quantity of fruit from the United States, and they felt that it would be a hardship to be shut out from that source of supply. I may say that if these baskets coming in from the United States are larger than these dimensions it would not be illegal to sell them. Ontario people have made no such request, but if the Ontario people desire it, the government may exempt the province of Ontario as well as the Northwest. It gives the Governor in Council authority to exempt any particular province from its operation.

Mr. SPROULE. Would it not be better to make provision that it should not apply to goods coming from abroad ?

Mr. FISHER. My hon. friend would scarcely say that foreign goods should be free from the provisions of this Act. I do not think that our own fruit producers would like that.

Mr. SPROULE. We are proposing to make them free.

Mr. FISHER. These foreign goods can all be sold here by a simple arrangement of marking on the basket the word 'short' if the basket is smaller than the size called for by the law.

Mr. SPROULE. We are providing for their exemption from the operation of the Act.

Mr. FISHER. If it is necessary or advisable. I do not think it would be advisable to frame the Act in such a way that generally such an exemption would take place. I think it would be better to only make an exemption when it was shown to the Governor in Council to be necessary in

the interests of the general trade. We would consider the interests of the public as buyers as well as the interests of sellers but we should hope that the exemption would be very rarely and very charily used. Personally I think that foreign goods coming into the country should be subject to the same restrictions as our own goods are. It would only be under exceptional circumstances that advantage would be taken of that power.

Mr. SPROULE. The fruit grower in California or elsewhere puts up his fruit in a certain kind of packet. He finds that it is best for the transportation and preservation of the fruit and if this law prevails it would prevent that fruit from coming in. There may or there may not be a good reason for doing that. If there is a good reason it seems to me that the Act should be universal and apply to all. If there is not a good reason I do not see why we should not make it apply to the home product or to everything but imported goods.

Mr. J. D. REID. There is another point. There is a great deal of fruit imported from other foreign countries. For instance, one or two large vessels come in at the opening of navigation with a lot of fruit and there is no doubt at all that that fruit would not be put in packages of this size. They might be smaller.

Mr. FISHER. The packages that the fruit comes in are not provided for in this section.

Mr. J. D. REID. At certain seasons of the year we can get fruit from the United States and there are certain parts of Ontario where very little fruit is grown. It seems to me it would be a hardship in that way. I am glad to see the fruit trade getting greater protection but if it is done for that purpose I would like to see them get more protection in another way and let the fruit come in in such a way that people can have the advantage of using it. There are certain seasons of the year when we cannot get home-grown fruit, and there are some parts of Canada where it has to be brought from some other country. Under this clause it seems to me that it would be very difficult for people to get fruit and people would be liable to a fine for selling fruit contrary to this Act.

Mr. BERGERON. Does that Act apply to people selling fruit in Canada in packages about railway stations or steamboat landings ?

Mr. FISHER. In baskets. Yes.

Mr. BERGERON. Will not that be imposing a hardship upon these poor people?

Mr. FISHER. That has been the law for a number of years.

Mr. BERGERON. It has not been put in force.

Mr. FISHER. It has been the law for a number of years.

Mr. HENDERSON. May I ask the minister if the exemption provided for applies to the province where the fruit is packed or where it is sold ? For instance, if the province of Ontario be exempted from the operation of this clause would that permit the fruit growers of Ontario to sell in Manitoba even if the exemption did not apply to Manitoba ? It seems to me it is complicated and a little difficult to understand.

Mr. FISHER. Perhaps we had better go into committee and then we can discuss it.

Motion agreed to, and House went into committee on the Bill.

On section 1,—Content and dimensions of baskets of fruit.

Mr. BERGERON. If that has been the law for years what is the use of this Bill ?

Mr. FISHER. It is simply to change the dimensions of the basket.

Mr. J. D. REID. Making it larger ?

Mr. FISHER. No, making the basket a little smaller. All the provisions of the law are just the same. The law has been in force for a number of years but the fruit growers who sell this fruit have asked that there should be a slight change in the dimensions of the basket. I would like to read the first part of the clause which is in the existing law

Every box of berries or currants——

Not fruit such as my hon. friend (Mr. J. D. Reid) speaks of as being imported in ships.

—offered for sale and every berry box manufactured or offered for sale in Canada shall be plainly marked on the side of the box in black letters at least half an inch square with the word 'short' unless it contains when level full as nearly exactly as practicable.

Then follow the dimensions. If the box or basket is marked 'short' it may contain anything a man choses to put into it, but if it is not marked 'short' it must have one or other of these two defined quantities in it. The Act now gives a description of three sizes of boxes or baskets. The first is not interfered with. That is it must be at least four-fifths of a quart or two-fifths of a quart. These are not interfered with. The next clause which deals with another definition is changed. That is the whole of this Bill. The change is to make the required and legal size a little smaller that it was before, so that baskets and boxes which heretofore had to be marked 'short' according to what I have read in the first part of this clause will now not have to be marked 'short'

because they will be legal. Others again which are still smaller will still have to be marked 'short' if sold. It applies, as all the provisions of this Act do, to all fruits whether imported or raised at home. If foreign fruit coming in is sold in smaller boxes or baskets it will have to be marked with the word 'short' or its sale will be illegal. If it is marked, and sold in larger boxes, it can be sold just as before, and the change makes it a little easier for foreign or Canadian fruit to be sold without the word 'short' on the package.

Mr. BERGERON. This demand, I understand, has been made by the Fruit Growers' Association, and I suppose the change means that the measure will contain less fruit, and will be sold to the public at the same price as before ?

Mr. FISHER. The public need not pay the same price.

Mr. MARSHALL. Will this apply to fruit bought by weight ?

Mr. FISHER. No.

Mr. MARSHALL. We can buy fruit in any sort of package, so long as we buy it by weight ?

Mr. FISHER. It does not interfere with that at all.

Mr. LALOR. Would it not be better to legislate that there should be a standard weight for a box of strawberries or any kind of berries ? If that were done the public would know just what they are getting. It would be much easier for a buyer to know the standard weight than to know the standard size.

Mr. FISHER. That whole question was threshed out when the Act was originally passed, and the understanding was that the measure system would better protect the public. I am familiar with the apple trade more than others, and I know that a 40-pound box of one variety of apples would weigh a great deal more than a similar sized box containing another variety. It may be the same in the case of small fruits.

Mr. J. D. REID. How much does this change reduce the quantity of fruit in the package ?

Mr. FISHER. The law to-day reads simply :

> Eleven quarts and be five and three-quarter inches deep.

The amendment reads :

> Eleven quarts and be five and three-quarters inches deep perpendicularly, eighteen and three-quarters inches in length, and eight inches in width at the top of the basket ; sixteen and three-quarters inches in length and six and seven-eighths inches in width at the bottom of the basket.

Mr. FISHER.

Mr. MARSHALL. Now, we sometimes send packages to the growers ; would we have to mark these 'short,' or, if we buy by weight can we still have use of package?

Mr. FISHER. Assuming that the baskets are now the legal size you would not have to mark them short, because this amendment diminishes the size and they would be more than legal hereafter.

Mr. HENDERSON. Would the minister explain the meaning of the exemption ?

Mr. FISHER. My interpretation of the provision is that if the fruit was packed in Ontario and sold in Manitoba both provinces would have to be exempted under this provision. It may be a matter that might have to be tried by the courts.

Mr. HENDERSON. Why not introduce some words that will make it plain, so that a decision by the courts will not be necessary ?

Mr. FISHER. I think it is plain now.

Mr. HENDERSON. I gathered from the discussion which took place here some time ago, that in Ontario there are two fruit associations, one of fruit growers and the other of fruit sellers. The hon. member for Renfrew (Mr. Wright) championed the cause of one association and the hon. member for Wentworth the cause of the other. I am more interested in the fruit growers, because many of them are constituents of mine, and I wish to know whether this recommendation came from them or from the other association.

Mr. FISHER. I am not aware of two fruit growers' associations.

Mr. HENDERSON. One is a fruit growers association, and the other is, I understand, connected with the sale of fruit.

Mr. FISHER. The representations have come to us from the provincial fruit growers' association, from a number of local fruit growers associations, from the box manufacturers, and from individuals. I think the difference between the member for Wentworth and the member for Renfrew was, that one was speaking of a meeting of the executive council and the other of a general meeting of the same association. That is my recollection.

Mr. HENDERSON. That is not what I gathered from the discussion. I remind the minister that the discussion took place with reference to a petition said to have come from the Michigan fruit growers association with regard to reciprocity in fruit.

Mr. FISHER. That is another matter altogether.

Mr. HENDERSON. I understand that one association approved this suggestion and that the fruit growers of Ontario were

not in sympathy with it. On whose recommendation does the minister propose the present Bill ?

Mr. FISHER. I have the assurance of the head of the fruit division of my department, that there is absolute unanimity in the request for this change. It has been discussed in the fruit journals ; it has been asked for about eighteen months now ; there has been absolutely no suggestion that it is inadvisable, while there have been abundant resolutions passed by the general fruit growers' association urging it. I cannot recall to mind the association to which my hon. friend refers, but I am perfectly sure that if there was any such association interested in this, they would have let themselves be heard if they had any objection to it. This has been on the tapis for at least eighteen months without the least objection.

Mr. ARMSTRONG. Have the co-operative associations been consulted in any way?

Mr. FISHER. The co-operative associations have been informed of this.

On section 2,—Summary proceedings.

Mr. HENDERSON. What is the difference between this and the old Act ?

Mr. FISHER. Under the existing Act the charge had to be heard before two magistrates. By this one magistrate is sufficient.

On section 3,—Confiscation.

Mr. FISHER. The original Act simply says it shall be confiscated to the Crown, and this caused difficulty in the disposal of it. This authorizes its disposal by the Minister of Trade and Commerce.

Bill reported, read the third time and passed.

CUSTOMS ACT—AMENDMENT.

House in committee to consider proposed resolution to amend the Customs Act, cap. 48, R.S.C., 1906.

On resolution to amend chapter 38, respecting customs entry of vessels entering the Gut of Annapolis.

Mr. PATERSON. Under the existing law vessels entering the Gut may be entered and the duties on the goods therein paid either at Digby or Annapolis. There has been some local friction and difficulty between the two ports and the amendment gives the department the power to change the place of entry from time to time.

On section 41,

Mr. PATERSON moved :

That section 41 of the said Act be repealed and the following substituted therefor :—

Such market value shall be the fair market value of such goods, in the usual and ordinary commercial acceptance of the term, and as sold in the ordinary course of trade ; Provided that a discount for cash in excess of 2½ per cent, shall not be allowed for duty purposes nor unless such discount has been actually allowed and deducted by the exporter on the invoice to the importer.

The object of the change is to remove friction with reference to petty cash discounts. At present you are only allowed to enter the goods, without adding the cash discount, when the article is sold for cash and never quoted on terms of credit. The object of this amendment is to allow two and a half per cent bona fide cash discount to be deducted from the invoice value. Under the old Act that two and a half per cent was charged duty. This is virtually a remission of the duty where cash discount is allowed equal to two and a half per cent. This concession will remove a great deal of the friction that arises at all the ports and is giving a great deal of trouble. It may reduce slightly the revenue derived, but will be a compensation to those parties who felt that in the change we made in the package clause, we were virtually increasing the duty.

Mr. BERGERON. I suppose what is meant by commercial value is the value all over the whole country where the article comes from.

Mr. PATERSON. Yes.

Mr. BERGERON. But there are six or seven different prices of articles, and where will the hon. gentleman find the real commercial value ?

Mr. PATERSON. We take the value at the place of export.

Mr. BERGERON. But even there you have different values. We have had cases in my office of some agricultural implements imported from the United States and we found that the prices are different in the different states of the union. I think the hon. minister is giving his department a lot of work for nothing. He is giving too much protection, but of course there is no one so zealous as a convert, and my hon. friend is to-day too much of a protectionist.

On section 2.

That section 43 of the said Act be amended by adding thereto the following words :—

Provided that duty shall not be assessed on less than the invoice value of the goods in any case, except on account of reduction in the fair market value of such goods between the time of their purchase by the Canadian importer and their exportation to Canada ;

Provided further, that the appraiser or collector acting as appraiser, in estimating the value for duty may disregard trifling fluctuations in market values occurring after the purchase of the goods by the Canadian importer,

and may allow a bona fide discount for cash, not exceeding 2½ per cent, when allowed and deducted by the exporter on his invoice.

Mr. BERGERON. Who is to be the judge?

Mr. PATERSON. The appraiser.

Mr. BERGERON. Who is to be the judge as to whether the appraiser was correct or not ?

Mr. PATERSON. The dispute would be reported to the Dominion board here. There is a provision that there may be an arbitration. The importer appoints one arbitrator, the government another and the third is a Dominion appraiser.

Mr. LALOR. Are trade discounts allowed ?

Mr. PATERSON. Yes, the only trouble is with the cash discount. That used to be dutiable and we now make it free to the extent of two and a half per cent.

Mr. LALOR. What difference between a trade and a cash discount ? Sometimes the discount is made without saying whether it was for cash or not.

Mr. PATERSON. The trade discount has always been free. In that case we take the net amount.

Mr. BERGERON. Suppose an exporter in the United States tells his client in Canada: Send me your note at four months without interest and I will call that a cash discount.

Mr. PATERSON. That would be shown in the invoice.

Mr. SPROULE. I do not see anything to safeguard the Customs Department. For instance I buy a bill of goods from a man on the other side and he will give me better terms than he will his American customers. He therefore makes a certain discount without saying it is for cash or not. How is the department able to determine whether they charge duty upon that discount or not?

Mr. PATERSON. It would be determined by the invoice. And these matters, of course, are always subject to our review.

Mr. SPROULE. How would it necessarily be revealed by the invoice ? The invoice need not show how the goods are to be paid for.

Mr. PATERSON. Then, the duty would be levied on the invoice price without a discount. Suppose the invoice shows a total of $100 with a discount 2½ per cent, the duty would be levied on $97.50. If no discount were named, the duty would be levied on $100.

Mr. HENDERSON. Suppose that the discount were marked on the invoice, and the purchaser did not pay cash, but took his time ?

Mr. BERGERON.

Mr. PATERSON. The hon. gentleman (Mr. Henderson) lays his finger on the weak point. That is one of the difficulties we experience. But you have to depend on the affidavits and the invoice, backed by the honesty of our people. Should there be an exception, some importer who does not really belong to us, of course, by any misrepresentation he makes himself liable to prosecution for fraud.

Mr. LALOR. The value of the goods for customs duty should be a certain amount less the cash discount. If the importer is so unfortunate as not to be able to pay cash and claim the discount, he should not be charged extra duty for that.

Mr. PATERSON. Yes, there is that in it. I think it will be seen that this is a wise change. There may be a case, where, as the hon. member for Halton (Mr. Henderson) points out, advantage may be taken of it. But we cannot make a perfect customs law.

Mr. SPROULE. Take a case like this: I buy an article in a foreign country. The seller knows that I have to pay duty, and offers, if I buy the article from him, that he will invoice it at a reduction equivalent to the duty. In that case the invoice price at his reduction would be the amount on which duty could be collected.

Mr. PATERSON. I think the hon. gentleman (Mr. Sproule) is dealing with a question which is covered by another section and not by these amendments. These are merely half a dozen minor changes which seem necessary.

Mr. SPROULE. But this seems to be covered by the minister's explanation—it is a question as to whether the duty shall be paid on the discount or not. If the seller in a foreign country says to the Canadian buyer : I will make a reduction on the article equivalent to the ordinary duty—say $5—how is the duty levied ?

Mr. LALOR. The best explanation of that is that it is not permissible.

Mr. SPROULE. But how are you going to get at it ?

Mr. LALOR. The certificate of the manufacturer or seller covers that. It is not allowed to enter these things at a less price than that at which they are sold in the country from which the article is exported.

Mr. SPROULE. But here is a case : A man in Dayton, Ohio, sells me certain goods and makes a reduction of $5 on the price, to make up for the customs duty I have to pay. On that invoice I pay the duty. The effect of such transaction is to relieve the goods of the ordinary duty.

Mr. LALOR. But the manufacturer in Dayton, Ohio, who sells the goods must

make a certificate to the effect that this is the regular price of the goods and that he has not made any discount.

Mr. PATERSON. On the invoice there is a double column, in one of which the exporter must state the price at which the goods are sold in the United States and in the other the price at which they are sold to the Canadian purchaser, and he must make declaration that these figures are correct. If he makes a false declaration he is liable to prosecution for fraud, and the importer is liable to have his goods seized.

Mr. SPROULE. How long has that been in force ?

Mr. PATERSON. Ever since we adopted the dumping clause.

Mr. MARSHALL. The goods coming to us are invoiced in the way the minister states. But we have machines for which we actually pay $750, yet we have to pay duty on $1,000. This seems a hardship, and I hope we shall be able to get a rebate.

Mr. PATERSON. Speaking, not of this individual case alone, but generally, we want no man's money that is not due under the law, but we want all of that.

Mr. LALOR. If I am in order, I would ask if the department have taken any precautions as to foreign goods coming in from Great Britain and getting the advantage of the preference? I was informed a few days ago by a Germen manufacturer, a reliable man, who is in Canada on business, that it is a most common occurrence in Germany for manufacturers there to make up goods as British goods, even the boxes prepared and the labels 'Made in England' put upon them—the whole manufacture carried on in Germany for export to Canada through British channels. While I do not wish to speak in a fault-finding way of the department, I hope the hon. minister will spend some money to provide the necessary precautions against this sort of traffic. This kind of thing means not only that the Germans escape the surtax, but they get the advantage of the British preference.

Mr. PATERSON. This matter has given us a good deal of concern. It is a point that we watch very closely. The hon. member for East Lambton (Mr. Armstrong) brought it up yesterday, and read a report from our officers, in which it was claimed that this was done. We occasionally make seizures of these goods, which makes it very expensive for the parties carrying on these operations. The English merchants should not lend themselves to this traffic, because, not only is it fraudulent, but it injures their own trade. The English exporter must make a declaration concerning the goods in order to have them enter under the preference. Of course, it must not be forgotten that the law as passed by parliament—and that includes hon. gentlemen opposite—provides that if a certain proportion of British labour be put upon an article in the completion of it, it shall be entitled to the preference. So if an article in Germany or any other country was partially manufactured and came in in that raw, unfinished state to England, and then there was put upon it the proportion of British labour that is required, it could come in. But anything like a systematic attempt to defraud by bringing in the finished article, or changing the stamp, or anything like that, of course could not be permitted. Occasionally there are instances of goods imported in that way, and then there are severe penalties imposed upon the parties bringing them in.

Mr. LALOR. I am informed that it is not the English purchaser who is guilty of these contraventions of the law, but it is the German Jew.

Mr. PATERSON. We are watching these importations we have special officers.

On subsection 2,

Mr. PATERSON. The object of that is that if goods are damaged and the damage is proved, we allow a reduction in the fair market value. If a dollar's worth of goods are damaged, we only allow a reduction on 75 per cent ; with this change, we allow a reduction on 85 per cent.

At one o'clock, committee took recess.

Committee resumed at three o'clock.

Mr. W. F. MACLEAN. When we rose I asked the hon. Minister of Customs (Mr. Paterson) if he would be good enough to tell me how he enforces these provisions of the law, for instance, this one :

Every one is guilty of an offence and liable for such offence on summary conviction to fine or imprisonment.

Who does certain things that are set out here. Would the minister tell me how he enforces the law in this case ? Who are the officers who enforce this law ?

Hon. WM. PATERSON (Minister of Customs). We will lay an information.

Mr. W. F. MACLEAN. Then the Minister of Customs confesses that he will lay an information to enforce the Customs Act ?

Mr. PATERSON. Certainly, we will see that the law is carried out.

Mr. W. F. MACLEAN. Section 146 of the Customs Act, chap. 48 of the Revised Statutes, reads as follows :

POWERS AND DUTIES OF OFFICERS.

Every officer and person who is employed under the authority of any Act relating to the collection of the revenue, or under the direction of any officer of customs, shall be deemed

and taken to be duly employed for the prevention of smuggling and for the enforcement of this Act in every respect, whether such officer or person is or is not the holder of assistance.

So that the Minister of Customs tells the people of Canada to-day that in regard to the Customs Act he and all the officers under the Act are empowered to enforce the customs law. I thoroughly approve of that; it is a good thing to have in the customs law. The customs law is provided to secure for the King and for Canada the revenue necessary for the maintenance of the government of this country. We have this Customs Act for the purpose of raising a revenue. In this Act we have provision for the enforcement of it and a number of individuals are specified as being in duty bound to enforce the law. Now, I turn over the leaf from section 146 to section 158. I am sorry that the hon. Minister of Justice (Mr. Aylesworth) and the hon. acting Minister of Railways and Canals (Mr. Fielding) are not in the House now to hear me read section 158. It is as follows:

The judge of the Exchequer Court of Canada, or any judge of any of the superior courts in any province of Canada, having jurisdiction in the province or place where the application is made, shall grant a writ of assistance upon application made to him for that purpose by His Majesty's Attorney General of Canada or by a collector——

And so on. In this Customs Act we have the Attorney General of Canada directed to take steps to secure a writ of assistance for the enforcement of this Act. Then, I turn over a few pages and I find a splendid provision. I compliment the Minister of Customs that he has in his law the following:

All penalties and forfeitures imposed by this Act, or by any other Act relating to the customs or to trade or navigation, shall unless other provisions are made for the recovery thereof, be sued for, prosecuted and recovered with costs by His Majesty's Attorney General of Canada, or in the name or names of the commissioner of customs, or any other officer or officers of the customs.

And so on. So that in this section of the Customs Act which is being administered every day we have a provision that every officer in the service in connection with the customs shall enforce this Act and that the Attorney General is at the service of the Minister of Customs any day and every day. I suppose he is even at the assistance of the Commissioner of Customs in the enforcement of this Act. The fact that that is the case is commendable and I am glad to hear the Minister of Customs say that he enforces this Act, that every officer under him is a party to the enforcement of the Act and that he has the assistance of the Attorney General of Canada in the enforcement of the Act. I would be out of order if I went any further but I would say that I am sorry that the Attorney General of Canada is not in his place just now because I would like him to hear the confession just made by the Minister of Customs that his officers enforce the law and that there is provision in this law for its enforcement by every officer in the customs service with the assistance of the Attorney General of Canada.

Mr. PATERSON. I hope I have not got into trouble by any confession I have made, but in order to get on we will say no more about this just now. It will, of course, be in the Bill when probably the acting Minister of Railways and Canals (Mr. Fielding) and the hon. Minister of Justice (Mr. Aylesworth) will be in their places. I want to say here that the reason of this change is that the penalties under the present Act are very severe. They are so severe that we do not proceed against an individual officer because he is liable to from one month to one year's imprisonment. This new clause reduces the penalty but we take the express power to prosecute the clerk or the officer of the railway who violates that provision. We can get at them direct. It is a serious matter if you remove one or two cars and stop a train. We are reducing the penalties very much but we will make the officer of the railway company who violates this law liable to be punished. He can be brought before a magistrate and fined.

Mr. W. F. MACLEAN. I advise the minister not to go for Mr. Hays, or the president of any of these railways, because, if he does he will elude him. The courts have held that the Railway Act does not apply to the officers of the company but to the president who is in England. Again, I commend the minister for making provision in the law under which he will go after the actual employee of the railway who is guilty of a violation of the law.

Mr. PATERSON. Yes, the Customs Department is no respecter of persons, it takes no man's money when it should not do so and it sees that every man pays what he owes.

On section 7,—exportation of goods subject to bounty,

Mr. PATERSON. This is a new clause. Under the amended iron bounties no bounty will be paid in the future on iron or steel which is exported from the country. Hitherto the bounty has been paid whether the iron and steel were consumed in the country or exported. It is not proposed in future to allow them to export any iron or steel on which a bounty has been paid. Therefore, we want this provision so that if the bounty has been paid we can make them pay it back.

Mr. KEMP. There is a little matter in regard to which a gentleman wrote me a

letter a few days ago. Perhaps it should have come up under the preceding section. I will just read the letter which is only a short one, in order that the attention of the Minister of Customs may be drawn to it.

While travelling from Windsor to St. Thomas by the Michigan Central Railway, I observed the sale of cigars, manufactured in the United States, not bearing the Canadian import stamp. This occurred in the buffet car.

I referred this matter to Mr. Floodey, inland preventive officer, and he reports back to me that the Michigan Central Railway has an arrangement with the Canadian government, whereby they pay so much per year for this right. How this can be possible, I cannot understand, as the duty on cigars is so much per pound, &c.

He refers to cars running through Canada where the supplies are American and there is an arrangement with the government.

Mr. PATERSON. The commissioner explains to me that the railroads make a return here once a month stating what cigars they have used in that way and the duty is paid.

Mr. W. F. MACLEAN. Some time ago I called the attention of the minister to a serious matter affecting the revenue under the operation of the Compounders' Act by which Canadian spirit is put up and labelled and sold throughout this country as imported Scotch whisky, French brandy, Holland gin, &c. Of course the excise tax is paid on the Canadian spirit so used, but as the excise duty is much lower than the customs duty on the imported article, there is through this practice a serious loss to the customs revenue. Since I made that reference I have had further information and everything I said is borne out by it.

Mr. PATERSON. I see the point, and will call it to the attention of the hon. the Minister of Inland Revenue (Mr. Templeman).

Mr. TEMPLEMAN. This matter comes under the operation of the Compounders' Act. When the hon. member (Mr. W. F. Maclean) brought this question up before I had a conversation with the officials of the Department of Inland Revenue, and it was pointed out that the Compounders' Act was somewhat defective. It gives extraordinary powers and privileges to parties taking out licenses to compound liquor, of making, practically under the law, imitations of French brandies, &c. I shall be pleased to again bring it to the attention of the officials. It is possible that if we drove the Canadian manufactured liquor out of the market its place would necessarily have to be taken by imported goods and the customs revenue would be increased, but the excise revenue would be decreased, it is as broad as it is long——

Mr. W. F. MACLEAN. Oh, no.

Mr. TEMPLEMAN—in respect to how the revenue is affected, although I quite agree that it is possible that the purity of the liquor is not what it might be and that the Adulteration Act is being violated under the Compounders' Act.

Mr. HAGGART. What is the difference between the excise and customs ?

Mr. PATERSON. Fifty cents a gallon on proof spirits.

Mr. W. F. MACLEAN. The Customs Act provides material for enforcing its provisions, but in the Inland Revenue Act and this Compounders Act there is no such provision. It is time that the Minister of Inland Revenue should get his Department Act into the same shape as the Customs Act in this regard. If the Inland Revenue Act is defective, as the minister confesses his officers have informed him, he should have it amended so as to protect the Canadian public whom he says he would like to see protected. He is given charge of a great department in the public interest, and he must find a way to make his Act efficient and effective.

Resolutions reported and agreed to.

Mr. PATERSON moved for leave to introduce Bill (No. 165) to amend the Customs Act ;

Motion agreed to, and Bill read the first time.

SUPPLY—ELECTIONS ACT—AMENDMENT.

Hon. W. S. FIELDING (Minister of Finance) moved that the House go into Committee of Supply.

Mr. R. L. BORDEN (Carleton, Ont.). In the first place, I wish to bring to the attention of the government, the somewhat extraordinary situation which exists with regard to the resignation of Mr. Hyman as a member of the House and as a minister of the cabinet. Shortly before the opening of this session, Mr. Hyman delivered his resignation to the Prime Minister as a member of the government, and for certain reasons should have been declared to the House, the Prime Minister did not accept that resignation. Also, the resignation of Mr. Hyman, as a member of this House for the electoral division of the city of London, which was delivered to Mr. Speaker, has been pronounced invalid.

Mr. FIELDING. Would my hon. friend permit me to make a statement which may be useful in this discussion ? I have received a telegram from Mr. Hyman stating he has forwarded his resignation to Mr. Speaker. That telegram I received on Saturday, and no doubt Mr. Speaker has not yet received the resignation.

Mr. W. F. MACLEAN. Resignation as what ?

Mr. FIELDING. Resignation as a member of the House.

Mr. R. L. BORDEN. I was about to say that it is remarkable that a proper resignation had not been forwarded to Mr. Speaker before this. We know that the Prime Minister approved the action of the Minister of Public Works in resigning his seat, and that the right hon. gentleman spoke of the seat as a tainted seat, and yet no proper resignation has been tendered by Mr. Hyman up to the present time although we are now told by the Minister of Finance that it is in the course of transmission. As far back as the 2nd of February, 1907, the Minister of Public Works (Mr. Hyman) was able to send to the Prime Minister at Ottawa a telegram in these words :

Sir Wilfrid Laurier, Ottawa.—Improved health and the assurance that a few weeks more of rest will find me able to resume work of the department, permits me to comply with your request to withdraw my resignation as Minister of Public Works.

One would have supposed, that the Minister of Public Works, being in a condition of health to prepare and forward that telegram, would have been equally able to send to Mr. Speaker a valid resignation of his seat, which he said in November he intended to resign. Later, on the 1st of March, 1907, the Minister of Public Works was able to send to Mr. James C. Duffield, of London, the following telegram :

Any statements or insinuations that my resignation either as member or minister was prompted by other motives than those contained in my letter to Sir Wilfrid Laurier are absolutely untrue.

One would suppose that on either of these occasions it would have been a simple matter for the Minister of Public Works to forward a valid resignation to Mr. Speaker. I will not stop to allude to the somewhat curious position which has prevailed during the past five months under which we have had a Minister of Public Works 'de jure' but not 'de facto.' A very appreciative letter was written to Mr. Hyman by the Prime Minister in response to his resignation, and one might be tempted to contrast it with the somewhat curt letter of dismissal which was tendered to the ex-Minister of Railways and Canals. The difference between the two was most striking. I do not purpose alluding at any length to the remarks of the Prime Minister with regard to his relations with the Minister of Public Works, but I may point out that the ex-Minister of Railways and Canals not only gave to the Prime Minister the denial, which was also given by the Minister of Pubic Works, but he did more ; he immediately took steps in the courts to vindicate his character by instituting actions against those, who as he claimed, had traduced him. Yet, in the case of the ex-Minister of Railways and Canals we have had his resignation accepted in somewhat curt and abrupt terms, while in the case of the Minister of Public Works not only was his resignation not accepted, but the Prime Minister expressed the hope that he would still continue to discharge his duties.

The immediate subject which I purpose discussing this afternoon, is, the necessity for some amendment to the electoral laws of this country. This necessity was regarded as so grave and so urgent, that the government put into the mouth of His Excellency at the opening of this session, a promise that during the session an amendment to our electoral laws would be submitted to parliament. That has not been done up to the present ; and at this stage of the session I suppose it is impossible to expect it. We have had a good many illustrations during the past eight or ten years of the necessity both for amendment of the electoral laws and for their better enforcement. Electroal corruption of a very remarkable character has been brought to light during the past ten or twelve years. I might instance the West Huron election, the Brockville by-election, the by-election in St. James division of Montreal, the elections in the St. Antoine and St. Ann's divisions of Montreal, the election in West Hastings in 1904, the London election of 1905 the Queen's and Shelburne election, and as an illustration of the delays of the law, because the case is not yet finished, I might be tempted to allude to the Halifax election. I do not propose to go at any length into frauds attending the West Huron and Brockville elections, because they occupied the time of the House in 1899-1900. I took a very considerable part in the investigation which went on before the Committee on Privileges and Elections in regard to them, but I would like to make one remark regarding the action of the government in that connection. The action which the government deliberately took in this House, after full discussion in the session of 1899-1900 made it possible for the electoral frauds to be perpetrated which have just recently been disclosed in connection with the electoral division of London. There cannot be any doubt of that. If strong, stern and prompt action had been taken in connection with the West Huron and Brockville cases, if the men who were shown to have been connected with those frauds had been punished as they deserved, I venture to think no such frauds would have been committed as those to which I have called attention, and which have caused a great many people in this country both sides to be thoroughly ashamed. What happened in the West Huron and Brockville elections ? I shall not go through the record of both, but take only the former. It was absolutely de-

monstrated by the evidence before the committee that in one poll alone, although forty votes only were counted for the Conservative candidate, as a matter of fact, fourteen more were deposited by Conservative electors. There was no doubt about that. It was shown by the fraudulent ballots and by the evidence of the witnesses themselves. You could see the fraudulent ballots. You could see that they did not correspond with the original ballots or with the counter foil ; and in addition you had the sworn testimony of the men who came forward and who not only by solemn declaration outside the committee, but by sworn evidence in the committee, declared that they had deposited their ballots for the Conservative candidate. You had another poll in the same election of West Huron, where no less than fifteen ballots, marked and deposited for the Conservative candidate had been removed by the deputy returning officer, and fifteen false ballots substituted in their place. What took place? Every one who was a member of this House at the time and was a member of the Committee on Privileges in Elections, knows the obstruction I and my colleagues met in the committee on that occasion. We were greeted by high sounding words from the Prime Minister (Sir Wilfrid Laurier) and the Minister of Trade and Commerce (Sir Richard Cartwright), but when we got into the committee and undertook to prove the fraudulent and corrupt acts committed by officers of this House, we were met by every possible obstruction by hon. gentlemen opposite. There is no doubt about that. But we did prove what I thought ought to have been sufficient to satisfy the committee and the House beyond question that these frauds had been committed. Owing, however, to these obstructive tactics, we were not able to complete our report that session. We came back the next year, and that which had been regarded as a matter of privilege and principle, that which the First Minister had said should most worthily engage the attention of the House was buffeted about week after week and every possible obstruction resorted to until it was only towards the end of the session I succeeded in bringing on my motion as an amendment to the motion to go into Committee of Supply, and the government saw fit to vote it down. I say that the approval by the government, because it amounted to such, the approval and protection of the government extended to those deputy returning officers in respect of their fraudulent acts during that election had the effect of encouraging what was done in the St. Antoine division of Montreal, in West Hastings and in the election in London in 1904-1905. If stern and prompt justice had been meted out to those men there would have been a more wholesome fear of, and a greater respect for the law than has prevailed during the last ten years. I pursued for some time a gentleman by the name of Farr, who was a deputy returning officer in the West Huron election on that occasion. I got a subpœna from the committee for his attendance. The chairman of the committee was good enough to entrust to me the duty of having that subpœna served because I thoroughly realized the likelihood of that witness endeavouring to evade service. I put it into the hands of a competent solicitor in the city of Toronto ; but when he endeavoured to effect a service, it was found that the witness had departed. As the witness has since stated in his evidence, and in a declaration I am about to read to the House, he was warned that a subpœna had been issued and provision was made for his departure to the United States. He did not go to the United States, but wandered around the province of Ontario under assumed names. We have since learned that he turned up in various towns in the province of Ontario. In one case he was arrested, but as soon as those who arrested him discovered his identity he was immediately released and sent on his travels in order that he might not be available as a witness before that committee He never was available, but after the investigation was over he made a declaration denying all fraud and denying that he had assisted in any fraud, and that declaration was published in one of the leading newspapers in Ontario, the Toronto 'Globe,' shortly afterwards. I have here a declaration made by Mr. Farr, on the 8th of December, 1906, with regard to his conduct in that case :

Dominion of Canada—Province of Ontario, to wit :

In the matter of the election of a member for the West Riding of Huron county to serve in the House of Commons.

I, James Farr, of the town of Goderich, in the county of Huron, and province of Ontario, carpenter, make oath and say as follows :

1. That I was deputy returning officer at polling subdivision number three in the said town of Goderich at the election held between Robert Holmes and Robert McLean on February 21, 1899, for the West Riding of the county of Huron.

2. That I had been deputy returning officer in former elections at the said polling subdivision.

3. That on the day preceding the election one, James Yates, Division Court clerk for Goderich town, came to my house and asked for the ballot-box and papers and ballots which I had received from the returning officer. He wished me to resign my position in his favour and asked me to do so. I concluded that it was thought that I could not manipulate the false ballots as it was intended I should. W. L. Horton, of Goderich town, had previously asked me to resign.

4. After the said James Yates had interviewed me and had left my house after I had refused to grant his request, I went down to the neighbourhood of John Martin's hotel and I there met the said W. L. Horton, who again request-

ed me to resign in favour of James Yates, which I refused to do.

5. After the last mentioned refusal to give up my ballot-box and papers, the said W. L. Horton asked me to go with him to Craig's hotel in Goderich town, which I did. Both the said Horton and I went upstairs in Craig's hotel together and I was then introduced to a man by the name of Garrett and also to a man named O'Gorman. These two latter persons were introduced to me by the said W. L. Horton.

I should interpolate that the man to whom he was introduced, Garrett, was not Garrett, but a man by the name of Pritchett, the man who made a confession as to his conduct in the two elections to which I have alluded and in other elections for the province and for the Dominion also.

6. After I had been introduced by the said Horton to the said Garrett and O'Gorman, the said Horton and O'Gorman left the room and Garrett and I remained alone.

7. The said Garrett then instructed me to switch ballots, and I practised the method of doing this with him for a short while.

8. The said Garrett gave me thirteen ballots marked for Robert Holmes, and I placed them in my pocket. However, before doing so, the said Garrett placed my initials on all the thirteen ballots These ballots had no counterfoils

9. The said Garrett's instructions to me as to the method of switching was as follows :

I was told to keep these thirteen bogus marked ballots in my pocket so that I could readily have access to them, and I was further instructed to always put all counterfoils in my pocket so that I could take out a bogus ballot when I desired to do so, without raising suspicion. When a person came in to vote, whose ballot I desired to switch, I would take from my pocket a bogus ballot, which the said Garrett had provided me with and would keep this ballot hidden under my left hand which would be resting on the table. When the voter would tender to me his ballot paper with the counterfoil properly attached thereto, I would place this good ballot under the left hand fingers as if for the purpose or tearing off the counterfoil and with a sudden movement of the right hand the genuine ballot and counterfoil would be quickly removed together and placed in my pocket and the bogus ballot marked for Robert Holmes would be quickly deposited in the ballot-box.

10. Just prior to this said election, I met several other strangers around Craig's hotel, other than Garrett and O'Gorman, but the only other name that I at present remember is that of Mr. Mulloy.

11. At the British Exchange hotel, in the said town of Goderich, just prior to this election, I saw Alexander Smith, James Vance and Captain Sullivan.

12. During the hours of the polling on said election day, I was present in the polling booth as deputy returning officer and succeeding in switching the thirteen ballots which Garrett had given to me, marked for Robert Holmes, and placed in my pocket thirteen ballots marked by voters for Robert McLean, instead of depositing the last mentioned ballots in the ballot-box.

13. About April 10, 1899, after the said election, I went to Toronto city and worked there in the employ of the D. W. Thompson Company until July 12 of the same year.

14. Just prior to my quitting the employ of the said D. W. Thompson Company, James Vance, the Liberal organizer, came to see me at my boarding-house on Church street, in the city of Toronto, and there interviewed me as to my going to the city of Ottawa to give evidence before the Committee on Privileges and Elections as to the West Huron election inquiry.

15. I know that certain parties were attempting to serve me with a subpoena issued by the said committee to give evidence before them, but I did not attend, having for a considerable length of time, evaded service.

16. The said James Vance provided me with a single ticket for Hamilton, North Dakota, United States of America, which was the place I told the said Vance I wished to go to, if I left the country. He, the said Vance, also gave me some money, but I have forgotten the exact amount.

17. Instead of following the said Vance's instructions and going to Hamilton, North Dakota, I remained in various places in Ontario, evading service of subpoena issued by the said committee for my attendance before them.

18. After the adjournment of the said committee investigating the said West Huron election, I returned to Toronto and in the month of August, 1899, I was asked to sign a certain document which had previously been prepared by some party or parties unknown to me, and I signed the said document without any knowledge of the contents thereof and without having the same read over or explained to me in any way.

19. Afterwards in the said town of Goderich, I was shown an article published in the 'Globe' newspaper of Toronto, which article purported to give the contents of a certain declaration signed by me as to the conduct of the said West Huron election.

20. I absolutely deny having any knowledge of the statements contained in the said declaration at the time it is purported to have been signed, nor did I give any person any authority to prepare the said declaration as published in the 'Globe' newspaper.

21. I returned to Ontario on November 28 last, from North Dakota, where I have resided during the past three years, and upon my arrival in the said town of Goderich I concluded to reveal all knowledge which I had of the said election held in West Huron between Robert Holmes and Robert McLean, and to deny all knowledge of the said declaration purported to be signed by me and which declaration was published in August, 1899, in the Toronto 'Globe.'

22. My object in returning to Ontario last month was simply for the purpose of rejoining my family, who do now and have during my absence resided in the said town of Goderich, and my return was not brought about through any inducements whatsoever made to me to give the information contained in this affidavit, nor do I expect any pecuniary benefit for so doing.

(Sgd.) JAMES FARR.

Sworn before me in the city of Toronto, in the county of York, this 8th day of December, 1906, after the same had been read over to the said deponent and explained to him and read by him.

(Sgd.) ARTHUR D. GEORGE,

A notary public in and for the province of Ontario.

That is Mr. Farr's account of the circumstances under which the Committee of Privileges and Elections failed to obtain his evidence as to his conduct as a deputy returning officer in the West Huron election.

I need not refer at great length to the election which took place in the St. James election in Montreal. My hon. friend from Beauharnois (Mr. Bergeron) brought that matter before the courts after it had been declared that his opponent had been elected. He brought it before the courts on an election petition; and in that case, he succeeded in having the election set aside and his opponent disqualified. But he did not stop there. He went into the criminal courts, taking proceedings against the men who had been paid for violating the law of this country, the men to whom reward had been paid from some source of which we do not know, to violate the electoral law of this country, and defeat the will of the people and overthrow my hon. friend from Beauharnois by fraud and crime. Two of these men were convicted and imprisoned. One of the two was discharged after about two months, although he had been sentenced to the very moderate term of six months' imprisonment.

The circumstances attending the election for St. Antoine division in 1904 are also worthy of attention. I mention these instances, because they indicate a widespread organized system, devised by persons of great skill who evidently have not yet been disclosed to the public, by persons who have ample funds at their disposal—by persons who have sufficient funds at their command not only to reward the men who commit these frauds and who thus defeat the will of the electorate, but also to support these men for years in the United States when they seek an asylum there by reason of their fear of the criminal justice of this country. But, I must say that, so far as the criminal justice of this country in some provinces is concerned, they had not very much to fear. For, under the administration of the late government of the province of Ontario, as is well known it was impossible to set in operation the machinery of the criminal law against the men who had committed fraud for the Liberal party either in Dominion or provincial elections. Let me read to the House a short statement which has been handed to me concerning what took place in the St. Antoine division during the election of 1904.

At the time of the federal elections of 1904, there was an extensive conspiracy to personate votes unearthed in St. Antoine Division. A party by the name of Bissonnette, an ex-convict was employed by parties unknown but in the Liberal interests to organize a band of personators to operate in the lower part of the division. Bissonnette secured a room, organized a staff and systematically secured from the various Liberal committee rooms lists of names of parties who could not be found. He gathered about him a group of five men who in turn would secure the services of about twenty more. These men were to be supplied with cards giving names and designations of absentee voters, and they were to present themselves on election day at the several polls and 'telegraph' votes. Mr. Ames, getting an inkling of what was going on, secured the services of a detective who succeeded in being taken into the councils of the conspirators and becoming fully acquainted with their intentions. They actually succeeded in having a large number of envelopes addressed to different parties, containing votation cards passed through the Montreal post office by the connivance of an employee and stamped as though they had gone through the mails. On the night prior to the election, when Bissonnette and his gang were assembled in a saloon for the purpose of receiving their final instructions and when they were actually discussing the price that should be paid for each personated vote, they were surrounded by detectives and the ringleaders captured and brought down to the Central Police Station. On being searched Bissonnette was found to have about $600 on his person in small bills; the other members had various cards and a code book showing their line of work. A search warrant was procured and the houses of the ringleaders visited that same night when all the lists of absentee voters and the paraphernalia necesasry to sysmatic 'telegraphing' were discovered. The six ringleaders were brought before the magistrate and committed for trial before the Court of King's Bench. The trial brought out conclusively the connection of the Liberal association with this band; as one Lesperance, the paymaster, whose headquarters were at the Reform Club, was shown to have also suplied funds to Bissonnette. Lesperance skipped the country to avoid arrest. The son of the Liberal candidate admitted that he had given large sums —several thousands of dollars—to Lesperance for which he asked no detail of expenditure. When the case came up for trial Judge Trenholme charged strongly against the prisoners stating in his remarks to the jury. 'As for myself, I have no doubt of the prisoners' guilt.' The counsel for the defence, however, made strong partisan appeals likely to secure the sympathy of any Liberal members of the jury, also represented the case as one of persecution on the part of a wealthy man against a poor man, also as a vindictive attack by an Englishman upon a Frenchman. The result of these appeals to prejudice was that the jury failed to agree as to a verdict. As the prosecution had by this time cost Mr. Ames and his friends upwards of $2,600 and as it was evident that the Crown would not put through a new trial with any degree of vigour unless further large disbursements were made for special counsel, the prosecutor decided to drop the case.

I will refer also to what has taken place in the election of St. Anne's division, Montreal, when, after an exhaustive investigation, it was proven that a large sum, amounting to $7,000 or $9,000, had been distributed at the various committee rooms without reasonable precautions that this should be used for legitimate purposes.

The result was that the Liberal candidate on that occasion was elected by a majority of 730. At a subsequent by-election, which was held under fairer auspices, the majority was reduced to a little over 200, although, as is well known, the experience of this country shows that a government candidate at a by-election usually receives a larger majority than at a general election.

I will not pause long to deal with the outrageous frauds and attempted frauds which were disclosed through the energy of my hon. friend from West Hastings (Mr. Porter). We know that certain persons were brought over from the United States to carry in the Liberal interest the riding of West Hastings, the riding of Frontenac, and perhaps a good many other ridings in the province of Ontario, by the use of fraudulent ballot boxes. These facts were exposed by my hon. friend from West Hastings during the last session, or the previous session. There is no doubt as to the plot, there is no doubt whatever that justice failed, inasmuch as two of these men succeeded—the two principal criminals—in escaping to the United States. Whether they are being supported there out of the same funds which were used to support Pritchett during his enforced absence, I do not know. But it is proper to note on this occasion that the counsel for the Dominion government were only sent to West Hastings after public attention had been aroused to such an extent that the government felt that they must take some action. Instead, however, of displaying the same vigilance, and persistence, and indefatigable energy which Mr. Shepley displayed in the insurance investigation, he was remarkably lax and indifferent on that occasion, and would only act on the most absolute proof that some fraud had been committed. I have a letter which indicates the action which counsel for the government took there. The charges were made on the 4th day of November, it was not until the 18th or the 19th of November that warrants were issued at the instance of the Crown. One man was arrested and was liberated on nominal bail. Perhaps my hon. friend from West Hastings can tell me the amount of bail?

Mr. PORTER. $2,000.

Mr. R. L. BORDEN. The bail was fixed at the sum of $2,000. The witness went to the United States; I do not know whether the bail has been forfeited. The other criminal was not arrested at all. The counsel who was employed by a member of this House, the hon. member for West Toronto (Mr. Osler) says:

> The responsibility for allowing these men to escape rests entirely with the Ontario government. I must also point out that the charge that bogus ballot boxes were used in the election in West Hastings was published in the press of the 4th November, yet the first warrants in the case were not issued until the 19th. This delay can only be attributed to the laxness of the provincial authorities in refusing to act. In estimating the importance of the failure of the provincial authorities to act, it must be remembered that these charges were published on the personal responsibility not of obscure or unknow persons, but of men of high standing and respectability in the community, among whom was a former Premier of the Dominion of Canada. Mr. Shepley, K.C., took the position quite frankly so far as he was concerned, that he would only take action when we gave substantial evidence that people were guilty. He would not act on suspicion or information. The result of this procedure is self evident.

Suppose in St. Antoine division, Montreal, Mr. Ames, and those who were assisting him in that election, had taken the same position which Mr. Shepley, counsel for this government, took in West Hastings, what would have been the result? Criminals were employed to switch ballots and to have the Liberal candidate elected by fraud, although the will of the people was such as to bring about a precisely opposite result, and the undoubted outcome would have been a failure of justice, the Liberal candidate would have been declared elected, and Mr. Ames would have been left in the most uncertain proceedings of an election court.

Now, the election in Queen's and Shelburne might also be allued to. My hon. friend the Minister of Finance yesterday was not very clear as to what the duty of this government was with regard to some of the officials who took part in that election. I would like to point out to him that one of them, to whom I alluded incidentally yesterday, Mr. Dexter, the harbour master at Liverpool, took a remarkably active and partisan part in that election. I have under my hand the evidence of the hon. Minister of Finance himself, in which he is asked this question:

> Would you place J. Harris Dexter in the same category as John Selden, of Liverpool?
>
> Mr. Selden being an active political supporter of the hon. gentleman.
>
> I don't know how I would classify them. If he is the Dexter I believe he is, I count him as a political supporter. I don't know how active.
>
> Q. If you were asked if he was an active supporter you would say yes?—A. I expect so. We don't always realize expectations.

I understand this to be the same Mr. Dexter who is the harbour master at Liverpool.

Mr. FIELDING. As a matter of fact it was not, but I do not attach any importance to that. Mr. Dexter, the harbour master at Liverpool, was afterwards referred to in the case, so that there is not so very much difference as to that.

Mr. R. L. BORDEN. There was one Mr. Dexter who was found guilty of an act of bribery.

Mr. FIELDING. Yes.

Mr. R. L. BORDEN. That was the harbour master of Liverpool?

Mr. FIELDING. Yes.

Mr. R. L. BORDEN. Well, that is the gentleman.

Mr. FIELDING. No.

Mr. R. L. BORDEN. The evidence showed that a witness testified that Mr. Dexter bribed him or attempted to bribe him. Dexter denied that. There was, however, evidence from Dexter himself that he had attempted to bribe a man by the name of Craig.

Mr. FIELDING. I do not remember the name, but Dexter's name was mentioned in that way.

Mr. R. L. BORDEN. And the evidence which was extracted from Dexter amounted in the end to this: At first he denied that he had bribed Craig but in the end he admitted that Craig had driven away from the poll with him, that he had placed in the side pocket of his coat a five dollar bill that by some mode of telepathy it was communicated to Craig, that there were five dollars in the pocket of Mr. Dexter for his use and benefit. So, in the course of driving away from the poll the witness Craig, while Dexter was admiring the scenery, inserted his hand into the side pocket of Dexter's coat and extracted this $5 bill and he went away much comforted and refreshed by the fact that he was so much the richer. One of the judges, if not both of them, had some doubt as to whether or not Dexter was technically the agent of the Minister of Finance, but whether that be the case or not there is no doubt whatever that not only was Dexter the harbour master of Liverpool interfering actively and zealously in that election, but he actually made himself a party by connivance to the bribing of an elector. There can be no doubt that all these facts were disclosed to the hon. Minister of Finance who was present at the trial when this evidence was given and yet, in so far as I am aware, this same man Dexter is to-day harbour master at Liverpool just as he was harbour master at Liverpool before he interfered in this partisan way in that election.

Mr. FIELDING. That only shows how, in the desire of my hon. friend to make a point—I will not say unfair—but how careless he is about his facts. Mr. Dexter is not the harbour master at Liverpool. When these events occurred I told him that he could not be the harbour master at Liverpool any longer and he sent in his resignation.

Mr. R. L. BORDEN. I am very glad indeed to hear it and perhaps the hon. Minister of Finance will apply the same measure of justice to another gentleman whom I am now about to refer. I have in my hand the declaration of Mr. Avard L. Davidson, Halifax, as follows:

I, Avard L. Davidson, of Halifax, in the county of Halifax, barrister at law, do solemnly declare:

That I was appointed by Dr. R. C. Weldon, the Conservative candidate at the by-election held October 31, 1906, to elect a member for the House of Commons of Canada for the electoral district of Shelburne and Queen's, in writing under his hand, to be the agent of the said Dr. R. C. Weldon at the polling booth at Port Mouton, in the county of Queen's.

That John E. Payzant, a custom house officer in the employ of the Dominion government at Port Mouton aforesaid, was the deputy returning officer at the said booth.

That on the morning of election day, October 31, 1906, at the hour of 8.40 o'clock in the forenoon I went to the said polling booth at Port Mouton aforesaid, and there found the said John E. Payzant alone in the said booth. I thereupon introduced myself to the said John E. Payzant and delivered to him my appointment as agent of the said Dr. R. C. Weldon as aforesaid. The said John E. Payzant asked me if I were a voter in the county of Queen's. I explained to him that I was not, but that by the law it was not necessary for a person to be a voter in a county in order to act as an agent of a candidate in that county. In very imperative tones he replied to me that as he understood the law, no one but a voter could act as an agent and that he did not propose to allow me to so act. I, however, insisted upon acting in the capacity of agent at that booth, and after much threatening and profane language upon his part he finally yielded on this point.

That at 8.50 o'clock in the forenoon the poll clerk, who was a son of the said deputy returning officer, arrived at the booth together with J. L. Bain, of Liverpool, the fishery officer for the said Queen's county, one of the agents of the Liberal candidate, W. S. Fielding, and Allister Cook, an agent for the said Dr. R. C. Weldon, for the said polling booth. As soon as these persons arrived, I requested the said deputy returning officer to count the ballots before the opening of the poll according to the provisions of the law. The said deputy returning officer refused to count the ballots as requested, alleging as his reason that I had not made the demand at a quarter to nine o'clock. I explained to him that at that hour the poll clerk was not present and that I had taken the earliest opportunity after the arrival of the clerk to make the demand. He objected that he had not then time to count the ballots before nine o'clock and proceeded to read aloud to those present the document appointing him returning officer. I explained that the law did not require him to do this and he was merely using time unnecessarily which might be used in counting the ballots. He then said he would show me 'damn quick' who was running this booth and deliberately struck me in the face. Throughout the whole day he acted in the most partisan and high-handed manner. [illegible] his spare minutes in boasting what a change in the vote in Port Mouton in favour of the Liberal party he had made since he began working in the party's interests.

Remember that this gentleman is a customs officer in the employ of the Dominion government at Port Mouton, and that during this election, according to this statement and while acting in a semi-judicial capacity as deputy returnng officer he not only struck the agent of the Conservative candidate for demanding that he should do his duty but he occupied his spare time boasting what a change he had made in favour of the Liberal party since he had resided in that vicinity. Does the hon. Minister of Finance think that is not partisan conduct of the most reprehensible character ? I do not know how you can describe partisan conduct if that is not partisan conduct. An officer of the Inland Revenue in the county of Halifax was dismissed by this government without investigation shortly after it came into power because, at a public meeting at Dartmouth, he had asked a question of the Liberal candidate, Mr. Russell. He was dismissed for that and for no other cause.

Mr. FIELDING. I do not think that is correct.

Mr. R. L. BORDEN. That is the only reason I ever heard assigned. If there were any other reason I do not know it and as a matter of fact I am quite sure that that particular individual to whom I allude did not take any active or partisan part in that election.

Mr. FIELDING. Who was the officer ?

Mr. R. L. BORDEN. I forget his name.

Mr. FIELDING. Mr. Ryan ?

Mr. R. L. BORDEN. Mr. Ryan.

Mr. FIELDING. I have seen Mr. Ryan myself playing the part of an active partisan at public meetings in connection with elections in Halifax, and Mr. Ryan is too sensible a man to pretend anything to the contrary.

Mr. R. L. BORDEN. Did the hon. Minister of Finance ever know him to do anything quite so partisan as that which I have read from this declaration ?

Mr FIELDING. I have no evidence of it one way or the other.

Mr. R. L. BORDEN. We have this sworn declaration. Will my hon. friend say that this witness is not worthy of credence ?

Mr. FIELDING. I do not say that but it is a very queer way to bring it forward.

Mr. R. L. BORDEN. When we bring it forward on our unsupported statement in this House not much attention is paid to it. How are we to bring it forward ? The government are not very anxious to investigate these matters when we do bring them to their attention. We moved a resolution declaring that the actions of a man named Wagner should be investigated, but the hon. Minister of Finance stood up and voted against any such investigation. We set forth a statement proved by the records of a department of this government as to that man's conduct, as to his partisan conduct and as to his criminal conduct, and a resolution was moved in this House that if he denied the charges there should be an investigation, and if he did not deny these charges he should be dismissed. The hon. Minister of Finance stood up and voted against this motion. How are we to bring these matters forward? The Conservative officials have been dismissed on the unsupported word of a defeated candidate or of a member of this House and dismissed without investigation. We do bring these matters up in this House ; my hon. friend from Qu'Appelle (Mr. Lake) has brought them up, my hon. friend from Marquette (Mr. Roche) has brought them up and no action is taken. I have come to the conclusion that it is necessary to support our word, and therefore I am bringing these matters to the attention of the government by solemn declaration.

That the night previous to said election I went over to the voters' list for the polling district of Port Mouten with a committee of Dr. Weldon's friends residing in the district. I then discovered that in the opinion of this committee there were about twenty voters upon this list who were supposed to be under the influence of the fishery officer J. L. Bain. Some of these were persons against whom Bain had recovered fines for infractions of the fishery regulations and which fines were still outstanding ; others had applied for licenses to pack lobsters or set certain kinds of nets and felt that the granting of the same depended upon keeping upon the right side of Blain, Others from treatment which they had received in the past at the hands of Bain had made up their minds that it did not pay to oppose the fishery inspector politically. Opposite the names of such voters I placed the letters 'D B' on the list which I marked for reference in the polling booth.

It is absolutely impossible for hon. members in this House to appreciate the influence which I am told that particular government officer exercises over the fishermen of that district. He absolutely terrorizes them so that the men who have voted Conservative all their lives are afraid, and are rendered afraid purposely by this officer, to deposit their ballots as their inclination and their conscience bid them to do. The declaration proceeds :

That during the polling I observed that with one exception each of the voters against whose name I had marked the said letters 'D.B.' as aforesaid, when delivering their ballot to the deputy returning officer had it folded in a peculiar manner. Instead of being folded with the counterfoil on the outside as the law directs the ballots of these voters were delivered with the counterfoil folded in. This gave an excuse for the deputy returning officer in order to tear off the counterfoil to open up the ballot first and thus be in a position to see how it was marked. This the returning officer was particular to do in each case.

That I am informed by the workers for Dr. R. C. Weldon throughout the constituency and verily believe that this method of folding the ballots was employed in nearly every polling district in which a majority of the voters were fishermen.

And I make this solemn declaration conscientiously believing it to be true and knowing that it is of the same force and effect as if made under oath and by virtue of the Canada Evidence Act, 1893.

AVARD L. DAVIDSON.

Solemnly declared before me this 21st day of November, A.D. 1906, at Halifax, in the county of Halifax.

ALF. WHITMAN,
A Commissioner of the Supreme Court, in and for the county of Halifax.

There is a remarkable significance in the method, which according to Mr. Davidson was observed in that poll to his personal knowledge, and which according to his information and belief was observed in other polls where fishermen were voters. It displays a remarakable similarity to the procedure and methods which have been adopted by the Liberal machine in the province of Ontario with regard to the folding of ballots.

I have referred on a previoius occasion to the conduct of Mr. E. M. Farrell, now and formerly speaker of the legislature of Nova Scotia, in the general elections, in 1904, in Queen's-Shelburne. Mr. Farrell left the province of Nova Scotia and went to the United States for his health, about three weeks before that election trial opened. He remained in the United States for his health, until a few days after that election trial concluded, and then he came back to Nova Scotia, but I understand that those who observed him remarked no special difference between the health when he went away and his health when he returned. He has been re-elected speaker of the legislature of Nova Scotia, since the late provincial elections. It was proved in the trial of this action that Mr. Farrell had handed over to one person between $500 and $600 not very long before election day, and I quote from the evidence of John F. Seldon on the trial :

Q. Will you tell me where you got this $100 you paid to Henry Tupper ?—A. From E. M. Farrell.

Q. E. M. Farrell is the local member for Queen's county ?—A. Yes.

Q. And Speaker of the House of Assembly at that time ?—A. I do not know.

Q. He has represented Queen's for a number of years in the local legislature ?—A. Yes.

Q. How much mony did you get from him altogether ?—A. I cannot tell you exactly; somewhere in the neighbourhood of $500; between $500 and $600 probably.

Q. Not any more than that?—A. Not any more than that I don't think.

Q. When did you get it from Farrell?—A. Sometime before the election, probably a week.

Q. Where ?—A. In my office.

Q. What did you do with it ?—A. Put it in the safe.

Q. Ultimately I mean?—A. Paid it out. I gave the last witness some money, I could not say how much. The rest went to different sections of, the county in small lots.

Q. To be used in connection with securing the return of the respondent, that is your idea ?—A. I presume so.

He is re-examined by counsel for the petitioner and I quote from his evidence :

Q. You said you did not authorize improper expenditures ?—A. Yes.

Q. You knew this money might be expended in buying votes ?—A. I did not know.

Q. You knew they might ?—A. They might.

Q. Can you give me items of the expenditure? ——A. I do not know what they did with it.

Q. You just gave them the money without any instructions at all ?—A. Yes.

Q. To use in the interest of the respondent? —A. To use as they saw fit.

Q. In the interest of Mr. Fielding ?—A. I gave them the money and that is all.

The learned chief justice, one of the judges who tried the election petition, delivered judgment with regard to this incident ; he is dealing in the first place with the question of agency, and he says :

If Farrell, Selden, Tupper, and Mulhall and possibly some others mentioned were not agents, the respondent had no agents in a most important district.

He left these men, prominent, active experienced and full of resources to manage the election in his absence. He was long enough in the county—about ten days I think—to take in the situation. And I suppose no one can say that his election was quite sure. He must have known that much depended on his old and more recently tried friends.

If he were not depending on these men on whom could he depend? He was not depending in vain on their activity. The respondent most frankly admits to the fullest extent that he did depend on them—he put himself in their hands.

Then the learned chief justice goes into a discussion of the question of agency, and he quotes certain language of Mr. Justice Armour in the Cornwall election case, and he continues :

Before these trenchant words were read it seemed impossible that we could hold Mulhall and Farrell liable as agents. After reading the authorities and weighing such facts as were with great difficulty extracted from witnesses under serious obligation to disclose unpalatable truth, I submit it is—however, hard upon the sitting member—out of the question to hold that the relations in question in election cases, though difficult of definition, have not been made out.

With respect to the unlawful use of money—most of which was suddenly produced within a week of the polling day from the hands of Farrell—between $500 and $600—what can be said.

The proof is clear that it was used, as it was intendede to be used in the election.

The Farrell fund in addition to what was otherwise used or that disappeared and of which not the slightest trace or record remains, was about $600. This seems to have been absorbed among a population of about 600—an average of a dollar per head.

If, unfortunately, every district and the whole population had been treated in the same manner, no one could count on a fair election.

Hendry was president of the only organization of the Liberal party in the entire district, and this society had no knowledge of its existence.

Certainly it was not intended they should have. The proof seems strong that it was a secret fund. I said it is in proof the fund was for the election. The intention is to infer, I think, that the whole fund was to be secretly used. There were no restrictions on any part of what Farrell handed over to Selden who gave without any limitation or condition to Tupper $100 to do with it as he wished—of course in the election.

If a dark scheme of this kind could be carried on with impunity the freedom of election would be endangered.

With respect to what part was used directly for bribery and corruptly within the Act, suffice it to say that the proof is clear beyond doubt, enough was so used to void the election.

There seems to be a good deal of similarity between some of the methods pursued in this election and some of the methods pursued in the London election. In that London election of 1905 we find that electors were systematically bribed by an arrangement made with deputy returning officers at a figure of about $10 per head. In this case $600 was used in a district which had a total population of about 600. I am sure if you take into consideration the fact that a very great majority of the electors in that district must have been men whom it would not have been possible to corrupt, you would have a figure of $10 or $12 or $15 per head used in corrupting individual electors. This case, not only in that respect but in respect to the mode of folding the ballots, bears a very marked similarity in the methods used to the London case to which I now propose to refer for a few moments.

Other hon. gentlemen in this House are no doubt more familiar than I am with what took place in that election because they have made more of a study of the evidence that has been taken and made public. But is is sufficient to say that in the London election of 1904 and the London election of 1905, there was an organized, systematic scheme of bribing which depended for its effectual carrying out on the collusion of the deputy returning officers. There is no doubt whatever that certain deputy returning officers were appointed for the express purpose of carrying out that scheme, and there is no doubt also that those deputy returning officers most thoroughly and effectually carried out that scheme. In one polling division alone, in the election of 1904, some 88 voters were bribed at an average of about $5 per head. In the by-election of 1900 in one single polling division of that riding 102 electors were bribed at an average expenditure of about $10 per head. This was done in a most systematic manner. The men did not receive their money in advance; they were told that the deputy returning officer would know how they voted; the money for each elector was put in an envelope marked with his name and was left with a person on whom they could rely and after the polling had been concluded each one of these men went to this person; if he had voted right he received the sum which had been promised, but in one or two cases I think it was believed that the electors had not voted right and accordingly the sum which had been promised was not paid.

This indicates, as I have said already, a thoroughly devised, systematic scheme having behind it not only great skill and intelligence devoted to a vile purpose, but also a very large sum of money and it is of some moment to the people of this country to inquire how it is that huge sums such as those which were used in the London election and smaller sums which were used in the Queen's and Shelburne election were supplied for the purpose for which they were used. The London election has created a great deal of interest in this country. It has had the result of inducing a minister of the Crown to come to the conclusion that he ought to resign his seat—although up to the present time he has been a little over five months in attempting to do so. It has brought to light a system which must be put down in this country if the men who are to be elected as the representatives of the people in this parliament are to represent anything more than the money which can be used to bribe the electors and to pay men for committing corrupt acts.

I think I have made it clear then that some remedy is necessary either, by amending the provisions in the law or by a better enforcement of the existing law. No law that we can possibly put on the statute-book will be effective in its operation unless provision is made for its enforcement, and there are many defects in the existing law which I think might very well be remedied and which ought to have been remedied before this. Let me say in this connection that the extraordinary and remarkable delay which we have seen in this country in connection with some election petitions is noteworthy. Let me refer to the election petition for the county of Halifax. I have a summary: here which embodies a chronological record of the various parts of the proceedings in that case:

On December 13, 1904, the petition was filed. On December 31, 1904, preliminary objections to the petitions were presented. On July 7, 1905, Chief Justice Weatherbe gave

judgment dismissing these preliminary objections. On November 28, 1905, an appeal from Chief Justice Weatherbe's decision dismissing the preliminary objections was argued before the Supreme Court of Canada. On December 1, 1905, minutes of judgment of Supreme Court of Canada affirming the decision of Chief Justice Weatherbe were finally settled. On January 20, 1906, an order was made by Mr. Justice Meagher fixing 13th February for examination of the respondent in aid of discovery. On February 7, 1906, a motion was made by counsel for the resepondent before the court en banc to dismiss the petition upon the ground that the time for the trial of the same was not properly extended. On February 13, 1906, counsel for the respondent asked for adjournment of this examination until February 16 on the ground that the Supreme Court has not yet given judgment on motion to dismiss the petition. This application was granted. On February 16, 1906, counsel for respondent asked for another adjournment of examination until March 27, as the court had not yet given judgment on motion to dismiss the petition. Application granted. On March 27, 1906, counsel for respondent asked for a third adjournment of examination until April 27 as the court had not yet given judgment on motion to dismiss petition. Application granted. On April 20, 1906, judgment was given by court en banc dismissing respondent's motion for dismissal of the petition. On April 27, 1906, respondent did not appear in obedience to subpœna and the examination was adjourned until April 28. On April 28, 1906, neither respondent nor his counsel appeared and the examination was adjourned sine die. On July 17, 1906, the trial of petition to unseat and disqualify the respondent finally came on—after one year and seven month of preliminary technicalities — when respondent's counsel objected to the jurisdiction of the court to try the petition. On July 18, 1906, the judges dismissed the petition on the ground of want of jurisdiction. On October 4, 1906, the Supreme Court of Canada reversed the decision of the trial judges dismissing the petition against the respondent and sent it back for trial. On October 22, 1906, the minutes of judgment on appeal were settled by the Supreme Court of Canada. On November 15, 1906, an order was issued by Mr. Justice Townsend fixing the date of the examination of respondent for Saturday, November 17. On November 17, 1906, respondent did not appear in obedience to the order ; a letter was produced from his counsel saying that he did not know where his client was.

From that time up to the present the respondent has not been examined nor has it been possible to proceed with the petition owing to the session of parliament.

I think that what I have just set out shows the interminable delays which are possible under the system that we have at present and indicates also that there should be some amendment of the law in that respect. I would be very much in favour of abolishing preliminary objections altogether and of leaving most of the matters now raised by preliminary objections to be raised by the respondent at the trial. ,

There is another curious feature which has developed out of the election petitions presented in the province of Nova Scotia after the general elections of 1904. Preliminary objections were filed by the various respondents setting up that the petitioners in each case had been guilty of some corrupt act and therefore were disqualified from filing the petition as not having the right to vote at the election. I think judicial opinion was divided in Nova Scotia, but the Supreme Court of Canada, before whom the matter finally came, decided that while corrupt acts in the main would not disqualify the petitioner unless he had been tried and found guilty before the filing of the petition, nevertheless if any petitioner had been guilty of hiring a term or controverting that provision of the law which made it unlawful to pay money for the conveyance of voters to a poll, then he could not file a petition. In other words, if any person in the Dominion files an election petition and this question is raised, to which I have alluded, by a preliminary objection, then instead of trying the respondent in respect of his right to represent that particular constituency, you proceed to try the petitioner and ascertain whether or not he has been guilty of paying fifty cents or a dollar or five dollars for the conveyance of voters to the polls. The petitioner, in other words, is the first person to be tried, and the trial of the respondent does not take place unless the petitioner is acquitted. If it be found that the petitioner was guilty of having paid a dollar for the conveyance of a voter to a poll, then he is adjudged to be disqualified from filing a petition and his petition falls to the ground. There is no provision in the law that the petition shall be merely abated and that another petitioner may take the place of the first one. The petition and all proceedings absolutely fall to the ground, and several petitions in Nova Scotia fell to the ground in that way.

I am under the impression that in several respects the law ought to be amended. There should be provision made for the more effective suppression and punishment of bribery. There should be better provision to prevent the fraudulent marking, counting and substitution of ballots and other similar frauds. There should be better provision for ensuring the proper conduct of elections on the part of both officials and candidates, and especially there should be some means devised by which men of respectability and character shall be appointed

as deputy returning officers. There should be a provision to prevent collusion between a deputy returning officer and candidates or their agents. A great many of the disgraceful frauds which have taken place during the past eight or ten years have arisen through collusion between deputy returning officers and the agents of the candidate. We find that in the London election and in the election in the St. James division of Montreal, and we would probably have found it, if we did not find it, in the West Hastings and Frontenac elections.

Mr. PORTER. We did find it.

Mr. R. L. BORDEN. As my hon. friend from West Hastings informs me, we did find it. At present the government candidate nominates the returning officer and the returning officer nominates the men who are to be his deputies in the several divisions. The candidate himself may do that from a fraudulent motive. In most cases I do not think he does. But the men who are behind him, the men who are running the election for him, give the names of the deputy returning officers to the candidate, who in turn recommends them to the returning officer. Some means must be discovered by which men of respectability and character, who have some stake in the community, in whom both parties have confidence, shall be selected as deputy returning officers. If that could be accomplished, one very effective means would be taken away from those who are not scrupulous, of perpetrating the nefarious work in which they have been engaged on so many occasions.

We should also have some legislation to prevent the accumulation of huge campaign funds and the subscriptions by corporations, contractors and promoters to such funds. No doubt the time has come when some measure should be put on our statute-book in that regard. We must not be afraid to look these facts in the face. If there is money provided by which people can be induced to commit these frauds and run the risk of the penitentiary, that money is not a small sum, and these frauds would not be committed unless that money is forthcoming. From what source does it come? For undoubtedly it has been forthcoming or a great many of these frauds would not have been committed. It would be a move in the right direction to place on the statute-book of this country what was placed on the statutes of New York in 1906. In that state there is a provision that no contribution shall be made to a campaign fund of either political party by any corporation which has received its charter from the state of New York, under very heavy and severe penalties. I would be prepared to go further. I say that we ought to have in this country a provision preventing any man in Canada from supplying any money whatever for any campaign fund unless an account of that money is attested to and placed on file, before the candidate takes his seat in parliament. That is the law in Great Britain at present. Funds subscribed and expended by political associations in Great Britain must be accounted for by the candidate. They must be disclosed in a declaration filed by him in court before he can take his seat. So strict is the law, that the Hon. Edward Blake, through some inadvertence on the part of his election agent, was not able to take his seat in parliament after the last general election in Great Britain because that statement was not filed. He had to go before a court and make a declaration based on sufficient material excusing the non-filing of this declaration within the proper period.

Mr. CHARLES DEVLIN. If the hon. gentleman will allow me. It is not necessary that this statement should be filed before the member takes his seat but it must be filed within thirty days after his election.

Mr. R. L. BORDEN. I accept at once the hon. gentleman's declaration on his personal knowledge of these matters but it does not at all affect my argument. My argument is that a declaration should be made within a specified time. If it is not made within that period of thirty days, the member cannot take his seat.

Mr. CHARLES DEVLIN. If the member happens to be absent from Great Britain even for many months after his election, then provided he makes the statement within two weeks after his return, he is within the law. Should the House be called and be in session, even before the thirty days have expired, it is not necessary for him to make that declaration until the thirty days after his election.

Mr. R. L. BORDEN. If he does not make it within the thirty days, can he take his seat ?

Mr. CHARLES DEVLIN. If he votes he is subject to a heavy penalty.

Mr. R. L. BORDEN. That is in effect the same thing. While I cannot recall from memory the exact provisions of the British enactment, I am convinced that it has been found necessary, under the provisions of that law, for members of the House of Commons of Great Britain to go to the courts and obtain, upon sufficient material, an order excusing their default before they can continue to sit and act as members of parliament, and I think that procedure was enforced against Mr. Blake because he had failed to comply with this provision, through some inadvertence on the part of his election agent.

Mr. CHARLES DEVLIN. The trouble was that Mr. Blake had made his return through his agent, whereas the law re-

quires that a member shall also make his own return, and this Mr. Blake had omitted to do. Therefore, he had to go through the extra procedure to which the hon gentleman (Mr. R.L. Borden) has referred.

Mr. R. L. BORDEN. And in the meantime, I think, he did not take his seat.

Mr. CHARLES DEVLIN. He had been sitting in the House when he discovered the omission; and, from the moment when he discovered the omission he withdrew from the House until the law had been fully complied with.

Mr. R. L. BORDEN. That is practically my recollection of the case. Then, I think we should have amendments to the election law to expedite the hearing of election petitions, to prevent collusive arrangements for discontinuing petitions, to provide for thorough investigation of corrupt practices and to simplify the procedure. There has been a good deal of scandal in the country concerning what is known as 'sawing off' election petitions. Ten or fifteen petitions are entered on one side, and ten or fifteen on the other side; and, in the end, only two or three come to trial, the rest are supposed to be arranged under an agreement made between the representatives of the political parties. There has been a great deal of comment on this throughout the country. It is not desirable that that comment should continue. No election petition can be filed in this country except on an affidavit that the applicant has reason to believe, and does believe, that the allegations set forth in the petition are true.

Mr. FIELDING. What is the remedy ?

Mr. R. L. BORDEN. Any one taking a false oath in such a case is liable to be indicted for perjury.

Mr. FIELDING. But people file these petitions and make affidavits who do not pretend to have the shadow of information on the subject. Take my own case, for instance—the man who made the affidavit never came into court and never pretended that he had any knowledge of corrupt acts in the election.

Mr. R. L. BORDEN. It is not necessary that he should have personal knowledge. He makes the declaration that he has reason to believe and does believe. But if he makes that declaration on mere surmise or conjecture, it might reasonably be held that he had made it so recklessly that he would be subject to indictment for perjury if the statements were untrue. Theoretically, we have a provision for carrying on an election petition, even if the original petitioner does not see fit to proceed. As a matter of fact these provisions are altogether ineffective. We have provisions in the statute law to prevent the withdrawal of a petition except on application to the court, and by order of the court. But practically these provisions amount to nothing, because it has been held by the courts in my own province—and I think by the courts in other provinces as well—that, unless the time has been extended, the petition under the statute, lapses at the end of six months. In that case you cannot proceed further with it; and though, the petitioner may experience some trouble in securing the withdrawal of his deposit, nevertheless nothing more can be done upon the petition. In Great Britain they have a more effective procedure, under which the public prosecutor can intervene in any election petition where he fears withdrawal of the petition, or where he thinks there is collusion between the parties, and can go into a thorough investigation of the acts complained of in the petition, and, in that way, carry out the true intent and object of the law. These are amendments which, I think, ought to be made in the statutes of this country. I do not for a moment deny what was stated by the Minister of Justice (Mr. Aylesworth) during this session, that it is a matter of some considerable difficulty to frame amendments so that they will be satisfactory and work out effectively. But, we have some precedents, in the statute law of Great Britain. We have other precedents in the laws which are being placed on the statute-books of certain states of the American Union. I think we might obtain valuable hints and suggestions from both quarters. I greatly regret that the government have not carried out during this session the promise contained in the speech from the Throne to bring down for consideration during this session of parliament a measure to amend both the Controverted Elections Act, and the Election Act itself. In view of declarations during former sessions from members of the government and from gentlemen who are not now members of the government, and from the Minister of Finance, in view of the government's pledge to parliament and the people of the country, in view of the necessity of these amendments, I regret that no action has been taken. Therefore I move :

That all the words after the word 'that' be left out and the following substituted therefor :

This House deplores the existence of corrupt and fraudulent practices at elections as evidenced by the disclosures during recent years of bribery, personation, ballot switching and other similar frauds carried on by organized methods and upon a very extensive scale.

This House strongly condemns the organized system of corrupt practices by which the election of a minister of the Crown as member for the city of London was secured in 1905.

This House is of opinion that the existing electoral laws should be amended forthwith, and that provision should be made.

(a) for the more effective suppression and punishment of bribery ;

(b) to prevent the fraudulent marking, counting or substituting of ballots and other similar frauds ;

(c) for the better regulation of the conduct of elections on the part of both officials and candidates ;

(d) to prevent the accumulation of huge campaign funds and to prohibit contributions thereto by corporations, contractors and promoters;

(e) to expedite the hearing of election petitions, to prevent collusive arrangements for the discontinuance thereof, to provide for thorough investigation of corrupt practices and to simplify the procedure therefor.

(f) to carry out more effectively the law so amended.

This House regrets that notwithstanding the pledge of the government contained in the speech from the Throne, and notwithstanding the declarations of members of the government from time to time during the past four years, no such measure has been submitted to parliament at the present session and no effective steps have been taken by the administration either to amend the laws or to punish their violation.

Hon. W. S. FIELDING (Minister of Finance). Mr. Speaker, I am sure that there is no member on this side of the House who does not sympathize as warmly as the leader of the opposition (Mr. R. L. Borden) or any hon. gentleman sitting on your left with any well-considered measure designed to improve the electoral laws of this country. If my hon. friend had addressed the House during his entire speech in the terms and in the manner which he employed for the last five or ten minutes, during which time he offered some suggestions for the improvement of the law, I could have found no fault with his address. But, unfortunately, both the terms of his amendment and the manner in which he has presented it, the whole spirit in which he has addressed the House, make it impossible for us to do otherwise than condemn the motion he has presented. First, with regard to the position of the member for London (Mr. Hyman), I am at a loss to know what ground of complaint the hon. gentleman could have. Mr. Hyman tendered his resignation in two capacities. He was both a minister of the Crown and a member of this House. Let us first take the position in regard to his membership of this House. It is well known to hon. members that Mr. Hyman some months ago sent to you, Mr. Speaker, what he, in all good faith, believed to be the resignation of his seat. It turned out that Mr. Hyman, acting hastily, not giving thought to details in the matter as one would be likely to do who acted under legal advice, had failed to sign his resignation in the presence of witnesses. You, Mr. Speaker, decided that it was not a valid resignation—it counted for nothing. Then Mr. Hyman, being absent, tried in good faith to give that resignation validity—I speak of the facts as I recollect them, and as they have been disclosed to this House. He telegraphed to some friends in London to sign his resignation as witnesses, in order that the document might be complete and his resignation put in in the form required by the House. If no exception had been taken to the resignation in that form, I do not think that any difficulty could have been raised as to the bringing on of an election at an early date. Unless the resignation had been called in question, it would have stood as a valid resignation and the seat would have been declared vacant. For some reasons best known to hon. gentlemen opposite they saw fit to move that that resignation be referred to the Committee on Privileges, and after an investigation that committee, unanimously if I remember right, reported that the resignation was void. Therefore, not by any action of Mr. Hyman, but by the action of that committee, the resignation which the member for London had sent in all good faith, bearing the signatures of what purported to be witnesses to the resignation, was set aside. The report of that committee was made to the House a short time ago, and I presume it has reached Mr. Hyman, and in consequence of the knowledge he has received, Mr. Hyman has now communicated to His Honour the Speaker his resignation, which I presume has been witnessed in due form and will in all respects comply with the rules of the House. These are the facts in relation to the resignation of Mr. Hyman as a member of this House, and if that resignation has been delayed for some weeks past the responsibility for the delay rests, not upon Mr. Hyman, but upon those who took the trouble to refer the matter to the Committee on Privileges and then reported that that resignation should not be recognized.

With regard to Mr. Hyman's position as a member of the Cabinet, what is there to it? Mr. Hyman is absent through illness. Is that an unusual thing? Is it an unexampled thing that a member of the cabinet being ill should go away and that during his absence his place should be filled by a brother minister? Such things have occurred repeatedly; such things will occur again. It is enough simply to state the facts. The Minister of Public Works being in ill-health and being obliged to go away, tendered his resignation to the Prime Minister; the Prime Minister declined to act upon it, and asked him to reconsider that resignation and remain in the Cabinet. Then arrangements were made with another minister temporarily to discharge his duties. Such a thing has occurred a dozen times, it will occur again within the knowledge of many members of this House, and I do not see what in the world there is for any body to find fault with concerning it.

Now, my hon. friend says the election laws need reforming. I wish to say that I entirely concur in that view, and if he had

devoted his speech to the purpose of showing that there was need of such reform, if he had approached it in the spirit of a reformer, I should not find any fault with it. But unhappily he was not content with that, unhappily the tone of his address was a sort of 'I am holier than thou' declaration, a declaration that there are faults in relation to the operation of our election laws, but they are all on the side of the Liberal party. Now, I must protest most earnestly against such an idea as that. I do not say so by way of extenuation or justification. I do not pretend that the wrong-doing of some other man in times past is a justification for wrong-doing which I may do now or may propose to do hereafter. But I do insist that those who approach these questions shall have some sense of fairness and not try to pose before the public with the idea that all the virtue is under their hats, and all the faults are to be found in the persons of their opponents. One would think from what the hon. gentleman said to-day that the record of the Conservative party in the matter of purity of elections was something to be proud of. One would think they could safely compare their record with that of the Liberal party. Indeed the only difficulty one would have in reading my hon. friend's speech would be to imagine that anything could possibly have occurred in the history of the Conservative party unfavourable to them in regard to corruption at elections. Why, the history of the Dominion of Canada is full of the records of corruption by hon. members on the Conservative side. Again I do not say that this is any justification whatever for corruption on the part of Liberals. Not one word I may say here to-day must be for a moment taken as an excuse for wrong-doing, or as any reason why we should not have whatever remedy is possible applied to our election law. But I do again protest against the idea which my hon. friend sought to convey that all the faults are on the side of the Liberal party. Who would imagine, after listening to what my hon. friend has said as to the voiding of an election in Queen's and Shelburne, that such a thing had ever happened as the voiding of an election of a Conservative member? One would think such a thing never happened. My hon. friend knows surely that the great Prime Minister of the Conservative party, Sir John A. Macdonald, was unseated twice for corruption, and that in one case he was almost disqualified in the city of Kingston. In the record of parliament there is a declaration by the judge that corruption was wide-spread on that occasion. Yet the hon. gentleman says that the Liberal party is a party of corruption. Does he know that Sir Hector Langevin was unseated for corruption?

Mr. BARKER. Supposing Sir John A. Macdonald was unseated twenty times that would be no justification for the Reform party.

Mr. FIELDING. That is what I have just said. My hon. friend must have been asleep. I wonder if the leader of the opposition knew that Sir Hector Langevin was unseated for corruption? I wonder if he knew that Sir Charles Tupper was unseated for bribery and corruption? I wonder if he knew that the member for North Toronto (Mr. Foster) was unseated in the province of New Brunswick? I wonder if he knew that up and down the whole ranks of the Conservative party we can point to the names of men who have been unseated? I wonder if he remembers another Conservative Prime Minister, Sir John J. C. Abbott, who was unseated for corruption practically. Why, it is marvellous that the hon. gentleman should presume to lecture the Liberal party on corruption. If we were to search the facts disclosed by the journals of parliament itself we could find the names of many other Conservative members unseated for corrupt practices. But let us come down to more recent times. There is an hon. gentleman who sits behind my hon. friend usually; he is not in his seat to-day, a respected member of this House, who represents Sherbrooke (Mr. Worthington). Does my hon. friend know that since the general election his friend, the member for Sherbrooke, confessed to bribery and corruption and was unseated? If I had been willing to confess to bribery and corruption I need not have had the election trial. I was not content to have the seat voided in that way. I was willing that they should go to trial and prove their utmost. But the hon. member for Sherbrooke said to his opponent, as Davey Crockett's coon said: 'Don't shoot —I will come down.'

Mr. LENNOX. It was the other way, was it not?

Mr. FIELDING. No, it was not, and if the hon. gentleman chooses to read the records he will find that the seat was voided for bribery by agents. The record is at hand. I want to call the attention of my hon. friend the leader of the opposition to the fact that these cases are not altogether matters of ancient history. The case of the member for Sherbrooke is a matter of present history. But there is another thing in connection with the election in Queen's and Shelburne to which my hon. friend referred; a very interesting incident occurred which I will mention in a moment. Meantime let me say that in that case my opponents were scraping the two counties, if one might use that expression, with a comb to find witnesses. After calling scores of

witnesses, after having an investigation which occupied many days, they were able to disclose only two or three cases of petty corruption, or three or four cases, I forget the exact number ; they were but trifles. They called, I think, fifty or sixty witnesses from all parts of the two counties, and the result of it was three or four petty cases. Then they say that $500 or $600 passed through the hands of Mr. Farrell. Now, my hon. friends opposite must smile when they hear of an election in which only $500 or $600 was spent. I fancy there is not one of them whose election did not cost him, in one form or another, five to ten times that amount. My hon. friend knows something about elections in the county of Halifax. I forgot to mention that his predecessor in this House as member for Halifax, Mr. Thomas E. Kenny, was unseated when a petition was filed against him. I do not know whether my hon. friend was professionally concerned in that matter, but he knows enough about elections in Halifax and in other places to know that the mention of the sum of $500 or $600 in an election contest is calculated to provoke a smile.

I want to say, in regard to Mr. Farrell, that there is no more honourable man in the public life of Canada to-day than Mr. Edward Farrell, of Queen's county. I have never met a more honourable or unselfish man. Any man who, out of this transaction, attempts to cast any reflection upon that man, does him a grave injustice. What was the evidence ; that he was given $500 or $600 in connection with the campaign? Which one of the hon. gentlemen opposite has not had to handle perhaps $500 or $600 in connection with an election campaign? There is nothing which implies the slightest reflection upon Mr. Farrell. Mr. Farrell is a member of a church which, in the constituency he represents, embraces but a handful of people, but so strong is he in the confidence of the people that, although he is a dissenter from the faith of the majority, he has again and again been elected to represent that constituency in the local legislature. I hope Mr. Farrell will be spared to run another election ; and if so, I would wager a sum that no matter who runs against him, Mr. Farrell will head the poll. In the full light of all that occurred in the constituency, the members of the Nova Scotia legislature, knowing him as well as anybody could know him, with little less than unanimity, again invited him to preside over their deliberations as their Speaker, and, not only was he supported by the members of the Liberal party in the House, but one gentleman—I was about to say an opposition member, but it would be more correct, perhaps, to say an independent member, who had been elected against a member of the local government, and who had known Mr. Farrell for many years—proved his faith in him by leaving his party associates and casting his vote in favour of Mr. Farrell as Speaker of the House of Assembly.

In regard to the customs officer at Port Mouton, Mr. Payzant, we had a reference made to him yesterday. Mr. Payzant, to the best of my knowledge and belief, is a good officer of the customs ; he is a good citizen, and he is just the kind of man that my hon. friend has described as making a proper returning officer. He would have the deputy returning officers to be reputable men in the localities in which they live. There is no more reputable man than Mr. Payzant. He was chosen as a semi-judicial officer—a deputy returning officer. What is the complaint against him to-day ? It is that he had a difficulty with a Tory organizer ; and, as the story goes, he was assaulted by Mr. Payzant. It is a strange thing that this story of an assault upon the organizer, Mr. Davidson, has been kept in cold storage for six or seven months, and now comes to us in the form of a declaration in the House of Commons. Why did he not go to the nearest magistrate if he had any complaint against Mr. Payzant? Why did he not send a complaint to the Minister of Customs if he had any complaint to make? The whole thing bears upon its face the evidence of a political story brought in now in the hope of making some political capital out of it. We were told that Mr. Bain, the fishery officer, has been a notorious partisan, exercising his influence unduly for the benefit of the Liberal party. Mr. Bain has been in that office now for some years—I forget how long. I explained yesterday that he has not an office which gives him a living wage. This is a case where a man devotes a portion of his time to the public service, and during the remainder of his time he engages in private business, in order that he may eke out a livelihood.

Mr. SPROULE. Especially in election time.

Mr. FIELDING. Yes ; and a man who takes part in elections in a legitimate way is the best kind of citizen. I do not regard it as evidence against him that he takes part in elections. Mr. Bain has been in this office for years. I have heard these gentlemen complain, as they do to-day, about Mr. Bain being an officer who interferes with politics. But it is a very curious fact that when my return at the general election was investigated in Liverpool, where Mr. Bain resides, and where Mr. Bain was attending every day in the court house, Mr. Bain was not called as a witness, nor was any person called to question any act that Mr. Bain did. How is it then, if Mr. Bain has for years been pursuing this course, how is it that when hon.

gentlemen chased from one end of the county to the other for evidence, they never called Mr. Bain to testify, and how is it that they never offered any evidence in respect to any act Mr. Bain performed? Mr. Bain is, to the best of my knowledge and belief, a faithful and efficient officer; and if, in the exercise of his duty, he has brought any undue pressure to bear upon any of those fishermen, depend upon it my vigilant opponents would have found out. They would have haled Mr. Bain before the election court. As they failed to call in question any act of Mr. Bain's, it is my belief that this story about Mr. Bain is very largely exaggerated, if not wholly invented.

But, in connection with that election, there was a curious incident. I have made some reference to what I might call the ancient history of the Conservative party, and I have made some reference to the facts of modern history in the case of the hon. member for Sherbrooke. I am not alluding to him in any offensive terms, because that which was done in his case might be done to any other member. I mention it because it is a fair illustration to the House. I come now to another incident which occurred in connection with the election in Shelburne and Queen's. The hon. gentleman who was my opponent in the recent election in Shelburne and Queen's was a very eminent citizen, Dr. Weldon, professor in Dalhousie University at Halifax, who formerly was the representative in this House of Albert, N.B. Dr. Weldon made a very remarkable statement. Dr. Weldon is a competent witness, certainly from the point of view of hon. gentlemen opposite. Dr. Weldon made this statement in the presence of hundreds of people in that electoral district. He stated that at the last general election he was waited upon by a deputation of the Conservative party, who desired that he should become the candidate of the party in a certain county. I do not think that he mentioned the county. He said that a deputation of influential men waited upon him at the last general election, when the hon. leader of the opposition filled the same position as he does now, and presumably was guiding and directing the policy of his party in that election. Dr. Weldon stated that he was asked to become the candidate, and that he told the people who had waited upon him—he mentioned the name of one gentleman, who has since passed away, and I do not wish to introduce his name here, but they were representative men in the Conservative party—that he would be willing to be their candidate if they would run an honest election. They said they would not, and he refused to be a candidate.

Mr. R. L. BORDEN. Did the hon. gentleman hear him say that?

Mr. FIELDING. I did not, but there are men in this House who did.

Mr. A. K. MACLEAN. I can testify to those words that I heard used by Dr. Weldon.

Mr. SINCLAIR. I confronted him with those words at a public meeting at Lockport, and he did not deny them.

Mr. FIELDING. I have not heard them denied up to this moment, and I do not think they are denied now. Now, we have the Conservative party led by the hon. leader of the opposition coming into this House with these professions that they are holier than those poor miserable wretches who sit around here, undertaking to lecture us on political morality, when one of their most eminent men declares that he could not be a candidate in the last election because the Conservative party deliberately refused to accept an honest election.

Mr. LALOR. That shows the class of candidates we put up in Nova Scotia.

Mr. FIELDING. That shows the class of candidates you put up in Nova Scotia? If my hon. friend wants to put any censure upon Dr. Weldon, let me say that I resent it; that he is an esteemed citizen, and that I shall not allow any Conservative opponent of mine to say one word against him. If the Conservative party did not win in Nova Scotia, it was not because they did not have good candidates; it was because they had a bad policy.

Mr. LALOR. I did not speak in a sneering way; quite the opposite. We put up good, honest candidates, and they were defeated because our opponents had too much money.

Mr. FIELDING. My hon. friend fails to see the point. He did not put Dr. Weldon up, but he put up twenty others who are not so scrupulous as Dr. Weldon, and I am glad to be able to say for the free and independent electors of Nova Scotia that the whole twenty were bowled out.

Mr. LALOR. Bought out.

Mr. FIELDING. If they were bought out, why didn't you petition against the elections; why didn't you prosecute?

Mr. LALOR. I think there is a sample of that in Halifax that has already been cited by the leader of the opposition, where the courts have not allowed justice to be meted out.

Mr. FIELDING. The Halifax election is still in the courts, and there are two election petitions in Halifax, and one of them is intended to disclose how the Conservative party conducted its elections. By and by, when they are tried out and the records are before the country, it will

be time enough for my Conservative friends to shout about the purity they have in Halifax, for I know enough about elections in Halifax under Conservative management in days gone by, to know that the Conservatives are the last to be able to throw a stone at their neighbours. I repeat that I do not refer to any one of these things with the slightest intention of justifying wrong-doing or corruption ; far from it ; I realize as fully as the leader of the opposition does the evils which have been disclosed in the courts of the country. But let me say that down in the eastern provinces, with which I am most familiar, while there have been occasional charges of wrong-doing, I think I am correct in saying that never in the history of our Dominion elections—or, for that matter, our local elections—have there been, to my recollection, any charges in the nature of ballot stuffing or ballot switching. Our people down there, both Grit and Tory, have their faults, but their weakness in politics does not run in that direction. If there is anything of that sort in any part of the Dominion, no one would be more anxious than I to see it prevented as far as possible. I say again that if my hon. friend (Mr. R. L. Borden) had been content to approach the question simply with a desire to bring about reform ; had he not yielded to the unfortunate temptation to throw insinuations at hon. gentlemen on this side of the House, I would have sympathized very heartily with him. As it is, I sympathize with him in the object which he says he has in view. I realize there is need of electoral reform, but we know from experience there are great difficulties in the way of accomplishing such reform. Two years ago a committee of the House submitted a draft Bill containing some things which were beneficial, but the Bill, when it came to the House, was received with coldness on both sides ; many hon. gentlemen believed it impracticable, and no one was willing to press it.

Mr. R. L. BORDEN. Are you referring to Mr. Charlton's Bill?

Mr. FIELDING. To the Bill which arose out of Mr. Charlton's Bill. Mr. Charlton brought in a Bill which I think was chiefly composed of some clauses taken from the New York state law, and it was submitted to a committee on which, I think, the hon. gentleman from Hamilton (Mr. Barker) sat, and that committee made an honest effort to secure reform. Still, the members of the House thought the Bill open to great objection, and that it was unworkable. I have had ideas of my own which I have never been able to crystallize into legislation. I have the view that if we could have something like a coroner's inquest at the close of every election, while the facts are fresh in the minds of the people ; if we could have, as part of the electoral machinery, an investigation into every election, possibly we might have avoided some of the troubles and scandals which have arisen. But those who are better acquainted with the working out of election machinery than I am, tell me that this would not be practicable. As to how this reform can be carried out, I will not presume to say ; that is particularly a matter for the legal members of the House, whose skill in drafting, and whose knowledge of the operation of our electoral laws, particularly qualifies them. All I can say is that, while the resolution of the leader of the opposition is couched in terms I cannot approve of, and while I cannot entirely concur in all he has said, while I must dissent from much he has said, still the object he has in view, namely, the greater safe-guarding of the electoral vote in this country, has my hearty approval and the hearty approval of the government, and there shall be no failure on the part of hon. gentlemen on this side to do that which may be within their power to bring about electoral reform.

Mr. HAUGHTON LENNOX (South Simcoe). The Minister of Finance has given a very remarkable exhibition of verbal criticism, but I venture to say that no one who has carefully followed his remarks can touch upon any one point as to which he fairly and squarely met the proposition of the leader of the opposition. The first thing that strikes one, in reference to the bona fides with which Mr. Hyman's resignation was put forward, is that a man of the long parliamentary experience of Mr. Hyman, and one who had at his elbow the benefit of the advice of the law officers of the government, could have made such a palpable mistake in the form of his resignation. The people of the country feel that it is rather extraordinary that, under such circumstances, Mr. Hyman should have put in the hands of Mr. Speaker a document which any ordinary member of parliament would know was an illegal resignation. The Minister of Finance ventures to condemn the action of the opposition in having an investigation into that matter, but let me remind him that it was the Prime Minister who suggested the investigation, and, notwithstanding the taunts of the Finance Minister, let me point out that had there not been an investigation and a report of that committee, you would have had an election in London, and, the Conservative candidate being elected, it would be open to any elector of that constituency to say that the Conservative was not legally entitled to his seat, because Mr. Hyman had never legally resigned. And yet the Finance Minister is driven to such a pass in attempting to make out a case, that he has to resort to such an absurd argument. The hon. gentleman says it is not unusual

for a minister to be absent during the session. That is what we complain of. Not only is it not unusual, but it is usual. This is my seventh session in this House, and I do not think there has been one session in that time in which one or more of the ministers has not been conspicuously absent during the whole or the greater part of the session, and the result has been that in dealing with estimates we have had acting ministers who have been unfamiliar with the transactions under discussion, and have not been able to give the information to which we were entitled.

The hon. gentleman referred to the record of the Conservative party but he did not pursue the subject; it did not seem to take well on the other side. His followers did not cheer his allusions to Sir John Macdonald and others because they recognized that it was a poor argument by any body, a miserably weak argument by a minister of the Crown, to go back into ancient history, years and years gone by, barred by the statutes of limitation, almost beyond the memory of living men, out of the range of practical politics at all events, and resurrect these incidents in answer to the allegations made on this side of the House. If these abuses existed in the past whether brought about by Conservative or by reformer, why does not the government bring about a remedy? At the beginning of each of the last three sessions, in the speech from the Throne, promises have been made in this respect and yet nothing is done.

The minister says that $500 or $600 in an election is a small amount. But it was not a question of $500 or $600 in an election, it was $500 or $600 handed out by one man to be expended in a community of 600 people, representing not more than 100 electors. I hope for the honour of the constituency that only a few of these votes were purchasable, and so if we measure it by this, as one of the learned judges says, we will see that it indicates to what an extent corruption would be prevalent if it prevailed throughout the riding on the same scale, and we have no knowledge that it did not. My hon. friend refers to Mr. Bain and to the evidence in reference to him read yesterday and again to-day. The minister in connection with that made a suggestion that I am sure will be a surprise to the people of Canada and I venture to say a disappointment to the better class of his Liberal supporters; that suggestion is that the policy which was adopted deliberately in 1905 on the motion of the hon. member for Qu'Appelle (Mr. Lake), and adopted unanimously by the House, has not only not been carried out, but is not supported by the Finance Minister to-day. The House on that occasion unanimously resolved that:

Whilst it is desirable that every official in the employ of the government of Canada should enjoy perfect freedom of political opinion and the untrammelled exercise of his franchise, in accord therewith, no official should be engaged or be permited to engage in partisan work of any description in the election of a representative to a provincial or Dominion legislature.

That resolution was adopted on July 17, 1905, supported by the Prime Minister; yet the minister says that the policy of the government to-day is that so long as one dollar of the living of one of these officials is earned from any source except the public revenue, that official is the right personage to be employed in promoting the elections on behalf of the government candidate, and, as the statements recently placed before this House show, even in the election of the hon. gentleman himself, and seemingly to an alarming extent, alomst universally, the people employed as the representatives of the government candidate were people in the service of the country and receiving government pay. What did the Prime Minister say was the policy of the government speaking in 1903, 'Hansard,' page 3200:

Mr. Jonasson, I understand, is one of our officials. I do not know in what capacity, but he is in the pay of the government. He ought not take any part in any politics. I say deliberately that for my part I feel as strongly now, in 1903, as I did in 1896, that when a man has taken a position in the civil service, he should take no part whatever in politics.

On the other hand my hon. friend says that it is quite proper for Mr. Bain, a fishery overseer, to engage in the election, because, forsooth, he does not get his whole living from the government. He gets the main part of his living from the government, and he is employed during the election with his livery team, he drives the Minister of Finance around the country, introduces him to the electors, attends the meetings, is with him on the 25th of November and is appointed on the 24th and yet the minister does not know he has been appointed his agent for the election. The minister says it is all right because he does not earn his entire living from the government.

The hon. gentleman did succeed in getting a little measure of applause from his following upon the Weldon incident. He says that Dr. Weldon made the proposition to those who went with him: If you will run an honest election, I will run an honest election, and Dr. Weldon did run against my hon. friend last fall—

Mr. FIELDING. That was not the time.

Mr. LENNOX. I know it, but that is the difference between the Conservative party and the Grits, that while the Conservatives will generally be honest the others never will, and whatever may have been the case in the past we are a party progressing towards better conditions.

Mr. FIELDING. 'When the devil was sick'—

Mr. LENNOX. And when the election was run last fall it was run on those conditions which my friend referred to—

Mr. FIELDING. And I had 1,000 majority.

Mr. LENNOX. And my hon. friend himself is the man who certifies to the honour and integrity of Dr. Weldon.

Mr. FIELDING. Certainly.

Mr. LENNOX. And does he want to take it back now ?

Mr. FIELDING. No, certainly not.

Mr. LENNOX. What surprises hon. gentlemen opposite is that any one could be honest. They never look for it, and when they find a speck of honesty in their ranks they are all astonished and say : Weldon is an honest man.

Mr. FIELDING. Dr. Weldon ran an honest election and was beaten by 1,000.

Mr. LENNOX. Yes, but by what means ? The same agencies as were at work in 1904, and when I refer to the facts in connection with that election it will not be surprising at all—when we hear of $600 being spent on 100 electors—it will not be surprising that Dr. Weldon was beaten in running an honest election.

Will my hon. friend tell me, for he is an old politician, when any Grit ever asked that any one on their side should run an honest election ?

Mr. FIELDING. Yes.

Mr. LENNOX. I have a letter here which I shall read :

Halifax, December 1, 1906.

Dear Mr. Borden,—Your letter of 28th ultimo just to hand with the 'Hansard' inclosed. If the matter referred to should again come before the House I should like some one to read the subscribed statement.

The 'Hansard' of November 26 reports Mr. Johnston, page 166, as saying that in the recent Shelburne-Queen's campaign Dr. Weldon declared that in 1904 he had declined a party nomination in a Nova Scotia constituency because the party leaders would not agree to rnn a clean election.

That is the matter my hon. friend referred to. Let me read further what Dr. Weldon says :—

My statement in reference to that tender of a nomination in 1904 was that I asked my party to give me a free hand in making an agreement with the government candidate in the county whereby we would both bind ourselves and our friends to run a clean election. My party friends thought my plan impracticable for the reason that the bargain would not be kept by our opponents. Therefore I declined to accept.

I am yours faithfully,

R. C. WELDON.

Mr. LENNOX.

And I think he was a wise man. If there is any gentleman on this side, with the knowledge of the Liberal party that we have, who wanted to enter into such a fool bargain, I am not the one. I think I have referred to every subject to which the hon. minister alluded. I think it is right now that I should pay a little attention to a matter with which my hon. and distinguished friend was closely connected, namely, the election in Shelburne and Queen's. I shall refer to some paragraphs in the evidence in order that I may put on record just what position the hon. gentleman occupies with regard to that election trial. On page 2 of the evidence—the examination for discovery—my hon. friend was being examined :—

Q. Do your know Mr. E. M. Farrell, of Liverpool ?—A. Yes.

Q. He is the local member of the county and speaker of the local legislature?—A. Yes.

Q. He was an active supporter of yours in 1904 ?—A. He is at all times and was then a cordial friend and active supporter.

Further down the hon. gentleman is asked :—

Q. He has been the man principally with whom you have corresponded with regard to the affairs of the county ? The chief man in Queens with whom you correspond ?—A. I have had correspondence with others, but from his position as local member he takes a prominence.

Q. He has a paper ?—A. I have always understood he is proprietor of a paper in the town of Liverpool.

Q. His paper always supports you ?—A. Yes, it is not a political paper. As far as it has any politics it supports me. I know it is classed as a Liberal paper, and I am sure any support he could give me he does.

I do not know what the hon. minister meant by saying it is not a political paper but that it is classed as a Liberal paper and gives him support.

Q. You would so class it ?—A. Yes.

Then on page 4, identifying Mr. Selden, he is asked :—

Q. John Selden ?—A. Yes, I do not know the extent of his support. I count him as one of my active supporters.

Further on he is asked :—

Q. You know J. L. Bain ?—A. Yes.

Q. He is the Dominion fishery officer ?—A. Yes.

Q. He is an active supporter ?—A. He has always been in sympathy with me. I do not know the extent of his support.

Q. Don't you know he was in active support of you in 1904 ?—A. He probably did. He is a public official. I rather discourage public officials taking part.

Pretty moderate, was it not ? The hon. gentleman rather discouraged public officials taking part. That is tantamount to saying, do not be found out. Then he went on :—

I have no doubt he was an active supporter. I dont know to what extent.

Q. You have no doubt he was a strong supporter during that campaign?—A. I have no doubt he probably was there.

What is the meaning of that ?

Q. Don't you know that he was working at Port Mouton ?—A. I may have heard it. I cant contradict it. I would not be surprised if he was an active supporter——

Why, he was driving the hon. gentleman about the country and was at meetings to which he drove him. On page 6 he was asked :—

Q. Do you recollect I. V. Dexter, the harbour master ?—A. Yes, I have no doubt an active supporter. He has always been in sympathy with me. I am only answering from the general fact that they are gentlemen in sympathy with me.

Then on page 7 :—

Q. In regard to appointment of agents, you signed them and gave your friends carte blanche —A. Agents at the polls. I was going to the country.

Q. You delegated that to active supporters in the county ?—A. I had to leave them in blank. I had to trust my friends to appoint trustworthy persons in the booths. It was confined to the representation of me in the booths. I signed nothing for any other purpose.

What is the position of the hon. gentleman with regard to that ? That, after the resolution had been passed in this House that officials should not engage in elections, he was driving with these gentlemen ; that he knew what had been done in the Queen's election; and that he does not give a word of warning to his followers not to appoint government officials to represent him in the election.

Q. John E. Payzant, Port Mouton ?—A. I know he was in sympathy, beyond that I know nothing about him.

Q. Would you place J. Harris Dexter in the same category as John Selden, of Liverpool?—A. I dont know how I would classify them. If he is the Dexter I believe he is, I count him as a political supporter. I dont know how active.

Q. If you were asked if he was an active supporter, you would say 'yes' ?—A. I expect so. We don't always realize expectations.

Now one other reference with reference to this branch of the case. Page 26 of the evidence :

Q. Name any others with whom you would originate corespondence ?—A. I have named those with whom I would correspond. Others might write to me and I would reply.

Q. In Queen's?—A. I have seldom except with the local members Mr. Farrell and Mr. Cooper.

This is for the purpose of showing that not only in this election, but in the election of 1900, Mr. Farrell was the gentleman upon whom, above all others, the hon. gentleman relied. Now, to show the way this thing was manipulated (not going back into ancient history) in the interest of the honest man of the government—because the supporters of my hon. friend delight in pointing to him as being the one honest gentleman in the cabinet ; and I think they exercise a certain amount of judgment in that, for, financially he is undoubtfully honest ; as a politician I do not want to certify. I should have been more inclined to do so if I had not read the evidence in this case. Just a few words from the evidence to show the methods resorted to—merely as samples. Here we have the evidence of Mr. Dexter.

Isaac V. Dexter, sworn, examined by Mr. Ritchie.

I live in Liverpool. I am shipping master, for five or six years. I think.

Q. I need not ask you if you are a good active supporter of the Liberal party ?—A. I might be good, but not very active. I am a government official.

He forgets that afterwards.

Will you tell me who you made this statement to, that on election day some of these fellows got money out of your pocket ?—A. No, I have no recollection who it was.

Q. Did you make the statement more than once?—A. I don't know. I can only say what I remember.

Q. Is your memory subject to these absolute blanks ?—A. Yes.

Q. There must be something in the Liverpool air ?—A. Yes.

Q. How often do you have these blanks ?—A. Sometimes we wish we have poor memories.

'when there is a note due at the bank he afterwards adds.

Q. You have told me that you made the statement since election that on election day some one got money out of your pocket ?—A. I said I might have made it.

Q. Now, I ask you as a matter of fact whether you did make that statement or not ?—A. I think I did. . . .

Q. How much money was taken from you that day ? (Objected to.) A. I could not tell you.

Q. Give me some idea ?—A. It might have been a few dollars.

Q. Can you come a little nearer than that ?—A. No, I don't think so.

Q. What do you mean by a few ?—A. Four or five, something like that, two or three.

Q. Will you say that was all you meant when you made these statements ?—A. Yes.

Q. Who did you suspect got it ?—A. I think Tom Craig got it.

Q. How much ?—A. I don't know, two or three, something like that.

Q. Where was it ?—A. From my pocket.

Q. Where were you and Tom ?—A. In a carriage, I think.

Q. Were you driving him to the polls ?—A. No.

Q. Where were you going ?—A. I don't know just where.

Q. Were you driving from the polls ?—A. It may have been, I am not sure.

And further on :

Q. How did you come to get into the wagon together ?—A. He went up to vote.

Q. And you went up with him ?—A. Yes.

Q. You were driving him to the poll ?—A. Yes, I suppose so.

Q. From your store ?—A. No, somewhere on the main street. I can't remember that.

Q. You think it was then he got the two or three dollars ?—A. No.

Q. When do you think it was he got it ?—A. It was after he had voted, I think.

Q. You were driving together in a wagon when he got it ?—A. Yes.

And, up to this time, he did not know that he had given it, but he knows the time he gave it.

Q. You drove this man up to the poll to vote and after he had voted you were driving with him when you think he got the two or three dollars from you ?—A. Yes.

Q. Were you driving together from the polls ?—A. No, I think it was from the store up the street. I don't know where I was going.

Q. After you took him to the polls and after he had voted you took him for a little drive and it was then you think he got this money out of your pocket ?—A. Yes.

Q. Which pocket was it in ?—A. I could not tell you.

Q. Was it in your waistcoat ?—A. No.

Q. In your coat pocket ?—A. Probably.

Q. Outside coat pocket ?—A. Yes.

Q. The side nearest to Mr. Craig ?—A. I think it is likely.

That is the kind of men they have engaged. Now, if we turn over a page or two, we come to something more :

Q. In fact you were willing for him to have it, and knew he got it and made no objection ?—A. Yes.

Q. You intended he should have it ?—A. Yes, I suppose so.

Q. That is what you put it there for ?—A. Perhaps so, I can't go back to bring up all these points.

Q. You say perhaps you put it there for him to get, have you any doubt in your mind, don't you know that is what you put it there for ?—A. Yes, I suppose I did.

Q. Craig knew the money was going to be there for him ?—A. I don't know.

Q. Had you not told him ?—A. I suppose I had.

Q. When was it you told him the money would be in your pocket for him ?—A. I don't know.

Q It was that day ?—A. I suppose so.

Q. Was it not as you were driving to the polls to vote you told him that the money would be in your pocket ?—A. I could not tell you. I don't remember. I don't know. There was no promise.

Q. Your idea was that you were not going to promise him out and out any money ?—A. I did not make him any promise.

Q. You intended that he should get the money, and he did get it ?—A. That is it, I think.

Then he is asked :

Q. Do you know Roscoe Hatt ?—A. Yes.

Q. Did you canvas him?—A. Yes.

Q. Asked him to vote for Mr. Fielding ?—A. Yes.

Q. What employ was Hatt in ?—A. I think he was in our employ. I think in one of the packets.

Mr. LENNOX.

Q. Did he get any money from you ?—A. No.

Q. Or any credit on the books ?—A. No.

Q. Any money, directly or indirectly ?—A. No.

Q. What inducement did you hold out to him to vote?—A. No inducement of any kind.

Q. Did you take any drives with him ?—A. No, not to my knowledge. I can't remember.

Q. Do you know of any more money being taken out of your pocket besides the money Craig got ? A. No.

Q. Did you pay any money to any person other than Craig ? A. No.

Q. Directly or indirectly?—A. No.

Q. Did you canvass Wm. Waggoner ? A. I think I did

Q. Ask him to vote for Mr. Fielding ? A. Yes.

Q. Did not give him anything at all ? A. No.

Q. Did you have any other scheme for Waggoner ? A. No, gave him nothing.

Q. Nothing for Hatt?—A. No.

Q. Did you see Mr. Fielding during the campaign ? A. Yes. He was there only a day or so. I think I saw him.

Q. He knew you were a prominent supporter ? A. I don't know about that. I was not supposed to be. I am a government official.

Q. Appointed by Mr. Fielding ? A. I suppose so. I think five or six years ago.

Q. You have known Mr. Fielding before that ? A. Yes.

Q. Intimately ? A. Yes.

Now we come to the evidence of Mr. Roscoe Hatt. This witness has sworn that he did not pay any money to Hatt, but this is what Hatt says himself :

I live at Liverpool. I voted at the last Dominion election. I know I. V. Dexter.

Q. Did he have any conversation with you before the election about your vote ? A. Yes. He asked me how I was going to vote. I told him I did not know. He asked me to give him a lift. I suppose that meant a vote for Mr. Fielding. I said I would not give him any answer. He said he would see me later. He saw me later on election day in his shop. We had a conversation there. He asked me then how I was going to vote. I told him how I was going to vote. He told me when he was asking me the first day 'If you help us out I will make you a present.' He did not say of what. That was the first occasion when I told him that I did not know.

Q. How long before the election did he see you the second time?—A. It was election day.

Q. What took place then?—A. I saw him two or three times. He asked me when I was going to vote. I said I was not in a hurry. He said: When you get ready to go up come in the office. He said: There will be a little something there for you. I went in and got a little something. It was an envelope. There was money in it, $3. I got that not from his hands.

Q. Who did you get this envelope from ? A. I got it off the desk. There was nobody in the office. I got it in the office of I. V. Dexter, the last witness.

Then under cross-examination the witness says :

Q. You seemed to be in the market when he asked you how you intended to vote and you would not give him any answer ? A. I would not give him a decided answer.

Q. Trying to see how much you would get ? A. No.

Q. Were you offering it for sale to both sides, were you trying to see what you would get from both sides ? A. No, I did not deal with anybody else. I was in his vessel.

A government official working under a government official, the consequence of having these government officials take part in elections comes out in this way.

I was in his vessel. I never asked him for anything.

He might have been forced to vote, he was under the pressure of a government official. He is here being cross-examined by the defence in order to break down his evidence, and try to show that we were as guilty as they. Then he is asked by the judge :

Q. How did you know it was for you ? A. He said before you go to vote, go to the office and there will be an envelope on the table for you. I went to the table and got the envelope. There was nobody there. I did not know what was in it before I voted. I am not in his employ now. I left that fall. I am in the government employ on the bridge.

And so he ought to be in the government employ. He was not in the government employ then, he is in the government employ at the time this examination is going on. Now I will refer to the evidence of Mr. Selden. John F. Selden sworn and examined by Mr. Ritchie :

Q. Would you mind telling me where you got this $100 you paid to Henry Tupper ? A. From Mr. E. M. Farrell.

Q. E. M. Farrell is the local member for Queen's country ? A. Yes.

Q. And Speaker of the House of Assembly at that time ? A. I do not know.

Q. He has represented Queen's for a number of years in the local legislature ? A. Yes.

Q. How much money did you get from him altogether. A. I could not tell you exactly, somewhere in the neighbourhood of $500, between five and six probably.

Q. Not any more than that ? A. Not any more than that I don't think.

Q. When did you get it from Farrell? A. Some time before the election, probably a week.

Q. Where ? A. In my office.

Q. What did you do with it ? A. Put it in the safe.

Q. Ultimately I mean ? A. I paid it out. I gave the last witness some money. I could not say how much. The rest went to different sections of the country in small lots.

At six o'clock House took recess.

After Recess.

House resumed at eight o'clock.

SELECT STANDING COMMITTEE.

Mr. A. CAMPBELL (Centre York) moved :

That in accordance with the recommendation contained in the 17th report of the Select Standing Committee on Railways, Canals and Telegraph Lines, said committee be granted leave to sit while the House is in session.

He said : I may say that there are several Bills yet before the committee, they are of quite a contentious character, and I think they will require a good deal of consideration. We find that one hour, from ten to eleven o'clock, is hardly sufficient and I hope the House will allow the committee the privilege of sitting while the House is in session.

Mr. T. S. SPROULE. I wish to say a few words in regard to a question I was bringing forward earlier in the day. That is in regard to what I consider rather an abuse of the privileges in having these Bills introduced in the Senate after the date at which they can be introduced in the Commons. Rule 88 is systematically and persistently violated this year. It is as follow :

Any person desiring to obtain any private Bill, shall deposit with the clerk of the House, at least eight days before the meeting of the House, a copy of such Bill in the English or French language, with a sum sufficient to pay for translating and printing the same ; the translation to be done by the officers of the House, and the printing by the Department of Public Printing, and if such Bill is not deposited by the time above specified, the applicant shall, in addition to the charges for printing and translation pay the sum of five dollars for each and every day which intervenes between the said eighth day before the meeting of the House and the date of the filing of the Bill; but such additional charge shall not exceed in the aggregate in any one case the sum of two hundred dollars.

2. After the second reading of the Bill, and before its consideration by the committee to which it is referred, the applicant shall in every case pay the cost of printing the Act in the statutes, and a fee of two hundred dollars.

ADDITIONAL CHARGES.

3. The following charges shall also be levied and paid in addition to the foregoing, viz :

(a) When any rule of the House is suspended in reference to a Bill or the petition therefor, for each such suspension one hundred dollars.

(b) When a Bill is presented in the House after the eighth week of its session and before the end of the twelfth week, one hundred dollars.

Then it goes on to provide that after the twelfth week of the session the charge shall be $200. The rule provided a penalty for those who do not introduce their Bills within a reasonable time. One reason for the introduction of these Bills into the Senate is to avoid these penalties ; another is because they could not be introduced unless this rule was suspended in this House, and while we suspended the rule once or twice this session it was decided by the House that it could not hereafter be suspended except for very good cause. Since that I have noticed that a great many Bills have been in-

troduced in the Senate and in due course they come to us here. That is due to the fact that they have no standing rule in the Senate in regard to the introduction of Bills. It is becoming a very common procedure to introduce private Bills into the Senate and then bring them down here. This session it has resulted in sending us a lot of Bills after the date at which they could be introduced here and it tends very materially to lengthen the session and to increase the amount of work we have to do. I think that there should be a consultation held between the two Houses with the object of reaching an understanding that the rule for the introduction of Bills shall be the same in both Houses, and that the examination by the clerk of the Private Bills Committee should be the same. I merely bring this to the attention of the hon. acting leader of the House (Mr. Fielding) because I think it should be taken up and dealt with in order that we may reach some finality in regard to the observance of the rules of the House if it is possible to do so.

Hon. W. S. FIELDING (Minister of Finance). I think that the promoters of private Bills hardly escape the penalties as easily as the hon. gentleman (Mr. Sproule) suggests by introducing their Bills in the Senate. There is a provision in the rules that in order to avail themselves of the claim for exemption from the penalties when a Bill is introduced in the Senate they must within six weeks of the opening of the session have sent a petition to this House.

Mr. SPROULE. By what rule ?

Mr. FIELDING. The latter part of the rule that my hon. friend referred to. He will find that there is a provision made as follows :

> The additional charges provided for in section 3 of this rule shall also apply to private Bills originating in the Senate; provided, however, that if a petition for any such Bill has been received by this House within the first six weeks of the session, the additional charges made under subsections (b) and (c) of section 3 shall not be levied thereon.

Mr. SPROULE. What rule is that ?

Mr. FIELDING. The latter part of rule 88.

Mr. SPROULE. Of course these were introduced long after six weeks.

Mr. FIELDING. Of course this rule would apply where no good reason could be given for the delay. The rule of this House is that these Bills must be introduced earlier but if we were to ask them to comply with the six weeks rule I do not know that any great confusion would arise. I think it is rather desirable that these private Bills should be introduced into the Senate.

Mr. SPROULE. I admit that.

Mr. FIELDING. In the early part of the session the Senate is not too busy, while we are apt to be. I would rather encourage the idea that Bills of that character should be introduced into the Senate, but of course they should not be so introduced for the purpose of evading any wholesome rule of the House. Recently, a professional gentleman interested in a Bill wished a return of extra fees imposed on him by virtue of this rule, but I pointed out he had not protected himself by sending the petition to this House.

Mr. SPROULE. I do not think the rule has been complied with in any of these cases.

Mr. FIELDING. Then the fees will have to be paid.

Mr. R. L. BORDEN. It seems to depend on the date on which the petition is presented to this House. I would think they cannot escape. It would be very desirable that the rules as to fees should be the same in both Houses.

Mr. CAMPBELL. They do not escape the fees. I saw a cheque the other day for nearly $5,000 for one Bill that came from the Senate. I agree that it is desirable that some of these Bills should be introduced in the upper House.

Mr. SPROULE. I agree to that, and I think if we could divide the work more it would be better. I object, however, to the introduction of Bills so late, because it does prolong the session.

Motion agreed to.

SECOND READINGS.

Bill (No. 163), to incorporate the Predential Life Insurance Company of Canada.—Mr. Gervais.

Bill (No. 164), to incorporate the Fidelity Life Insurance Company of Canada.—Mr. Johnston.

SUPPLY—FRAUD IN ELECTIONS.

House resumed adjourned debate on the motion of Mr. Fielding to go into Committee of Supply, and the motion of Mr. R. L. Borden in amendment thereto.

Mr. HAUGHTON LENNOX (South Simcoe) (resuming). Mr. Speaker, when you left the chair at six o'clock I had dealt with that portion of the election petition against the return of the Minister of Finance, which concerned bribery by agents. As showing the necessity for legislation such as has been advocated by the leader of the opposition, I am reminded of the very broad statement made by the member for Labelle (Mr. Bourassa) that nearly all the government candidates in the province of Quebec were furnished with money to run

their elections ; emphasizing the desirability of passing stringent laws against contributions to electoral funds. I now come to a branch of the case which is much more serious than bribery by agents, although that is very grave, having regard to the fact that the chief agent of the Minister of Finance in 1904 was the same gentleman who engineered his elections in 1900. There is also the fact, that the Minister of Finance, one of the very prominent members of the government, the mainstay of the leader of the government, stands charged on the records with personal bribery, and that being so charged he saw fit to take the position that he would refuse to answer certain questions which would have established his guilt or his innocence. The courts have maintained his pretension in that regard. The Minister of Finance, is in the unfortunate position that there is upon the records of the Supreme Court of Canada a statement that the Minister of Finance is guilty of personal bribery, and that he has refused to answer certain questions which would have elucidated the charge.

Mr. FIELDING. So that there may be no misunderstanding will the hon. gentleman (Mr. Lennox) permit me to say : I did not refuse to answer any questions having any relation whatever to the election which was at issue in the court. I was asked questions regarding elections of previous years ; I was advised by my counsel that these questions had nothing to do with the issue, and the court so held.

Mr. LENNOX. That is perfectly true, and I was about to bring out that point because I want to be fair to the Minister of Finance for whom I have the greatest personal respect. The inquiry was directed to transactions in the election of 1900, but only for the purpose of establishing that Mr. Farrell was agent of the Minister of Finance at that election, that subsequent to 1900 Mr. Farrell presented an account, and while the Minister of Finance saw good reasons why it should not be paid, he ultimately decided to pay it and in defiance of the law, because it was beyond the time that you could legally pay election expenses. The Minister of Finance then took the position that he would not divulge the items of that account or any particulars in regard to it. If we had the details of that account, it would have gone to the question as to whether or not, in employing the same chief agent in 1904, the minister had in his mind a desire to adopt the unlawful methods pursued in 1900. I will do better, however, by referring very briefly to the actual records before the court and the evidence and let the House and the country decide as to whether it is a happy spectacle to find the Minister of Finance in the position in which we find him and whether it is not the most glaring instance of the necessity of amending the law and of the duty particularly laid upon the government to amend the law so that such a failure of justice shall not occur again.

Turning to the factum presented by the petitioner, I find this statement, as taken from the records, as to the ground on which the petition was presented. Sections 23 and 24 of these pleadings set forth :

> That before, during and after the said elections of 1900 the respondent was guilty of bribery, treating and other corrupt practices within the meaning of the Dominion Elections Act, 1900, and the Acts in amendment thereof.

And in the next section that :

> After the said election of 1900 the respondent paid money. . . in discharge or repayment of money wholly or in part expended in bribery and corrupt practices at said election of 1900.

It goes on then to allege that :

> At the trial the examination in aid of discovery of the respondent was put in evidence and it appeared from such evidence that on said examination the respondent admitted that after the election of 1900 he paid some election bills which he had not authorized and that the respondent on such examination refused to answer as to whom he had paid these bills to, or what they were for, or the amount of them....

Now, Sir, we have this, as a result in connection with the election of 1900, Mr. Farrell, in a way which the minister refused to disclose, expended money which the minister first refused to repay. That the same chief agent of the minister was again employed and expended large sums of money in 1904, from a source which is undisclosed, establishing evidence of a system, as was contended by the counsel for the petitioner, and that with the knowledge of the wrong-doing of 1900 the minister secured the services of the same chief agent again in 1904.

Now, having referred to what was in issue, I shall refer to the attitude of the minister in reference to these disclosures :

> Q. After the election of 1900 would you tell me whether you received or were called upon for any unpaid election bills ?
>
> (Objected to on the ground that all the charges in connection with the 1900 election had been struck out of the petition.)
>
> Mr. RITCHIE.—The ground is to show a system. The same gentleman supported Mr. Fielding in 1904 as in 1900.

And the chief agent was a gentleman whom my hon. friend saw fit to laud today as being one of the whitest men he had ever known.

Mr. FIELDING. Hear, hear.

Mr. LENNOX. I will show something about that presently.

His Lordship. I will allow the question.

His lordship says he will allow the question for the purpose of showing the system, and mark the adroit way in which the minister answers it—and it is not a very full, complete or satisfactory way :

A. Adopting His Lordship's ruling if bills were paid on the eve of the election having relation to the former election, they might have a corrupt influence on this one, and answering it in that way no such bills were paid.

Bills were paid, the minister afterwards admitted it. He will not tell the amount, but that is the first answer, saying that he adopts the ruling of the judge that no such bills were paid.

Mr. FIELDING. That is not the point. The ruling of the judge was that if it could be shown that if the bills in question were paid on the eve of the second election, they might be held to have connection with the previous election ; and I said that I would accept that view of His Lordship, and say they were not paid on the eve of the second election or anywhere near it.

Mr. LENNOX. I accept that as what the minister believes it to be, but that is not what is on record, and by the record I will have to go. The record is:—

Q. After the election of 1900 would you tell me whether you received or were called upon for any unpaid election bills ?

(Objected to on the ground that all the charges in connection with the 1900 election had been struck out of he petition.)

Mr. Ritchie—The ground is to show a system. The same man supported Mr. Fielding in 1904 as in 1900.

His Lordship—I will allow the question.

His Lordship does not allow it on any ground but on the ground mentioned as showing the system. Then my hon. friend makes the adroit answer I have referred to. Proceeding :

Q. Did you, after the election of 1900 receive any unpaid election bills ?—A. I refuse to answer the question.

Q. Did you within a few months after the election of 1900 receive any bills for election expenses ?

(Objected to.)

A. I have no recollection of the particular time of receiving them. I did receive some bills, but not at any time in relation to the following election. I did receive bills soon after the election of 1900. It was represented that the bills were unpaid and I was asked to pay them. I had never authorized them but I reluctantly paid them. That was years before this election.

Q. Who presented them to you ?

(Objected to on the ground that it was put in the petition but was struck out on the ground that it was entirely foreign to the election now in question.

Mr. FIELDING.

Mr. Ritchie says he tendered it as evidence of a system.)

A. Under the advice of counsel I refuse to answer.

(His Lordship to Mr. Ritchie—Confine yourself to the time of payment.)

Q. When did you pay them ?—A. I paid them shortly after the election. It would be at least two or three years before the last election. I think the bills were presented in 1901 and arranged in 1901 or 1902.

Q. How many bills were presented to you ? —A. On the advice of counsel I refuse to answer that question.

His Lordship—I do not supppoe I am in a position to do anything except to report to the court.

Q. How much did you pay ?—A. Under the advice of counsel I decline to answer.

Q. How many separate bills were sent to you?—A. Under the advice of counsel I decline to answer.

Q. Who made these claims upon you?—A. Under the advice of counsel I decline to answer.

Q. Were any of these claims made by any of the persons whose names you have mentioned as supporters of yours at the election of 1904 ?—A. Under the advice of counsel I decline to answer.

Q. You decline to give any information in regard to the amount of money that was actually paid by you for illegitimate expenditures in the campaign of 1900 ?—A. The use of the word ' illegitimate ' is improper.

Q. You decline to state what amount of money you personally paid after the election of 1900 for illegal and unauthorized expenditures at that election ? (Form of question objected to.)

Q. Do you decline to state what amount of money you personally expended after the election of 1900 for unauthorized expenditures on your behalf at that election ?—A.Under the advice of counsel I decline to answer any questions except those already placed on record about the previous election.

Q. I understand you to have said you did make payments—A. I stated that certain representations were made to me that money was due. I did not authorize them and was reluctant to pay them, but decided after consideration to pay them, which I did.

Q. You won't tell us what they were for ? A. My answer is the same as previously.

Q. What was the amount ?—A. Under the advice of counsel I adhere to my answer.

Q. Who made the demand on you?—A. I adhere to my answer.

Q. You won't give us an idea of the amount? —A. I adhere to my answer.

Q. You won't give us any inkling as to the persons to whom payment was made ?—A. I adhere to my answer.

Q. Tell me whether you received any bills for 1904 ?—A. I have received some bills for 1904.

Q. From whom?—A. I could not from memory tell you. I made returns to the agent.

Q. I do not mean these, I suppose it is not the time yet for you to have any other bills sent in ?—A. That is not the question.

Mr. RITCHIE. I propose to ask if the persons who sent these bills were among the list of the men whom he named as active supporters.

His LORDSHIP. I think that would be legitimate

Hon. Mr. DRYSDALE. I have instructed him not to answer.

Q. Having heard the judge do you decline to answer ?—A. Under the advice of counsel I decline to answer.

That is the position the hon. gentleman took.

Mr. FIELDING. Did my hon. friend never pay any bills after election ? Let him that is without sin cast the first stone.

Mr. LENNOX. I do not know what I would do if they came in late. I do not recollect that any did come in late, as a matter of fact ; but I can tell the hon. gentleman that I never paid or had knowledge of the payment in any election of any one dollar or cent for illegitimate and illegal expenses.

Mr. BERGERON. You would have been able to answer.

Mr. LENNOX. Yes, I would have answered all right. The position I take is this that the hon. minister knows whether they were legitimate expenses or not. It was in his power to clear that up, but the minister had the right to refuse under the law —a law I admit and deplore. He took that position and stuck to it and that is the position in which he is to-day.

Mr. FIELDING. My electors seem to have been well pleased with it.

Mr. BERGERON. We have no answer in the trial.

Mr. FIELDING. My hon. friend has the answer of the court on a matter of personal bribery.

Mr. LENNOX. The answer of the court is this, that in the absence of any right to go into this, there was no evidence about it.

Mr. FIELDING. The court did not say in the absence of any evidence, but denied the right to go into it.

Mr. LENNOX. I understand exactly the stand taken by my hon. friend. He took the position that the court had no right to inquire into the facts. He did not ask the court to go into the facts and clear him of the slightest imputation if he was innocent, but he refused to allow the facts to be gone into and consequently allowed that imputation to rest on him for all time to come. That is the position in which he stands to-day. I want to say a word about Mr. Farrell, and I do not think I can do better than quote the language used by my hon. friend at a meeting in Halifax on November 2nd, 1907 and reported in the columns of the Halifax 'Chronicle'. There was a reception in the Masonic Hall and a grand time on the 1st of November. My hon. friend the Minister of Finance was there and spoke with his usual eloquence, and he made use of one terse, concise phrase which I wish to quote. 'The Chronicle' says:—

He paid a well deserved tribute to Mr. Farrell, M.P., than whom, he said, we never found a more loyal co-worker, never a cleaner, whiter public man.

Now we have the record of Mr. Farrell and we know his career. We know that he was the chief agent of the Minister of Finance in 1900. We know that he was the disburser of the election funds at that time. He was not the authorized disburser of funds, because he was not the legal agent, but he was the man who through whom percolated that portion of it which did not appear in the election returns. He went to the Minister of Finance and made a demand for how much we do not know, but probably much more than $500 or $600. The minister did not like to pay it but he was held up and did pay it. Mr. Farrell was the man who got it. And if we look backward to what occurred, we must conclude that this gentleman was no whiter in 1900 than he is at present. But we find that in 1904 this gentleman, who was spoken of by the Finance Minister as a man than whom none could be cleaner or whiter, is the man who handed out this $600 of which we have no track and for the corrupt disbursement of which the court set aside the election of my hon. friend. Let me look at this place again. It is terse and concise but I do not know that it was judicious or wise. But there must be a quid pro quo for these things in some form or other, and I am not surprised that my hon. friend was inclined to describe by this phrase the gentleman who had worked well and effectively in the election and whom he described as a co-worker. Mark the phrase 'co-worker.' What does that mean ? They were working hand in hand, with the same common object in view. They were strengthening the moral foundations as the Hon. G. W. Ross used to say in Ontario. Mr. Farrell we know of. We know the nature of his work. We know his object and aims. We know how he disbursed the boodle in this election of my hon. friend, and he is the gentleman whom my hon. friend designates as a co-worker, and we can judge of the position of matters by that description.

I want to refer in closing just to a line or two of the judgment. The judgment was by Mr. Weatherbe, Chief Justice, and by a gentleman of whom we all have some recollection, Mr. Justice Russell. Mr. Justice Russell is out of the tainting atmosphere of politics, but our recollection of him is that he was not colourless while he was here, and we may be right in assuming that he would not go further than the evidence warranted in the case. He gave a pretty clear presentiment of a good many

of the deeds of bribery that occurred in this matter :

The respondent in the present case, in consequence of circumstances that had occurred in connection with a previous election, had given his principal supporter in this country, Mr. Farrell, M.P.P., to understand, long before the election that he would not hold himself responsible for any but legitimate expenses and no doubt intended that his election should be fairly and purely conducted.

That statement may be well founded, but with the knowledge of what occurred in 1900, it is rather marvellous that the hon. gentleman saw fit to employ the same chief agent in the subsequent election.

While the respondent had had correspondence with others, he admits, in answer to the question whether Mr. Farrell was not the principal person with whom he had communicated in regard to the affairs of the county, that while he had corresponded with others, Mr Farrell 'from his position as local member would take prominence.'

He was also the proprietor of a paper which, although not a political paper, was classed as a liberal paper, and respondent is sure that any support Mr. Farrell could give him he did give.

And further on,

It was necessary that he should have some person or persons who should attend to the various matters requiring attention in the course of the campaign. It would not be common sense to assume under the known and well recognized conditions of public life in this country that he intended or desired that the issue of the contest should be left to be determined by the unsolicited and spontaneous action of the electors. He had had several persons, among whom was Mr. Farrell, actively engaged in the previous contest of 1900 and the interview and the admonition, already referred to suggests an inference very obvious, though not of course conslusive, that the intended and expected that Mr. Farrell should exert himself in like manner in any future contest.

Then turning to a few of the cases of bribery which cropped up in the course of the election, we come to this summary from the learned judge :

As these acts done by Tupper have been proved by what I consider sufficient evidence and in themselves must lead to the avoiding of the election it is not necessary that I should examine the evidence in the other cases. I have some doubt whether I. V. Dexter, who bribed Hutt and Craig, has been proved to be an agent of the respondent, and rather incline to the view that he was not. The agency of D. C. Mulhall is not so clear or conclusive as that of Seldon or Tupper, but I incline to consider it sufficient to make the respondent liable for his acts in the bribery of Wolf, Hanson, and Morrison, I doubt if the agency of Freeman is proved who gave a bribe to Keens, or of Locks, who hired teams (or a team?) from Hall for use on the day of the election.

Now, let me give an extract or two from the judgment of Chief Justice Weatherbe :

Now, I think with regard to this question of agency we are well within the authorities of the ablest judges.

In the case before us there is no other crucial point.

If Farrell, Seldon, Tupper and Mulhall and possibly some others mentioned, were not agents, the respondent had no agents in a most important district.

He left those men prominent, active, experienced and full of resources to manage the election in his absence.

Very full of resources they appear to be.

He was long enough in the country—about ten days, I think—to take in the situation. And I suppose no one can say that his election was quite sure. He must have known that much depended on his old and more recently tried friends.

If he were not depending on these men, on whom could he depend ? He was not depending in vain on their activity. The respondent most frankly admits to the fullest extent that he did depend on them—he put himself in their hands.

I think if Mr. Justice Armour in the Cornwall case (1 Hodgins 803) or in the North Ontario case (1 Hodgins 785) had had the evidence now before us for consideration in determining whether these four men at least were not agents within the law relating to elections, it is quite evident by his language that he would not have thought it necessary to elaborate reasons. . . . .

With respect to the unlawful use of money—most of which was suddenly produced within a week of the polling day from the hands of Farrell—between five and six hundred dollars—what can be said ?

The proof is clear that it was used, as it was intended to be used on the election.

The Farrell fund in addition to what was otherwise used or that disappeared and of which not the slightest trace on record remains, was about $600. This seems to have been absorbed among a population of about 600—an average of a dollar per head.

Mr. A. K. MACLEAN. Will the hon. gentleman (Mr. Lennox) allow me to ask him a question ? Is he able to find any evidence which will sustain that finding of Chief Justice Weatherbe—that last portion which he has just read ?

Mr. LENNOX. I think I read evidence this afternoon that sustained it. If my hon. friend (Mr. A. K. Maclean) thinks that evidence is not sufficient, I can say that I am quite clear that I came upon abundant evidence to sustain it in going through the documents. I have finished with the matter, and I am in judgment of the House as the Minister of Finance is in the judgment of the country.

Mr. FIELDING. I have had judgment passed.

Mr. LENNOX. The hon. gentleman (Mr. Fielding) has had judgment to the effect that the man whom he had in charge of his elections in 1900 was the same man whom he left in charge of it in 1904, and that man was proven guilty of distribut-

ing money for illegal and corrupt purposes. And with the knowledge that he selected that man for such a position he has the hardihood—and having that hardihood, it is no wonder that he interrupts me now—to describe Mr. E. M. Farrell as one; 'than whom he never found a more loyal co-worker, never a cleaner, whiter public man.'

Mr. ALEXANDER JOHNSTON (South Cape Breton). Mr. Speaker, it is not my intention to detain you and this honourable House at great length this evening. I would not have been induced to participate in this discussion at all, were it not that certain events of the past year with which I have been somewhat connected have been referred to in this debate, as they were in the debate of yesterday. The observations of the leader of the opposition (Mr. R. L. Borden) this afternoon in support of the present motion, and his observations in support of his resolution yesterday were founded largely upon the events in the election in Queen's and Shelburne last October, in which my hon. friend the Minister of Finance was returned. There are some facts in connection with that election which must be known to the leader of the opposition, but which that hon. gentleman, no doubt for reasons satisfactory to himself, did not give to the House either in his speech of to-day or his speech of yesterday. It will be my privilege to state certain of those facts for the benefit of the friends of the leader of the opposition. I think they should be in possession of certain information which he did not seem disposed to give them. My hon. friend from South Simcoe (Mr. Lennox), towards the close of his observations had a good deal to say in regard to the election trial which resulted in the unseating of my hon. friend the Minister of Finance. The leader of the opposition also had a good deal to say about that judgment. But, for some reason, the leader of the opposition did not feel disposed to make known to this House certain features of that judgment, and the hon. member for South Simcoe (Mr. Lennox), taking his cue no doubt, from his leader also refrained from disclosing these features of the judgment referred to. I call the attention of the leader of the opposition to this judgment. He has it in his desk. I should be glad if he would produce it and read the very first paragraph of Chief Justice Weatherbe, which exonerates absolutely the Minister of Finance. Why did the leader of the opposition withhold from this House the opening paragraph of this judgment? For some time we have been accustomed to hear my hon. friend (Mr. R. L. Borden) spoken of in this House and in this country as being eminently fair. But, if he desires to maintain his reputation for fairness, he must not continue to pursue such tactics as those which he has adopted this afternoon. If he desires to maintain any reputation for fairness he must see to it that he not only produces all the facts to suit himself, but he must produce the facts as they are, and not any garbled version of the judgment of the court. This House and the country are entitled to the whole facts, and my hon. friend this afternoon saw fit to withhold the facts. For what purpose? Evidently not for the purpose of being fair, and in withholding the opening paragraph of that judgment of Mr. Justice Weatherbe which distinctly exonerates my hon. friend the Minister of Finance, he was not pursuing tactics which will add to his reputation for fairness.

Mr. R. L. BORDEN. In what way does any other part of the judgment qualify anything that I read?

Mr. JOHNSTON. My hon. friend was careful to select from the judgment certain paragraphs that he thought would answer his own purpose, and to omit those which were distinctly favourable to my hon. friend the Minister of Finance.

Mr. R. L. BORDEN. In what way, I say, does any other part of the judgment qualify what I have read?

Mr. JOHNSTON. I do not say that it qualifies it in any way, but I want to get at the real facts which this House and this country are entitled to know.

Mr. R. L. BORDEN. Was I bound to read all the evidence, too?

Mr. JOHNSTON. I do not know that my hon. friend was bound to read all the evidence, but I do say that if he had been careful to maintain the reputation for fairness which some people in this country thinks he has, he might have felt constrained to read some portions of the evidence which he saw fit not to read.

Mr. BOYCE. What are they?

Mr. JOHNSTON. Well, my hon. friend from West Algoma (Mr. Boyce) must not expect too much. I will send him a copy of the evidence; it is easily available.

Mr. BOYCE. You read it, I don't want to.

Mr. JOHNSTON. Now so much for that.

Mr. BARKER. Why don't you read it?

Mr. JOHNSTON. I will since my hon. friend is so anxious. The opening paragraph of Mr. Justice Weatherbe's judgment is as follows:

> What impresses a judge with the hardship of the position of a respondent who strives to serve his country during the best years of his life, in parliament, and who is guided by the instincts of a statesman, is that he has to suffer for the illegal conduct of mere politicians.

Absoultely exonerating the Minister of Finance in that connection. I say it was only fair that that paragraph should have

been read by the hon. gentleman as well as the others that he chose to read for his own purpose. I need not dwell further upon this judgment. The people of Nova Scotia have given their verdict and they have spoken in no uncertain terms. They knew all the facts that have been mentioned here to-day, and they, who were the people most interested, have given their verdict upon them. I am sure, however, that their verdict was not quite palatable to my hon. friend the leader of the opposition, but it was entirely favourable to my hon. friend the Minister of Finance. Now, the Conservative party on that occasion had their candidate in the county of Queen's and Shelburne, and reference has been made to certain observations of his this afternoon. My hon. friend from Simcoe (Mr. Lennox) read a letter from Dr. Weldon, which purports to be an answer to certain observations made by myself on the 26th day of November last in this House. This letter is addressed to the hon. the leader of the opposition, who of course did not see fit, very properly so, to bring this letter to the notice of the House, because he recognized in this letter not a denial of the statement I made on the 26th of November, but a distinct confirmation of the position I then took. If the House will permit me I will read a paragraph of my speech on the 26th of November. What I said was this :

Mr. SPEAKER. The hon. gentleman can only read it by consent of the House, as it forms part of a previous debate of this session.

Mr. JOHNSTON. I realize that I am somewhat out of order, but in order to make my position better understood I think it is only fair that I should read the paragraph.

Mr. FIELDING. There is also this position to be considered, that the hon. member for South Simcoe read a letter for the purpose of contradicting an hon. gentleman, and I certainly think my hon. friend has a right to reply.

Mr. R. L. BORDEN. Nobody is objecting.

Mr. JOHNSTON. In the course of my speech I said this :

Dr. Weldon was a candidate in 1896 and in 1900. He was not a candidate in 1904, but he was closely identified with the Conservative party, and it is a fair presumption that he knew well the history of the Conservative party in that province. In the recent contest in Queen's and Shelburne he was giving to the electors some sidelights on the history of the Conservative party. He told the electors of that county over and over again that he was asked in 1904 to become the candidate of the Conservative party in one of the constituencies in Nova Scotia. He said he was waited upon by the leaders of the Conservative party in the city and county of Halifax who were running my hon. friend the leader of the opposition as their candidate, and asked him, Dr. Weldon, to become their candidate. We do not know where he was to become their candidate, we only know that he was asked by the leaders of the Conservative party in the city of Halifax who were running the leader of the opposition as their candidate, to stand for one of the counties and he says that the proposition he made to them was this : If I become your candidate will you consent to run a pure and clean election in the constituency ? They instantly told him that they would not, and the moment they told him that they would not, he refused to become their candidate.

That was the statement I made.

Mr. BARKER. Does the hon. gentleman mean to assert that all this is confirmed by the letter of Dr. Weldon?

Mr. JOHNSTON. I certainly do, and I shall be able to satisfy the hon. member for Hamilton, difficult proposition as it may be. I think I shall be able to satisfy even him that the statement I made on the 26th November last is absolutely borne out by the testimony of Dr. Weldon himself, as given to this House by the hon. member for South Simcoe. I shall take up the letter and read it for the information of the hon. member for Hamilton. I am quite satisfied that every other hon. gentleman on the other side of the House is already convinced that what I say is correct, and therefore I will devote my attention exclusively to the hon. member for Hamilton. Here is the letter of Dr. Weldon :

Halifax, December 1, 1906.

Dear Mr. Borden,—Your letter of the 28th ultimo just to hand, with 'Hansard' inclosed. If the matter referred to should again come before the House I should like some one to read the subscribed statement.

The 'Hansard' of November 26th reports Mr. Johnston, page 166, as saying that in the recent Shelburne-Queen's campaign Dr. Weldon declared that in 1904 he had declined a party nomination in a Nova Scotia constituency because the party leaders would not agree to run a clean election.

My statement in reference to that tender of a nomination in 1904 was that I asked my party to give me a free hand in making an agreement with the government candidate in the county whereby we would both bind ourselves and our friends to run a clean election.

I direct especially the attention of my hon. friend from Hamilton to the paragraph that follows :

My party friends thought my plan impracticable——

Mr. BOYCE. Why ? Go on.

Mr. JOHNSTON. I am going on.

My party friends thought my plan impracticable for the reason that the bargain would not be kept by our opponents.

Mr. BOYCE. What a difference a comma makes !

Mr. JOHNSTON. The hon. member for Algoma West and the hon. member for Hamilton are the only members of the opposition who are not satisfied that my statement is correct. I am absolutely satisfied that they shall extract all the comfort they can out of this letter, but by the time I am through very little comfort will be theirs. Let me repeat:

My party friends thought my plan impracticable for the reason that the bargain would not be kept by our opponents. Therefore, I decline to accept.

Mr. BOYCE. Therefore——

Mr. JOHNSTON. 'Therefore I declined to accept.' Why? Why was it that Dr. Weldon did not accept the Conservative nomination in 1904? For the simple reason that his friends, the Conservative leaders, who desired him to become a candidate, would not pledge themselves to stand behind him and run a clean election. Surely there can be no question about that? But let us, for the sake of charity, put the other construction upon it. Let us put the construction upon it that our hon. friends opposite are only desirous of running a clean election when their opponents run a clean election. Do I understand that to be the policy of hon. gentlemen opposite? Do I understand that to be the policy of the hon. leader of the opposition (Mr. R. L. Borden), who stood up this afternoon and delivered a homily on the purity of elections? Do we in this House and in this country understand that the policy of the leader of the opposition is to run a clean election only when his opponents run a clean election? I take it that, in view of the fact that he put forth this letter this afternoon as a defence of his position, it is a fair presumption that his policy is to run a clean election when he is satisfied his opponents are running a clean election. But if my hon. friend has any idea that his opponents are not conducting a clean election, then, of course, he will not feel himself bound to run a clean election. That is the position taken by hon. gentlemen opposite. It is well you should understand the position taken by my hon. friend from Hamilton. There should be no question whatever as to his position in regard to this matter, and in view of the fact that this letter was submitted as a piece of testimony to this House and this country this afternoon, there surely can be no doubt as to the policy also of the hon. leader of the opposition. I have read this letter in order to show that Dr. Weldon does not seek to get away from the position that I took in this House on the 26th November last.

Mr. BOYCE. Does the hon. gentleman understand Dr. Weldon's letter as acceding to the proposition laid down by the hon. gentleman in his speech, and as having been written for that purpose?

Mr. JOHNSTON. Nobody who understands the English language, or is capable in the slightest degree of analysing what that letter contains, can put any other construction upon it.

Mr. BOYCE. Does the hon. gentleman say that Dr. Weldon's letter appears to have been written for the purpose of endorsing the hon. gentleman's speech?

Mr. JOHNSTON. The purpose for which the letter of Dr. Weldon is written, I am bound to say, is not known to me, for the reason that the hon. leader of the opposition has chosen not to give to this House and the country the letter that he addressed to Dr. Weldon on the 28th November.

Mr. R. L. BORDEN. I beg my hon. friend's pardon. The letter asked me to have that statement read in the House if the matter should be referred to again. This is the first occasion upon which it has been referred to.

Mr. JOHNSTON. I am content that my hon. friends should applaud a statement of that kind, but all I can say is that we are denied the privilege of knowing what the intention of Dr. Weldon was in writing this letter by reason of the fact that the hon. leader of the opposition wrote to Dr. Weldon on the 28th day of November last, presumably asking for this letter, but the hon. leader of the opposition has not seen fit to inform this House or the country as to what the exact terms of his letter were.

Mr. R. L. BORDEN. What letter are you referring to?

Mr. JOHNSTON. I am referring to the letter which the hon. leader of the opposition addressed to Dr. Weldon on the 28th November last.

Mr. R. L. BORDEN. Is my hon. friend curious about that?

Mr. JOHNSTON. Well, I am not; but the point has been raised by the hon. member for Algoma. He is curious to ascertain what Dr. Weldon's idea was in writing this letter. Now, I am bound to say to the hon. member for Algoma that I am not in a position to unfold to him what Dr. Weldon had in his mind when he wrote this letter.

Mr. R. L. BORDEN. I merely sent the 'Hansard' to Dr. Weldon, and asked him if he had any observations to make about the statement which the hon. gentleman had made in the House, and in reply to that he sent me that letter.

Mr. JOHNSTON. That is quite proper. We are getting further information all along. It would have been rather interesting to complete the transaction and have

the whole of the correspondence given to us. The hon. member for Algoma would then have known what prompted Dr. Weldon to write this letter, and he would have been able to understand what influenced him in regard to it.

Mr. BOYCE. I did not ask for that.

Mr. JOHNSTON. But I was going to depart from that letter for a moment, and submit to this House further testimony in regard to this matter. The hon. member for Lunenburg and myself took part in the campaign in Queen's-Shelburne. We attended all, or nearly all, of the meetings addressed by Dr. Weldon in that campaign, and both my hon. friend from Lunenburg and myself have a very distinct recollection of the utterances of Dr. Weldon at the various meetings at which he spoke. If my hon. friends opposite have any doubt whatsoever that Dr. Weldon, over and over again, at various meetings, made this statement, without any qualification whatever, that he had been waited upon by the leaders of the Conservative party of the city of Halifax and asked to become a candidate on that occasion, that he had submitted to them a proposition that the only condition upon which he would become a candidate was that they should run a clean election, with the further statement that these same leaders of the Conservative party of the city of Halifax declined to accept this proposition, and that therefore he declined to become a candidate, I want to say to my hon. friends opposite, one and all, that there are hundreds of people in Queen's-Shelburne, whose testimony is well worth receiving in this connection, and whose testimony is that on more than one occasion Dr. Weldon used that language, and used stronger language than that which I have used in this House. It is too late for Dr. Weldon, it is too late for the leader of the opposition, it is too late for hon. gentlemen opposite, to come forward now with any half-hearted denial; and that is the best construction that can be put on Dr. Weldon's letter.

Mr. BOYCE. Does my hon. friend understand that Dr. Weldon is denying the episode now?

Mr. JOHNSTON. I consider he is not denying it.

Mr. BOYCE. You call it a half-hearted denial.

Mr. JOHNSTON. It is that.

Mr. BOYCE. And a moment ago the hon. gentleman stated that Dr. Weldon endorsed the position.

Mr. JOHNSTON. Dr. Weldon does certainly, unintentionally perhaps, for I do not suppose that Dr. Weldon was asked to furnish this letter as a confirmation. He was asked to forward it as a denial, but as a matter of fact the letter turns out to be not a denial but a confirmation of the position he took during that campaign.

Mr. R. L. BORDEN. Does the hon. gentleman say that Dr. Weldon was referring to the nomination for the county of Halifax?

Mr. JOHNSTON. I was careful to say on the 26th of November last, that Dr. Weldon did not give us to understand in which of the constituencies in Nova Scotia he was asked to become a candidate.

Mr. R. L. BORDEN. The hon. gentleman spoke as if the nomination were tendered by the county of Halifax.

Mr. JOHNSTON. No.

Mr. R. L. BORDEN. You did not speak in that sense?

Mr. JOHNSTON. Not at all. Dr. Weldon was explicit on that point. Over and over again he said that the leaders of the Conservative party in the county of Halifax had waited upon him on the eve of the election of 1904 and asked him to become a candidate in one of the Nova Scotia constituencies. At no meeting addressed by him did he make any statement, as to in which constituency they desired him to become a candidate. If Dr. Weldon saw fit to deny the truthfulness of the statement made by me on the 26th of November, he had ample opportunity, but he did not do so. I have here the report of a meeting held at Greenfield in the county of Queen's-Shelburne on the 26th of October last, and Dr. Weldon is reported as follows:

> Dr. Weldon then dealt with purity in elections following the lines of his previous speeches. He created somewhat of a sensation by announcing that just prior to the last election he was waited upon by a number of leading Conservatives in the city of Halifax, including the late John F. Stairs, who pressed him to accept the nomination for a Nova Scotia constituency. Doubtless he referred to Hants. His reply was in effect that if they consented to run a clean election he would accept the nomination. To this proposition, the prominent Tories would not assent and though feeling confident that he would win declined the nomination.

I, as well as my hon. friend from Lunenburg, have a very distinct recollection of the words used by Dr. Weldon at that meeting. He said he looked upon his election as absolutely secure, that he felt satisfied he could win that constituency, but that he would not run in view of the fact that the leaders of his party (naming Mr. John F. Stairs who was a member of this House, at one time the leader of the Conservative party in Nova Scotia, prominent in the councils of the Conservative party in that province) would not consent to his

proposition. That statement was publicly made and Dr. Weldon saw that statement published on the evening of Saturday, 27th of October last. If that paper did not report Dr. Weldon correctly, he had ample opportunity of denying it. But not only did he not deny it, but at meetings subsequent to the publication of that report, he made the same statement over and over again. Surely then, it is too late for hon. members opposite to attempt to create the impression that Dr. Weldon has sought to deny the charge he laid against them upon that occasion, when as a matter of fact his letter does not constitute a denial at all. But there is other testimony——

Mr. BOYCE. Before my hon. friend leaves the subject of that letter, would he kindly allow me to ask him this: He has intimated in one instance that Dr. Weldon's letter is a half-hearted denial, and he has also stated that it is a confirmation; would he make it clear by stating whether his view is that this letter is a denial or a confirmation?

Mr. JOHNSTON. I have already endeavoured to give to the House my view of that letter, and that is, that Dr. Weldon does not for one moment undertake to deny that at several meetings in the county of Queen's-Shelburne, he stated that the leaders of the Conservative party in the city and county of Halifax waited on him on the eve of the general election of 1904, and asked him to become a candidate; that he proposed to them that they should run a clean election before he would accept the candidature, that they refused to agree to his proposition, and that therefore he refused to become their candidate. That is my position, that is the position of my hon. friend from Lunenburg, and that is the position of hundreds and hundreds of electors in the counties of Queen's-Shelburne whose testimony is equally as good as mine, or that of my hon. friend (Mr. Maclean) or that of Dr. Weldon.

Mr. BOYCE. I am exceedingly sorry to have to interrupt my hon. friend again.

Mr. JOHNSTON. It does not make a particle of difference.

Mr. BOYCE. Does my hon. friend say that Dr. Weldon was not making a true statement in that letter?

Mr. JOHNSTON. The letter is here and it speaks for itself.

Mr. BOYCE. The statement of my hon. friend is a little ambiguous.

Mr. JOHNSTON. The letter is a substantial admission of the statement I made in this House.

Mr. BOYCE. My hon. friend called it a half-hearted denial a moment ago.

Mr. JOHNSTON. My hon. friend can call it whatever he will; he may draw whatever comfort he can from the letter, but I submit to any impartial man who understands the English language, that he cannot find one single sentence or word in that letter denying that such a proposition was made by Dr. Weldon and refused. It is almost worth while to read the concluding paragraph of Dr. Weldon's letter:

> My statement in reference to that tender of a nomination in 1904 was that I asked my party to give me a free hand in making an agreement with the government candidate in the county whereby we would both bind ourselves and our friends to run a clean election. My party friends thought my plan impracticable for the reason that the bargain would not be kept by our opponents.

Does Dr. Weldon say in that letter that his party friends approached the other side with a view of ascertaining whether they would do that or not? He does not. He dare not because no such approach was made. His party friends in the city and county of Halifax who were running the leader of the opposition as their candidate would not permit Dr. Weldon to approach the Liberal party to suggest such an agreement as he refers to. Dr. Weldon was regarded in many quarters as the candidate of the Conservative party, in other quarters he was not. I am quite sure that my hon. friends opposite will in their discussion of this matter treat Dr. Weldon as the candidate of the Conservative party. I wonder whether Dr. Weldon has been asked as to whether some other statements that were attributed to him in the campaign were correct or not? For instance, at several of his meetings he was rather severe upon the hon. leader of the opposition (Mr. R. L. Borden); indeed I have a distinct recollection of Dr. Weldon in answer to certain observations of my own, condemning the conduct of the leader of the opposition as being nothing short of disgraceful. Is any hon. gentlemen opposite prepared to deny with equal fervency that Dr. Weldon used that language on that occasion? At several of his meetings which were attended by the hon. member for Lunenburg (Mr. A. K. Maclean) and myself such language was used. It would be interesting to ascertain what my hon. friend from Sault Ste. Marie (Mr. Boyce), for instance, thinks of this charge levelled against the devoted head of the leader of the opposition (Mr. R. L. Borden) during the by-election in Queen's and Shelburne. It would be curious to know what the leader of the opposition (Mr. R. L. Borden) thinks about the charges made against him by Dr. Weldon. In the course of the speeches which he delievered this afternoon and yesterday he did not venture any expression of opinion as to what he thought of his candidate in that by election. He was careful to give us the

opinion of certain other people about the Minister of Finance, including that of a certain Mr. Davidson who was the Conservative organizer in Queen's and Shelburne. The leader of the opposition did not choose to tell us whether Dr. Weldon's estimate of himself during that by-election was a proper and correct estimate. He has not told us whether he wrote Dr. Weldon on the 28th of November last and said: Dr. Weldon, did you say so and so about me?

This debate has turned entirely upon the election in Queen's and Shelburne. It is interesting to note that the leader of the opposition was not in the riding during the course of that by-election. It was his own native province; we were told it was a very important election, that the Minister of Finance should be defeated and his return to this House prevented at all costs. It was open to my hon. friend to go before the electors of Queen's and Shelburne and discuss the questions he has discussed here to-day and yesterday. For reasons of his own he chose not to do so, and I think it would have been well for him, before undertaking to give a one-sided version of the election trial, to have gone down and participated in that election if he thought his case was of sufficient seriousness to take up the attention of the House during this discussion. Yesterday he made certain statements with regard to Mr. Davidson, the organizer of the Conservative party. It is well known that the information furnished to the leader of the opposition in this connection has come from Mr. Davidson, the Conservative organizer, who took a prominent part in that election. I wish to point out the character of the campaign conducted by this gentleman whom the leader of the opposition brings to the notice of the House as a man of sufficient importance to found a debate upon statement made by him. I am sure the people of Canada, after I have made known some of the statements sent out by that organizer, the people of Canada will be capable of drawing a proper conclusion as to the merits of any man who undertakes to stand behind any man who would make such statements as were made on behalf of the Conservative candidate in that election. For instance, it is well known that the fishing industry, especially the lobster industry, is important in that constituency, and efforts were made by our friends on behalf I am quite sure of the leader of the opposition (Mr. R. L. Borden) in their anxiety to secure for him one supporter at least from Nova Scotia, which I have no hesitation in characterizing as probably the most discreditable ever resorted to in Nova Scotia. In the Halifax 'Herald,' a paper which supported the leader of the opposition and upon every occasion asked the electors of Queen's and Shelburne at all hazard to beat the Minister of Finance (Mr. Fielding), resorted to the publication of falsehoods to deceive the fishermen of Queen's and Shelburne. Is that the way in which the leader of the opposition (Mr. R. L. Borden) desires to secure support in this country? A dispatch appeared in the Halifax 'Herald' of the 25th October, dated from Sydney, which reads:

> In response to an urgent telegram from Premier Murray, H. E. Baker, the well-known lobster packer and alleged head of the lobster packers' combine for Nova Scotia, left yesterday for Queen's and Shelburne counties, presumably to do missionary work for the Finance Minister among the fishermen in those counties. The message which Mr. Baker received is said to have contained reference to a certain 'John' as having arrived, and it is believed that this 'John' means the boodle fund.

This is one of the items sent out, and although dated from Sydney it was never sent from there, but was sent from the town of Liverpool and was sent, I say unhesitatingly, by the man who undertakes to furnish the leader of the opposition (Mr. R. L. Borden) with the information upon which he based his speeches of to-day and yesterday. He sent out statements absolutely devoid of the essential element, knowing well that they are thus devoid. But here is another—not dated from Sydney, but from Liverpool, and sent by the same person, this same respectable gentleman who supplies the leader of the opposition with affidavits—and when this House and this country learn the character of the statements sent out by this same gentleman, I think the electorate will hesitate to give any credence even to affidavits which that gentleman places in the hands of the leader of the opposition. Here is what he says:

> Particulars of the scheme for the formation of a big lobster packing combine have just leaked out. It will be remembered that the Department of Marine and Fisheries of late years has been limiting granting licenses to pack lobsters only to a few concerns. This is proving but the thin edge of the wedge. A few large concerns such as H. E. Baker, Cape Breton, Whitman, of Canso, John A. Neville, of Halifax and a large packer in Yarmouth county, have decided to form a combine and induce the government to issue licenses to them only. This means putting the small packers out of business, and permitting the combine to fix the prices to be paid to fishermen. This partially explains the anxiety shown by these packers, to elect Mr. Fielding in Shelburne-Queen's. Harry Baker and John A. Neville are in the county working tooth and nail for Mr. Fielding.

That is one of the gems sent out by Mr. Davidson on the eve of this election in Queen's and Shelburne. I cannot do better than give to the House and the country the denial of Mr. Baker. His words are clear and distinct. His attention having been called to the statement used by the papers of the Conservative party and the leader of

the opposition on the eve of the election he replied as follows :—

The statement in the Halifax 'Herald,' of the 25th inst., that I had left Sydney for Queen's-Shelburne on the 23rd, supposedly for the purpose of doling out boodle, is an absolute falsehood. I was not asked to go to Queen's-Shelburne, have taken no part whatever in the contest there, nor have I been there for over twenty years.

And yet, this furnisher of affidavits sent out this absolutely untrue statement—a statement that he knew to be absolutely untrue—on the eve of the election. And; in the face of this, hon. members of this House are asked by the leader of the opposition to treat seriously information supplied from such a source. Mr. Baker goes on :—

The further statements in the 'Herald,' of the 26th and 27th inst., that I am connected with a 'Lobster Packers' Combine in Nova Scotia.' are equally false, and I hereby agree to pay the 'Herald' one thousand dollars if it can show that I am either directly or indirectly interested in any such combine.

As to my going to Queen's-Shelburne to distribute money for campaign purposes, as insinuated by the 'Herald,' I have only to say that I was never offered in my life any money by either political party for any such purpose nor for any other purpose whatsoever, except once——

And I call the attention of my hon. friend from Hamilton (Mr. Barker)) particularly to this :—

——when a parliament leader of the Conservative party offered me a large sum which I declined to accept.

Of course, the leader of the opposition would never think of entertaining doubts of the excellence of any man who would dole out money for the Conservative party ; but he would regard it as utterly nefarious for any one in the Liberal party to offer any money in an election. If the people are going to take seriously the propositions of the leader of the opposition he must not go about with only one eye open ; he must not see only one side of the shield. The hon. gentleman would do well to look at both sides. I commend to him, as well as to my hon. friend from Hamilton the statement of Mr. Barker :—

If the 'Herald' and the Conservative party in their zealous efforts for pure and clean elections desire to know more about this matter, I will be glad to give it to them publicly or privately under affidavit.

We have indeed fallen into evil ways, when a newspaper, professing to be the exponent of purity and cleanliness, resorts to publishing slander, libel and falsehoods against private individuals and their business in order to create prejudices for party purposes.

The man who goes to the polls and deliberately buys votes has to some degree the courage of the highwayman who knows that he will be punished if detected. Such a man, though vile indeed, is superior to every sense to the newspaper scribe who resorts to such villainous tactics as those recently published in the Halifax 'Herald,' and if the 'Herald' is not a willing party to such tactics, it will not only retract its false statements, but will publish the name of its Liverpool correspondent from whom they are supposed to have emanated.

I have only to say, in that connection, that the 'Herald' knew well that these statements were false. Dr. Weldon the Conservative candidate knew that they were false. And the gentleman who supplied the leader of the opposition with the information upon which he has based two speeches knew that they were false. All these were given ample opportunity to retract and make amends for their slander. And both Dr. Weldon and the informant of the leader of the opposition declined to make amends to the electors of Queen's-Shelburne. Just on the eve of polling when Dr. Weldon was holding the last meeting of the campaign, he was telegraphed the substance of Mr. Baker's denial. He knew that the denial was correct. He was asked before it was too late to make amends, and state to the electors that there was absolutely no foundation for the statements sent out from Liverpool by agents on his behalf. And this man, who came before the electors of Queen's-Shelburne and virtually told them that, of all men on earth he was about the only pure one, yet, though he knew that these falsehoods were being circulated on behalf of himself and his party, and though a telegram was placed in his hands asking him to be fair, to maintain the reputation he had sought to make, and contradict these statements, would you believe it, Mr. Speaker, this gentleman, the candidate of the leader of the opposition absolutely declined to correct the statements though he knew them to be false and to be sent out on behalf of his own party.

Well indeed has it been said that the man who goes out to the polls and buys votes for dollars and cents acts the part of a highwayman. I say, reprehensible as is the conduct of a highwayman, it is not one whit more reprehensible than the conduct of a man who deliberately goes out on the eve of an election and places before the electors slanders, fabrications, absolute lies, in order to secure votes. Now, Sir, the hon. member for South Simcoe and the leader of the opposition are very much alarmed by reason of the fact they have discovered that $600 was spent in the constituency of Queen's and Shelburne. We know that considerable money is being spent in every election held in this country, and I think most members of this House will not regard $600 as a very large amount to conduct an election. I point to the constituency which my hon. friend the leader and I think most members of this House for one or two terms, and I ask him what does he think of his former associates in the city and county of Halifax upon this question of money in elections? Only a

few months ago the leaders in the city and county of Halifax met together to discuss this question—the friends of my hon. friend, who on two occasions had elected him as their representative. I do not know whether the leader of the opposition had written to them to tell them that the sum of $600 was an appalling one to expend in an election, and they must carefully guard against any similar expenditure.

Mr. R. L. BORDEN. I did not make any comment upon it; I simply read what the judge said.

Mr. JOHNSTON. My hon. friend did not intimate that he dissented from the view of the judge.

Mr. R. L. BORDEN. $600 for 600 people seemed to be fairly generous.

Mr. JOHNSTON. So far as the expenditure of $600 among 600 people is concerned, I want to tell the hon. the leader of the opposition that I was one of those who, along with the hon. member for Lunenburg (Mr. A. K. Maclean), went into those districts of Queen's and Shelburne in which this money is supposed to have been expended; there were also with us Dr. Weldon and some of his associates in the by-election. Dr. Weldon was not extremely anxious to discuss the expenditure of this $600 before the people who were immediately concerned and who knew the actual facts. But we did not shrink from a full discussion, and we pointed out to the people that the friends of my hon. friend charged that this money had been expended in Caledonia, the two Brookfields and Kempt, in the former election; and, as was to be expected, they resented the idea that they had been purchased in the general elections of 1904. I say, with some knowledge of the facts, that there is absolutely no ground for the position taken by the leader of the opposition. He has no justification for endeavouring to point out that these people are a purchasable people; and, with some knowledge of them, I desire to resent the imputation that the leader of the opposition has sought to cast upon them.

Now, to return to the question of money. The gentleman who was the colleague of the leader of the opposition in the last election in the city and county of Halifax has been heard from with regard to the money question in elections. He is a factor in the Conservative organization in the city and county of Halifax. A call was sent out to the people by the friends of my hon. friend, and among the gems which are to be found in that circular I wish to cite one or two:

The organizers feel——

That is, the organizers of my hon. friend's party—the friends of my hon. friend's friends.

The organizers feel that unless the financial difficulty referred to can be grappled with and settled no permanent, effective, organization can be built up. There should be a definite, sure and constant fund which could be drawn upon at the right moment for party purposes——

It would be curious to know just what the right moment, in the estimation of these gentlemen, is, whether it is two or three years before an election, or whether it is on the eve of an election.

—and this fund should be allowed to accumulate between elections, if not necessarily expended, so that it will be there when needed.

That is, let this fund accumulate between elections so it will be there when needed—when needed on the eve of an election, of course.

An hon. MEMBER. Who says that?

Mr. JOHNSTON. Well, it is not a hundred years old.

Not a great deal of money is required, and if the burden of providing it be well distributed as to time of payment and number of contributors, that burden need hardly be felt. $5,000 per annum judiciously, and above all, legitimately used, would be ample so the organizers feel to place Halifax within the Conservative ranks as of yore.

$5,000 a year for five years, $25,000—that is what my hon. friend's friends think is required to bring the constituency of the city and county of Halifax within the ranks of the Conservative party once more. I wonder if my hon. friend, who was so alarmed at the expenditure of $600 in the county of Queen's and Shelburne, would have been alarmed had he seen this circular. I am sure that if the hon. member for South Simcoe (Mr. Lennox) had been aware of this circular, he would have shrunk from the task imposed on him this afternoon and have refused to take up a brief against the Finance Minister. I am sure that he would have shrunk from the proposition, set forth in this circular, to spend $25,000 in the county of Halifax in order to bring back the constituency into the fold. He could not have been aware of that circular, or he would have condemned it as roundly as he did his expenditure of $600.

Mr. R. L. BORDEN. The Queen's and Shelburne election would have required $80,000.

Mr. JOHNSTON. That brings us to another phase. We have some testimony as to the money that was available to the friends of the leader of the opposition in the constituency of Queen's and Shelburne in the election of 1904. That testimony does not come from the hon. member for Lunenburg (Mr. Maclean) or myself or any member on this side but from men who are near the leader of the opposition, and whose duty it is night

and day to stand up before the people and proclaim his virtues. I refer to the 'Toronto News' and its correspondent here, who professes to know a great deal about my hon. friend; and I am quite sure he will admit that he has no stauncher advocates in this country during the last few years than that paper and its correspondent in the press gallery. And these people, presumably with some knowledge as to what they were saying, stated that the fund available to the Conservatives in Queen's and Shelburne in 1904 was away in excess of the amount available to the Liberal party in that campaign. I am sure the leader of the opposition has seen that statement. I am sure that, in common with the rest of us, he reads the Toronto 'News' and the articles contributed to it by its bright representative in the press gallery here. When he was declaiming this afternoon about the iniquity of spending money in elections, he did not tell this House and country that it was a most iniquitous performance on the part of his party in 1904 to spend such a large amount in the constituency of Queen's and Shelburne.

Mr. R. L. BORDEN. I did not know they had made any estimate and never heard of it.

Mr. JOHNSTON. Then it will be worth the hon. gentleman's while to read the statement of the 'News' in that regard.

Mr. R. L. BORDEN. Did they make any estimate on behalf of the other side?

Mr. JOHNSTON. They did.

Mr. R. L. BORDEN. How much?

Mr. JOHNSTON. I have not the exact figures.

Mr. R. L. BORDEN. Better look that up.

Mr. JOHNSTON. I make this statement now, and challenge contradiction, that the 'News' declared that the fund which belonged to the Conservative party in Queen's and Shelburne in 1904 was away in excess of the fund available to the Liberal party.

Mr. R. L. BORDEN. What is the date of the paper?

Mr. JOHNSTON. That also I do not know.

Mr. R. L. BORDEN. You do not seem to know much about it.

Mr. JOHNSTON. I know this much about it. I assert most positively that the statement I am making is correct. I had not intended to refer to it at all because it had completely escaped my observation until the question of the expenditure of money in Queen's and Shelburne was raised in the shape of an interruption by the leader of the opposition. I thank him for the interruption because it has enabled me to place before the people the facts, and surely the newspaper which made that statement and is so doughty a champion of my hon. friend must certainly have had some knowledge of what he was doing in that campaign.

I have spoken at greater length than I intended. I had intended to refer to the fact that in the course of his speech this afternoon my hon. friend the leader of the opposition seemed to have very clearly and distinctly before his mind the opinion that during the last eight or ten years electoral corruption has existed in this country. But most hon. members, not particularly on this side of the House but on his own side as well, were somewhat surprised that his memory seemed incapable of going back beyond the comparatively short space of eight or ten years. One would have supposed that the hon. gentleman (Mr. R. L. Borden), with his well known knowledge of public matters, would have been competent to throw his memory back somewhat beyond that period; and I would say to him that when he undertakes to suggest measures for the reform of elections and the manner in which they should be conducted, it will not do for him, if he wants to make any impression on the country, to shut his eyes to what for years took place in the ranks of his own party. It will not do for him to say that during the last eight or ten years only has this country been growing in wickedness and corruption in the conduct of elections. Any body who takes the trouble to inquire will know well that if any corruption has existed during the last eight or ten years, it is of a very kindergarten variety as compared with that which existed in 1896 and in the days when my hon. friend's party were in control of the affairs of this country. If my hon. friend desires to institute reforms, if he is really in earnest, it will be well for him to stand up and say that not only has corruption existed in the ranks of the Liberal party but that, he is in possession of information which convinces him that corruption exists in the ranks of his own party. Surely he will not contend that the corruption which existed in the ranks of the Liberal party during the last eight or ten years is of a more grave character than that which exists in the ranks of the party of which he is the representative to-day. When the hon. gentleman spoke on the 26th November last, I made some observations regarding this subject. I pointed out that in the ranks of the party, to which he did not belong at the time, corruption on the most gigantic scale existed. Of that there can be no question. I desire to call the attention of this House and country to what will be regarded as somewhat of an omission on his part. I am quite sure that if he had reflected, he would not have confined his speech this afternoon to a review of the political history of the last eight or ten years. If he had recollected carefully he would have reached the conclusion that it would have

been well for him, in order to appear before this country as a big and fair man, to have gone back and seen what it was that his own party stood sponsor for. I direct your attention to the fact that in the session of 1900 this question was before the House and before the country. I am going to direct your attention for a moment to the observations made, not by a man who was fighting the battles of the Liberal party on that occasion, but by a man who was fighting the battles of the leader of the opposition who had proposed a resolution in regard to that question. I am going to give for the benefit of this House and this country, and more particularly for the benefit of the hon. member for Hamilton these observations. This gentleman said :

Mr. Speaker, in discussing this matter I propose to be perfectly frank. I took a prominent part in denouncing the corruption that was practised by the Conservatives, and to be consistent I do not propose to-night to defend corruption that has been proved to have been practised by the Liberals. After the Winnipeg frauds, came the frauds practised in the electoral division represented by my hon. friend from Macdonald (Mr. Rutherford). I think, Sir, that the history of political corruption would be searched in vain—even if the Pritchett affidavit in regard to Brockville is correct—for a parallel to the scoundrelism and scalla-waggery that was practised in the electoral division of Macdonald.

That was practised by a party of which the hon. leader of the opposition is the recognized leader in this House and yet with the knowledge that he must have had of what had taken place so short a time ago he did see fit to endeavour to convey the impression that the Liberal party was the only one which was corrupt. This is not the testimony of anybody on this side of the House but it is the testimony of one who was assisting my hon. friend on that occasion in supporting his resolution :

We had there a man named Freeborn, who came to Manitoba recommended by no less a personage than Mr. Robert Birmingham, the organizer of the Conservative party at that time. I myself had in my possession for a year or more a telegram furnished me by the counsel for the prosecution, signed by Robert Birmingham, saying that Freeborn was a good man in North Bruce, or that he did good work in North Bruce. I am not exactly sure of the words. But we had this man Freeborn there, who, like Pritchett, turned Queen's evidence and he exposed an amount of fraud that was simply appalling. We had card sharpers sent into that constituency hired in Winnipeg, for the purpose of destroying ballot and manipulating ballots. I think 15 or 20 arrests were made in that connection.

This is a statement made by the hon. member who represented the constituency of Lisgar on that occasion. This speech, as I have said, was the speech not of any of our friends, but the speech of a friend of the hon. leader of the opposition. On a former occasion, when I was addressing this House, I made mention in connection with Freeborn of a circular which was issued to the people of this country and the hon. member for Hamilton (Mr. Barker) undertook to say that the statements made by Mr. Richardson were denied. I say, Mr. Speaker, that these statements have never been successfully denied up to this hour and that the only denial of the Freeborn circular which I will not waste the time of the House in reading as I do not suppose that my hon. friends are anxious to hear it——

Mr. CAMPBELL. Read it.

Mr. JOHNSTON. Well, I will. Here is circular of this man Freeborn, which a friend of my hon. friend the leader of the opposition has submitted for the consideration of this House :

We have the printing of the ballots, therefore a sufficient number should be printed extra to enable the deputy returning officer to have them marked for our candidate and ready to use after the count to replace those read out wrongly to the scrutineers. Or the deputy returning officer can have them marked and folded in his pocket to slip into the box in place of an opposition ballot if the opportunity happens. This, of course, will occur quite frequently if we have control of both scrutineers.

To get control of both scrutineers have one of our men, not a prominent one, but a supposed kicker, for instance, apply to the opposition to be put on as scrutineer inside. They are generally short of workers—

That is the Liberals are generally short of workers. They were in those days.

—and a few plausible men will turn the election in a close constituency. Or the man can write to their headquarters for scrutineer papers if he lives in the country.

Efforts should be made to make these methods work in wards that give the heaviest opposition vote.

That is in wards that give the heaviest Liberal vote. It was proposed that these efforts should be put forward particularly in those districts.

Having control of both scrutineers, a large vote can be polled—dead and absent voters, &c.——

Yes, the hon. member for Hamilton's long suit was dead or absent voters in those days :

—can have their ballots marked—there is no redress ; both scrutineers were present.

A friendly constable should be present to keep the poll clear of loungers and inquisitive people.

I am not going to dwell upon the merits of this magnificient circular. I will only say that if the hon. member for Hamilton undertakes to point out, as I have no doubt that in the course of this discussion he will, that this circular is not a genuine one, there has never been a successful contra-

diction of the fact that this circular is the genuine article and that it was issued and circulated by the organizer of the Conservative party. My hon. friend will direct my attention to what purports to be a denial from Mr. Wm. J. Tupper of the city of Winnipeg. My hon. friends opposite wrote from Mr. Wm. J. Tupper, of the city of leader of the opposition in the city of Winnipeg and asked him regarding this circular. The leader of the opposition in that day, Sir Charles Tupper, wrote to his son in Winnipeg, in regard to this circular. We have not a copy of that letter before us. We do not know what the terms of the letter sent by Sir Charles Tupper on that occasion to Winnipeg were. We are denied knowledge as to what the terms of this letter were but knowing the old and venerable leader of the Conservative party as we do know him we do not suppose that he wrote to his son in Winnipeg and asked him to expose the whole thing. At any rate this is the denial as some hon. gentlemen opposite desire to call it :

Winnipeg, March 31, 1900.

My dear Father,—I return herewith editorial published in the Almonte 'Gazette' referring to instructions alleged to have been given to the Conservative workers in Manitoba. I never heard of anything of the kind, and I saw Mr. Haggart, Mr. Andrews, Hon. Colin Campbell and Mr. Bonner, all lawyers here who acted in the cases brought against the Conservatives charged with manipulation of the ballots in 1896, and they all informed me they never saw any such letter. If the Grits had had anything of the kind, they could have secured convictions by producing them. Hogue defended most of our men, but he is in Vancouver. However, I am satisfied the thing is a forgery, and never saw the light of day in this province. I had an article written by the editor of the 'Morning Telegram' and sent you a copy of the paper yesterday.

Your loving son,
(Signed) WM. J. TUPPER.

My hon. friends opposite must not suppose for one moment that anybody in this House expects William J. Tupper, son of the leader of the Conservative party to write down to the leader here and say : Yes, it is quite true that that circular was issued. On the contrary, I am bound to place the letter written on that occasion by Mr. Tupper very largely in the same column in which I placed the letter of Dr. Weldon this afternoon. If it is a denial of the facts set out by Mr. Richardson to this House, it certainly is a half hearted denial and I do not think that even my hon. friend (Mr. Boyce) will characterize this letter of Dr. Weldon as a very strong denial. There is abundant evidence that corruption has existed within the ranks of the party led by my hon. friend opposite. I merely want to point out to the House and to the country, that if the leader of the opposition sincerely desires that our election laws should be reformed, he should look at both sides of the picture and recognize, that while corruption may have existed within the ranks of the Liberal party, the record of his own party in that respect is worthy of his attention. During the course of his whole speech, the leader of the opposition did not see fit to mention that his party is not one whit better than the Liberal party. It was his duty to the country, to state that in order to bring about purity in elections, we have to recognize that corruption has to some extent existed in both political parties. So far as I am concerned I state frankly, that I am as anxious as any one can possibly be that our elections should be conducted purely and honestly ; and personally I have always endeavoured to do my utmost to see that my own elections were carried on in conformity with our election laws. I go further and I say, that in my opinion, every member of this House, whether sitting on your right or your left, Mr. Speaker, is actuated by a similar desire. When the time comes, the leader of the opposition will find that the Liberal members in this House will not be lacking in their efforts to see that the most perfect election laws shall be placed on the statute-book, and their observance enforced. I repeat, Mr. Speaker, speaking for myself and I am quite sure for those who sit around me, that we are sincerely anxious to have the franchise of this country exercised as becomes the high character of our people.

Mr. GEORGE O. ALCORN (Prince Edward). The hon. gentleman (Mr. Johnston), who has just taken his seat, has performed a feat not unusual with him, of addressing this House for over an hour without saying a single syllable which would properly arise out of the motion before the House. The hon. the leader of the opposition by his motion, has invited the House to affirm, that the present election law of this country is not sufficient to prevent the saturnalia of corruption that has prevailed in the various elections to which he has referred, and he asks that the law be amended with a view to preventing the recurrence of these outrages. The government, in the speech from the Throne at the opening of this session, promised the people of Canada that there should be such a revision and amendment of our election law. The Minister of Finance has this afternoon expressed the concurrence of the government in the necessity for that revision, and the wonder is therefore, that he should have instructed his followers to vote down this resolution. If it be true, as all seem to admit, that our election law needs revision and amendment, then the Minister of Finance should have instructed his followers to vote for his motion and not against. If all the recriminatory charges which the hon. gentleman from Cape Breton (Mr. A. Johnston) has levelled against the Conser-

vative party were actually true, surely that in itself would be unanswerable reason why the motion of the leader of the opposition should be adopted. It is evident from the disclosures made in the courts and in the press, that election frauds and corruption are general throughout the country. In Manitoba we had the thin red line revelations and I shall not refer to the evidence taken before a committee of this House on that matter, further than to say that we have sufficient knowledge of the facts to lead us to the belief that hundreds if not thousands of Conservative voters in Manitoba were deliberately and maliciously deprived of their right to vote. In the province of Saskatchewan, to such a length did corruption go, that the judges having declared their powerlessness to deal with the matter, the legislature in order to clear its own honour, has awarded one of the seats to a provinical rights candidate who was corruptly deprived of it.

In the province of Ontario we have, at long intervals, through the proceedings before the election courts, obtained a lifting of the veil to a very small extent, and we have had very restricted glimpses behind the scenes as to the methods pursued by the Liberal party, or by men in their pay—the fruits of whose work they have accepted, and by that means we have become to some extent informed of the electoral enormities practised on behalf of that party. Before the Privileges and Elections Committee of this House we also had certain revelations. Both in the courts and before that committee the principle was invoked that no person should be allowed to state for whom he had voted in an election brought into question. To my mind, that is a matter that should be dealt with in any election law which is introduced in this House by the government or any one else. I am quite aware that some of the judges of the Supreme Court have expressed very decided opinions to the contrary, but I think no person can view the history of election questions in the courts and before the Privileges and Elections Committees of the legislatures and of this House without being convinced that a revelation by a witness, or a series of witnesses, as to whom they cast their votes for is sometimes absolutely necessary, and is in many cases the only way in which the truth can be evolved.

As has been stated by the hon. leader of the opposition (Mr. R. L. Borden) to-day, were it not for the fact that the Hon. Mr. Whitney and Mr. Foy, his attorney general, have attained control of the administration of the criminal law of the province of Ontario, we would probably still be very much in the dark as to the conduct of the employees of the Liberal party in that province in respect to many elections that have been questioned in the courts in the past.

Fortunately, the Hon. Mr. Whitney is now in control of the administration of that law, and through his efforts and those of his attorney general, we have had lately perhaps the best exposition of the electoral crimes perpetrated in the name and for the benefit of the so-called Liberal party that we have ever had. During the time that the Liberals were in control of Ontario no such revelation was possible, because every attempt made by the Conservative party to probe into the doings of their opponents in that respect was met with failure in the courts of the country, owing to the practice, almost universal, that when a petition was being tried, if the petitioner proved bribery by an agent or perhaps two, with which the candidate was not connected, the candidate would throw up the seat and prevent further disclosures. That is also a matter which might most properly be dealt with by any future legislation with regard to election laws. Through the efforts, as I have said, of Mr. Foy, we have now obtained a body of evidence to which I shall direct the attention of the House for a time, and I think that no hon. gentleman, after a perusal of these pages of that evidence, or after listening to the extracts which I shall read, can say that the charge, as stated in the resolution presented by the leader of the opposition (Mr. R. L. Borden) to-day, is incorrect. While the Liberal party were in power efforts were made from time to time to get at the truth regarding electoral corruption. One was the famous McTavish Commission, which sat in the West Elgin case. I do not think that any person seriously contends that the doings of that commission were intended to ascertain the truth. No person in Ontario, having a knowledge of the facts of the case, first the election trial at which extensive corruption was not only proved but specifically admitted, followed by this commission finding that no such corruption took place, thought this commission ever intended to elicit the truth. Its efforts were confined to a whitewashing of all the parties concerned.

We have obtained through the proceedings before Magistrate Denison in Toronto in connection with the conspiracy charges arising out of the London by-election at which the Minister of Public Works of this government (Hon. C. S. Hyman) was lately returned, the best view and history of electoral methods in Ontario that has been presented, and I shall trouble the House with some rather lengthy extracts from that evidence. I quote from page 344, volume 1, of the evidence, in the testimony of J. G. Pritchett :

Question 5. Do you know the defendants, do you know Mr. O'Gorman the defendant ?—A. I do.

Q. Do you know Mr. Reid ?—A. I do.
Q. Do you know Mr. Mulloy ?—A. I do.
Q. Do you know the other defendants ?—A. I don't know the gentleman between Mr. Mulloy and Mr. O'Gorman.

Hon. gentlemen will notice that all these names are familiar and have been for years familiar in connection with electoral corruption in Ontario.

Q. Did you and the defendant O'Gorman ever work together in connection with any election in any part of this province ?—A. Yes.
Question 18. Where did you meet to arrange matters ?—A. As to the work ?
Q. As to the work ?—A. Well, I met Mr. O'Gorman in London first.
Q. Where else ?—A. In Toronto.
Q. Where would you meet ?—A. At the Walker House.
Q. Where else ?—A. Well, I do not know as I met him anywhere else.
Q. Had he an office here ?—A. Yes.
Q. Did you meet him there ?—A. I went to his office.

At page 348, question 27 :

Q. Who would meet ? You said you would meet in the Walker House ? Where would you meet ?—A. Generally met in the reception room.
Q. That is the Walker House in this city ?—A. Yes.
Q. Who would meet there ?—A. Well, I have met O'Gorman there.
Q. Who else ?—A. Mr. Smith.
Q. What Mr. Smith ?—A. I don't know his initials.
Q. Alexander Smith ?—A. I don't know his initials, he was the Liberal organizer, I think.
Q. Who else you know who you met there ?—A. I met a great many people there.
Q. Who else ?—A. I met Mr. Lewis there.
Q. Mr. Thomas Lewis over there ?—A. Yes.
Q. Do you know the defendant Mulloy ?—A. Yes.

Question 40 :

Q. What others then ?—A. That is all I can remember distinctly or know anything about.
By Mr. Duvernet :
Q. Just tell his worship what the plan of campaign was, who handled the money ?—A. Your worship, have I got to answer those questions ?
His Worship. Yes, you have got to tell the truth.
Witness. I understood that this was an investigation in the Hyman-Gray election, and I know nothing of it.
His Worship. This is not an investigation in the Hyman-Gray election. It is an investigation to investigate the charge of conspiracy between a number of people to affect the elections by bribery and by corruption and setting the laws at defiance, and we want to know the truth, and if you are being used as King's evidence you will be free if you give your evidence as King's evidence. If you make statements that are not true you will be, of course, open to a charge of perjury. You have to tell the truth and not stand on any technicalities.
Q. Who held the money, who was paymaster? —A. To me.
Q. To all of you ?—A. Mr. O'Gorman, as far as I know.
Q. Did you have any doubt about it ?—A. I had none.
Q. Now, what did you meet for ? Just explain to his worship, and I don't want you to hesitate about it, explain to his worship what the system was, and what you arranged ?—A. Well, I don't know hardly how I can.
By His Worship :
Q. Just tell me to the best of your recollection exactly what you arranged to do. You can certainly do that ? A. I am prepared to tell the truth but it covers a lot of ground.
Q. We will cover the ground ? A. If you have any specific matter——
His Worship—Just tell us all you remember about it and then we will go on that which is available in this case. Mr. Duvernet does not wish to lead you as yet, so you can just tell us all you know about it.
By Mr. Duvernet :
Q. What sort of money was paid you ? A. Money of Canada.
Q. What sort of money would be used for bribing voters ? A. Any that I ever handled was Dominion money.
Q Who would get that ? A. The voters.
Q. Who would that be got from ? Who would get that money—who would have that money ? A. Well, I don't know. Any what I ever handled I got from a man named Macdonald, I think his name was.
By His Worship :
Q. Here in Toronto ? A. No, I never handled any here.
Q. Did you ever get any money from O'Gorman ? A. Yes.
Q. You just said this minute all the money you got was from Macdonald. You got it from Macdonald and O'Gorman ? A. This gentleman asked me who I got money to bribe voters. I never got any money from O'Gorman for that.
By Mr. Duvernet :
Q. Was that one of your duties to handle the voters, that is for the money to go to the voters ? A. No, sir.
Q. Whose duty was that ? Who was to have the money for the voters ? A. Well, any that I remember of Mr. Lewis.
Q. Just let us get down to business. Mr. O'Gorman and you used to meet with Mr. Lewis and Mr. Smith and then it was arranged to go out and bribe the electors ?
Mr. Robinette : He doesn't say that.
A. Well, I had nothing to do with bribing.
Q. What was your part, switching ballots ? A. Well, I instructed others to do it.
Q. You instructed others to switch ballots —who were to switch ballots ? A. The deputy returning officers.
Q. Why were they to do that ? Was it cheaper than buying votes ? A. I thought so.
Q. Did you discuss that with Mr. O'Gorman ? A. I might have.
Q. Do you know whether you did or not ? A. I think I did, yes.
Q. Have you any doubt about it ? A. No.
Q. And you would meet before every election and before a number of elections and you discussed the methods of corrupting or depriving the electors of their votes. That is right ? A. If you term it that.
Q. Is there any doubt about it ? Isn't that the way of it ? A. Well yes, it was of course defrauding the voter to a certain extent.
Q. And you met in Toronto ?—A. Yes.

Q. And O'Gorman would be there, Smith would be there Louis would be there and you would be there?—A. Yes.

By His Lordship—You say O'Gorman gave you money ?—A. Yes.

Q. What was that for ?—A. Work and expenses throughout.

Q. That was for your work and expenses ?—A. Yes.

Q. And your business was not the bribing of voters but the switching of votes ?—A. No, I didn't switch votes.

Q. You superintended it or arranged for it. That is what you said ?—A. Yes.

Q. You were paid for doing that work ?—A. Yes.

Q. And O'Gorman gave you the money for doing that work. Have I got that right ?—A. Yes, sir.

By Mr. Duvernet :

Q. How much did he give you ?—A. Various sums.

Q. How much at one time ?—A. I think I received $40 or $50 at one time.

Q. How much at another time?—A. $100.

Q. Now, just explain to His Worship how this was done. As I understand it you and O'Gorman, and Lewis, and Smith would meet either at the Walker House or at O'Gorman's office here before the election ? That is right ?—A. When there was any elections in this end of the province.

Q. Then now just tell His Worship how it was arranged. You would come from where ?—A. London.

Q. And you would meet here ?—A. Yes.

Q. And Lewis would come from London ?—A. Yes.

Q. Then this plan would be arranged. Now, you told me a little while ago that there were two methods you had, methods of paying voters. That is right ?—A. Yes.

Q. And paid them after election ?—A. Well, I had nothing to do with that with one exception.

Q. I am not asking you whether you had anything to do. Did you know about it ?—A. Yes .

Q. Was this discussed between you and O'Gorman and Lewis ?—A. No.

Q. Will you swear you didn't discuss that with O'Gorman ?—A. Not the buying of votes.

Q. But the system ?—A. That was talked over, undoubtedly.

Q. And then the smaller men would some in afterwards ?—A. Yes.

Q. Mulloy and the others ?—A. I don't know anything about him.

Q. You know about Mulloy. You would meet him through the various ridings ?—A. Occasionally.

Q. And you knew he was to go ?—A. Yes.

Q. Where would he come in ?—A. He would usually appear in the constituency some days later than I would be there.

Q. You knew that Mulloy was one of the workers ?—A. Yes.

Q. He was one of the under men that had to carry out the head men's instructions. You knew that ?—A. I supposed so.

Q. Did you have any doubt about it ?—A. No, I had no doubt in my own mind.

Q. That is from what had taken place ?—A. Yes.

Q. Now, when you and O'Gorman were in Toronto it would be arranged. Who was it first suggested it would be cheaper to switch the votes and pay the deputies than to buy the voters. Who suggested that ?—A. The possibilities are that I suggested it myself.

Q. Where did you discuss it with Mr. O'Gorman ?—A. In London.

Q. And in Toronto ?—A. Yes.

Q. Then you arranged to meet in Toronto how long before a constituency would be opened up ?—A. Oh sometimes a week, sometimes 12 days. 12 days was the longest that I can remember.

Q. Than you had arranged to go out into the constituency ?—A. That is right.

Q. And would you arrange as to the number of deputies you would train as to how you would switch ballots ?—A. No, that was left with myself.

Q. Then you go into the constituency. You would go back to London first or would you go straght into the constituency ?—A. From here into the constituency.

Q. You and Lewis would go into the constituency from Toronto. When you got there who would you find there? Did you find the defendant O'Gorman?—A. Quite often.

Q. Did you always find him when you had made those arrangements ?—A. Oh yes.

Q. Then having arranged that Lewis should go out and do his work and that you should go out and do your work you would go to the constituency that you were to defraud and you would find O'Gorman there ?—A. Some place in the constituency, yes.

Q. Who would bring you the deputy to corrupt and train in this switching business ?—A. Sometimes one person—sometimes a local man and sometimes another.

Q. Did O'Gorman do that ?—A. Yes.

Q. Wasn't he the man whose word you would have to take before you would train him ?—A. He would bring him in and if I found a man was satisfactory I would take him, and if I didn't I wouldn't take him, no matter what Mr. O'Gorman said.

By His Worship :

Q. You would train him up as a returning officer ?—A. Yes, his duties.

By Mr. Duvernet :

Q. The principal thing was to switch ballots. If there was Smith and Jones running the votes that would appear for Smith would go for Jones ?—A. That is right.

Q. You used to do that yourself ?—A. I did.

Q. How many have you switched in one place in that way ?—A. Probably 25 or 27, may be more.

Q. And they would appoint you to a constituency where you didn't belong as a deputy returning officer ?—A. They did.

Q. For the express purpose of switching votes ?—A. I suppose so.

Q. You knew that. Who did that in the West Elgin case ?—A. Who appointed me ?

Q. Yes ?—A. The gentleman who is sheriff.

Q. Who sent you up there ?—A. Mr. O'Gorman. Not this Mr. O'Gorman here.

Q. His brother ?—A. His brother.

Q. Did you see Mr. Reid ?—A. In the constituency ?

Q. No. Did you see Mr. Reid ? Did Mr. Reid ask you to go up ?—A. No.

Q. Any Mr. Reid ?—A. Yes.

Q. Which Mr. Reid ?—A. A brother of the gentleman sitting there.

Q. Asked you to go up and do this switching business ?—A. No.

Q. Did he know what you were going up for ?—A. Quite possibly.

Q. Didn't he know from your conversation ?—A. Yes.

Q. What did he say to you ?—A. In regard to it ?

Q. Yes ?—A. Nothing previous to the election.

Q. What did he say afterwards ?—A. Well, I think probably I broached the subject to him myself. He telephoned over to my house to go to his office and I went to his office and we talked the matter of my work over.

Q. That is switching ballots ?—A. Yes.

Q. You were threatened with arrest ?—A. Yes.

Q. Tell us what took place ?—A. Well, I told him I would go down and fix the ballot-box. That is the words I used.

Q. What did you mean ?—A. Put in ballots for the ones I substituted in that case.

Q. What did he say to that ?—A. He said no; that will be all right, a man by the name of Grant would attend to that.

Q. From where ?—A. From Toronto.

Q. How would you determine the number of deputies that you should train in this switching business—by the closeness of the contest ?—A. It depended largely on the closeness of the constituency how many.

Mr. A. K. MACLEAN. I ask leave to interrupt the hon. gentleman (Mr. Alcorn). I may be wrong, and I am not in a position to argue the point. But I venture to suggest that the hon. gentleman is not in order. If he is in order in reading as he has been doing, it will be quite in order for him to read all the evidence taken in the London trial to serve some purpose. He has been reading matter for fifteen or twenty minutes past that has no relevancy to the resolution. Surely, there must be some limit. Surely, he could not make this country pay for the printing of all the evidence in the London trial, for the purpose, let us say, of campaign literature. He must have some reason for reading at some length. Apparently he intends to put in all the evidence, and, if that be correct, it seems to me it is out of order. I think he should make a declaration that he does not intend reading it all and also say that he is reading it for some certain purpose.

Mr. SPROULE. Before you decide the point of order, Mr. Speaker, I would point out that the motion relates to bribery and corruption. And the hon. gentleman is giving evidence with regard to extent of bribery and corruption that have been practised in this country, and this is directly relevant—I do not see how it could be more so.

Mr. FIELDING. According to the contention of the hon. gentleman (Mr. Sproule) if we wish to do so we could bring in here and read the evidence in the Kingston election trial some years ago in the case of Sir John Macdonald. The question of time and how far we go back, cannot affect the question of order. If it is right for the hon. gentleman (Mr. Alcorn) to read the evidence in the London case—which by the way, is still before the courts—we could read the evidence in any other similar case. But I am not raising any objection and if the hon. member for Prince Edward (Mr. Alcorn) wants to put in an hour or two in this way, let him do so.

Mr. ALCORN. It seems that the hon. gentleman (Mr. A. K. Maclean) objects to having this on 'Hansard' and before the country. The resolution affirms that bribery and corruption have been practised in this country in recent years. I have a perfect right to put in the evidence to prove that resolution.

Mr. A. K. MACLEAN. Let the hon. gentleman put in the evidence to prove that statement, but he is putting in questions and answers which do not establish such a statement.

Mr. ALCORN. That is precisely what I am doing, and I know of no method by which I can do it, except by putting in the questions and answers, and if I put in the questions I must put in the answers also.

Mr. R. L. BORDEN. The objection a short time ago was that not enough was being read, that part was being omitted.

Mr. TAYLOR. Take it as read and put it in.

Mr. FIELDING. No, no :

Lend to rhyme, poet, the music of thy voice.

Mr. ALCORN (reading) :

Q. How high would you run up with these fraudulent deputies—how many in one constituency ?—A. Eight to ten, and as low as four or five.

Q. It depended on whether it was a close constituency or not ?—A. Yes.

Q. You were able to meet all the exigencies of the case ?—A. Quite.

Q. And do you know how many ballots these deputies would switch—how many they would forge ?—A. Yes.

Q. How many ?—A. Some would forge five and some would go as high as twenty-three ; I think that was the highest of any person doing.

Q. How much would they get a ballot ?—A. Different prices.

Q. What was the regulation price ?—A. $5

Q. $5 a ballot for the deputy ?—A. Yes.

By His Worship :

Q. For every one that he switched ?—A. Yes.

Q. How was this switching done ?—A. I think that would be pretty difficult to explain.

By Mr. Duvernet :

Q. You taught the deputy, teach me, so that if any of us were made deputy returning officers ?—A. It wouldn't be a good idea.

Q. Just show His Worship how it was done ?—A. I think I can explain the thing. I am acting as deputy returning officer and two gentlemen are running of course, one a Conservative and one a Liberal, and if I am working in the interests of the Liberal, why I empty the ballots out ; we see they are all initialled and then I drop the ballots into the box and if it is for Mr. Denison, I call out somebody else.

Q. That was a——A. Yes.

Mr. A. K. MACLEAN. Is the hon. gentleman (Mr. Alcorn) sure that he is reading from a correct copy of the evidence ?

Mr. ALCORN. It has the affidavit of the two reporters who took it in extenso.

Q. Would you open it up and call it out and they were not looking at the ballot ?—A. No, no person had a right to look at the ballot.

Mr. DUVERNET. The deputy is the only one that has a right to look.

Q. Wouldn't you allow people to see how the ballots were ?—A. No sir.

Q. What is the good of having scrutineers ?—A. They are to check off.

His WORSHIP. The deputy returning officer has a right to elect a member then ?

Mr. DUVERNET. It has been done for years.

Q. It is just done in that way, call out when you read it ?—A. The reverse of what it is.

Q. And you did that in the West Elgin election yourself ?—A. Yes.

Q. With the Conservative scrutineer watching you ?—A. They were there to watch me.

Q. They knew about you ?—A. I don't know.

Q. You switched to how many ?—A. I think twenty-seven. I think it was twenty-seven difference.

Q. You switched twenty-seven. That would be, I suppose, twenty-seven of a difference you made ?—A. No, nineteen. Twice nineteen is thirty-eight. The majority was usually from twelve to seventeen the other way and I put it twenty-seven the way I wanted it.

By His Worship :

Q. That was the result of a conspiracy here in Toronto—a discussion and dividing up of work ?—A. No.

By Mr. Duvernet :

Q. The origin of it was ?—A. Yes, it was a finale to it I suppose.

Q. This was only carrying out the result of the conclusion you had come to that it was cheaper to buy the deputy returning officers and switching the ballots and buying the voters ?—A. Yes, it was safer.

Q. It was surer ?—A. Yes.

Q. The results would be more certain ?—A. Quite.

By His Worship :

Q. If there was a disputed election how would this turn out ?—

By Mr. Duvernet :

Q. Just following that up, it was in the West Elgin election this took place ?—A. Yes.

Q. And it was such a flagrant case there was trouble ?—A. Quite a lot.

Q. And there were arrests even threatened in a mild way. You were threatened with arrest ?—A. Yes.

Q. Who came to see you ?—A. A gentleman by the name of Mr. Going seen me first.

Q. Did Mr. O'Gorman see you?—A. Yes.

Q. What did he want you to do ?—A. Get out of town.

Q. Give you any money ?—A. Yes.

Q. How much ?—A. Couldn't go very far without it.

Q. How much money did he give you ?—A. $100.

Q. Get any more money?—A. Yes.

Q. Who from?—A. Sent through my brother-in-law in the city to where I was.

Q. For this work you have been doing—who would pay you ?—A. Mr. O'Gorman with the exception of once, that in Mr. O'Gormans', I had better put it that way.

Q. How many times would you say the defendant here had paid you ?—A. Three.

Q. Now you say with the exception of once, when was that once?—A. In South Ontario.

Q. Is that the case where you invited Mr. Lewis to hold the envelopes and did the bribery yourself?—A. I never held any envelopes.

Q. Did you do the bribing that time yourself ?—A. Some of it—I did the paying, at least.

Q. Who employed you then—did Mr. O'Gorman engage you ?—A. I went down under his instructions.

Q. Arranged here and went down under his instructions ?—A. Yes.

Q. Who gave you the money ?—A. A man by the name of Preston—of McDonald.

Q. Preston. you said ?—A. Preston gave me some.

Q. What Preston was that ?—A. W. T. R.

Q. What position was he holding then ?—A. I don't know.

Q. Where did he give you the money ?—A. The Commercial Hotel in Whitby.

Q. How much did he give you ?—A. I think it was $40.

Q. How much did McDonald give you ?—A. I had twenty people to see. He gave me the balance.

Q. You had twenty people to see and he gave you the balance ?—A. Yes.

Q. Where ?—A. In the room.

Q. At the same place ?—A. The same place.

Q. Was O'Gorman there ?—A. No.

Q. Was he in the riding ?—A. I don't think I met Mr. O'Gorman——

By His Lordship :

Q. How much money was given to you altogether ?—A. I think I spent $80.

By Mr. Duvernet :

Q. How much did you say Preston handed you ? Was it $40 or $50 ?—A. I couldn't positively say. It was the difference between what I had and what I had to pay that night.

Q. What was that handed to you in ?—A. Bills.

Q. What sort of bills ?—A. $2.

Q. Dominion government bills were they ? A. They were new bills, yes.

Q. Was that always the way the money for the voters was supplied, in new government bills, $2 bills ?—A. All that I seen.

Q. Over a number of years, that is the way it would take place?—A. I never seen very much of it because I had nothing to do with that part of it.

Q. That branch of the business?—A. No, sir. That was outside of me.

Q. Outside your jurisdiction ?—A. Yes.

Q. Who arranged for the payment of those twenty people, do you know ?—A. Not positively the local men I presume, it was local men went with me.

By His Worship :

Q. Was that after the election or before ?—A. The night before.

By Mr. Duvernet:

Q. When did you pay ?—A. On the spot.

Q. Then who did you make your returns to of these items—how much did you pay altogether ?—A. I think I paid somewhere in the neighbourhood of $80.

Q. Who did you make your returns to ?—A. Well, I don't know as I made any.

Q. Just think ?—A. No, I don't think I did.
Q. Do you know Mr. Smith ?—A. I do.
Q. Did you make any returns to him ?—A. I told him what my expenses were.
Q. Did you give him the items ?—A. Yes, sir.
Q. Did they show the payment of these voters ?—A. Well. I gave him it verbally, of course, not in writing. I told him what I had spent.
Q. That is what took place ?—A. Yes.
Q. Did O'Gorman pay you for that ?—A. No.
Q. He would arrange for you to go down and you got paid in this way ?—A. Yes.
Q. With that exception O'Gorman always paid you himself for your work ?—A. No.
Q. Who else paid you ?—A. I received some from Mr. Con. O'Gorman, that is his brother.
Q. Now, did you train any of the deputies in the South Ontario case ?—A. I don't think Your Worship that I have a right to answer that question. I have no right to implicate others.

By His Worship :

Q. You have a right to tell the truth ?—A. I understand that, but why implicate others.
Q. Because if others are implicated I want to know it ?—A. Well,——

By Mr. Duvernet :

Q. I want to show how it went to the root of the whole administration of justice, that these men would go into a riding and although warrants were asked for, nothing could be done to stop it. Now who met you when you went to South Ontario ?—A. I met Mr. O'Gorman here in Toronto.
Q. And you have told us that you arranged with him—where did you go to, Oshawa or Whitby ?—A. I went to Whitby.
Q. Who met you at Whitby ?—A. Nobody specially.
Q. I am not asking you specially, who met you ?—A. Nobody.
Q. Did any body go up to the hotel with you? —A. No.
Q. Nobody ?—A. Mr. Smith was on the buss with me.
Q. He is the gentleman that paid you afterwards ?—A. Yes.
Q. You just happened by accident I suppose to meet ?—A. Well, I did not associate with him much.
Q. Perhaps you avoided him when you were there ? When you got to Whitby just explain to His Worship how you arranged with these deputies. Was any switching done in that riding ?—A. Well, I instructed one or two.
Q. Who got them for you ?—A. I think it was a local man there that brought them in.
Q. Who was the local man ?—A. They called him John Brant, I don't know——
Q. Who were these deputies that you instructed to switch, and where did you instruct them ?—A. I can't recall any of their names. I have no memorandum and I can't remember their names, but I instructed one of them in a hotel in Oshawa.
Q. Whose hotel was that ?—A. I don't know what the name of it was. I think it was the Commercial. It was not the Conservative house any way.
Q. Did it require much training to do this skilfully ?—A. Sometimes.
Q. And, I suppose, you had to see the men to make sure they wouldn't give you away ? —A. I did, yes.
Q. That was a very important thing to get proper men, men who were not afraid to do this crime, that was important ?—A. Quite so, for my safety.
Q. And sometimes Mr. O'Gorman would be a little careless in the men and you would cull them out ?—A. I have done so, yes.
Q. Now, do you know Brockville ?—A. A portion of it.
Q. Did you ever go to Toronto and arrange with Mr. O'Gorman and others to go into Brockville, or into that riding to do this work? —A. I met Mr. O'Gorman here.
Q. Where ?—A. At the Walker House.
Q. Who else ?—A. Mr. Smith was there.
Q. Who else ?—A. Mr. Lewis and myself.
Q. And then how long before the election, how long before the riding was to be open ?—A. That was the longest I was ever at, that was twelve days.
Q. That was a special time ?—A. Yes.
Q. Were there special reasons for that length of time ?—A. Well, I don't know.
Q. Generally you would, if it was a case of a by-election, get pointers when the by-election was to be brought on, to get ready before the date was announced ?—A. I usually knew when they were coming off.
Q. And you did that twelve days before the Brockville election ?—A. No, not in Brockville twelve days.
Q. It must have been a bad riding. You say this had been arranged with Mr. O'Gorman, Mr. Smith, Mr. Lewis and yourself, you had discussed it and arranged it, and I suppose just as in the other cases you were to attend to the switching part and Mr. Lewis to the bribing part, under Mr. O'Gorman ?—A. That was the part I attended to.
Q. And Mr. Lewis attended to the other part? —A. As far as I know.
Q. You knew from what was said —A. That is what I supposed he was there for.
Q. You knew from what was said between you and Lewis and O'Gorman and Smith ?—A. I knew he had done that.
Q. You knew that was what he was there for ?

Mr. ROBINETTE. He didn't say that.

A. I knew he was there to help win the election.
Q. And you knew the way from what was said ?—A. Yes.
Q. Then you went down there twelve days— did you go to London at all before you went to Brockville ?—A. No, sir.
Q. You were operating from Toronto ?—A. Started from here.
Q. Who went with you ?—A. Mr. Lewis.
Q. And where did you go when you got there? —A. To a hotel.
Q. What hotel ?—A. Some little dingy place at the end of the town, the Western Hotel.
Q. Did you stay there or take another hotel? —A. We didn't stay there at all only meal. We wouldn't stand for it.
Q. And you went where ?—A. The St. Lawrence Hall.
Q. You and Mr. Lewis ?—A. Yes.
Q. Were you busy for twelve days?—A. I was.
Q. Did Mr. O'Gorman go down ?—A. Yes, he was down.
Q. How long was he down there ?—A. I met him there the night I got there.
Q. Then did he begin to bring the deputies in, or who brought them in ?—A. Well, there was none of them brought in for a few days, they hadn't been appointed.
Q. I suppose the local people had to be seen.

You always required a certain number of local men to co-operate with you ?—A. Yes.

Q. You were the star players and the cast would be filled up from the local talent ?—A. If you like to term it that way.

Q. That is a fair way ?—A. Well, that would apply.

Q. Then these deputies that were brought in—how many were brought in ?—A. From memory I couldn't say now. It is a number of years ago, but there were eight or ten.

Q. Who brought them in ?—A. Mr. O'Gorman.

Mr. Robinette. When was the Brockville election ?

Q. Just tell how this thing worked, how these men would come in and what would be done and said ?—A. They would be introduced to me.

Q. One at a time ?—A. Oh, sure.

Q. Then what would you do ?—A. They were left in my care then. I would be merely told this was a gentleman who would be acting as a deputy, not always getting his name.

Q. Would you explain to him how he would do the switching ?—A. I would look them over, and if I thought he was good material I would instruct him and if not I wouldn't have anything to do with him.

Q. If you thought you couldn't depend on him? —A. No.

Q. Suppose it was a man and you thought he was a straightforward man and would carry it out just as you wanted it, what would you say ?—A. I would proceed to show him how he could make a dollar or two by switching the votes.

Q. How were they paid for this when you made an arrangement with any man ?—A. So much per ballot.

Q. For every ballot he switched ?—A. Yes.

Q. Now then, what check had you on him for the number of ballots he did switch ?—A. His word, as a rule.

Q. If he said he had switched ten ballots you would say, very well, we will pay you for ten ?—A. Yes.

Q. Had you any way of checking it ?—A. In one election we did.

Q. How ?—A. Dominion election.

Q. How was that done—how did you check it?—A. Got the ballots—in that case the ballots were really switched, they would be taken, but they would be never in the box.

Q. And other ones put in ?—A. Yes, other ones put in.

Q. Spoiled ballots ?—A. No, spoiled ballots would not count.

Q. How would it be ?—A. A good ballot would be substituted in place of the one handed to the elector by the deputy returning officer.

Q. The returning officer would have a ballot exactly like this for the candidate you were working for and he would have that rolled up—A. Folded up.

Q. And when one came that he thought was going to vote the other way—he couldn't see it ?—A. No.

Q. He would make sure ?—A. If you had the scrutineer he would instruct you he was a Conservative to their knowledge.

Q. They would instruct you who would vote the other way ?—A. When you would get the tip he was a Conservative and you wanted to make a grit out of him you would substitute the ballot.

Q. How would that be done ? Were they hidden ?—A. He would have them in his pocket—keep it in the palm of his hand and when you tear the counterfoil off you would leave the substituted ballot there—pretend to tear the counterfoil and take the whole thing, the elector thinks he sees his ballot and it is dropped into the box.

Q. He has the satisfaction of seeing it is his own ballot put in ?—A. At least he goes away with that impression.

Q. Now then he would then have in his pocket the ballots he had held ?—A. Yes.

Q. With their numbers on ?—A. There is no numbers in the Dominion.

Q. How would you account for his having the ballot—would you have some printed to look like them ?—A. There were generally some ballots.

Q. How would you get those ballots, the ones you had ready ?—A. I would usually find them in a convenient place for my use. I dont know who put them there.

Q. Printed exactly the same ?—A. Yes.

Q. There was no number, so it didn't make any difference ?—A. No.

By Mr. Duvernet :

Q. You know in the Brockville case where they were printed ?—A. No, I don't know where they were printed.

Q. You knew you were supplied with dupliclate ballots ?—A. I know I had them ; they may have been printed here ; I don't know.

By His Worship :

Q. You would take out one all folded up and put it down that way, and then tear away the other ?—A. Pretend to tear away.

Q. And put the bogus ballot in ?—A. Yes.

Q. And then the returning officer would produce these that were marked as his proof that he had put in the others ?—A. The deputy would.

Q. Who would pay him the money and how much would they pay him apiece ?—A. Well, I arranged how much would be paid. It was left entirely to me.

Q. How much ?—A. $5 in the Brockville one.

Q. For each one ?—A. Each ballot.

Q. Who paid it ? Did you pay that to them? —A. No, sir

Q. Who paid the money for it —A. Well, after the ballots were brought to me and I seen what what was right I took the men to a room and they were paid there.

Q. Who paid them ?—A. Mr. O'Gorman. At least I suppose he did. I never seen him pay them; they would come out satisfied.

Q. They would go in there to be paid ?—A. Oh, yes, I arranged with them that way.

Q. Did you give them their ballots or give them a certificate of how much they were to get ?—A. Yes.

Q. You would give them a little memorandum? —A. I would go to the door with him.

Q. And say $20 or $40 ?—A. Yes.

Q. Mr. O'Gorman being there alone, and they would come out ?—A. Yes, in this particular case you are speaking of.

By Mr. Duvernet :

Q. When you had put these men through their examination and thrown out the unworthy ones what would you do as far as Mr. O'Gorman was concerned—so that the proper deputies would be appointed you know ?—A. The deputies were always appointed previous to my having anything to do with them.

Q. How would you report—would you report to Mr. O'Gorman who the ones selected

were ?—A. Yes, I would tell him so and so was all right.

Q. Would there be a special place selected for those deputies to operate in—how would that be worked ?—A. What do you mean ?

Q. Would there be a safe place or unsafe place ?—A. As a rule I instructed them in my hotel.

Q. Would you choose a polling sub-division where the general majority was one way ?—A. No, indiscriminately if I thought they were all right. I didn't know where they were going.

Q. It didn't make much difference ?—A. Not to me.

Q. How long after the election were they paid ?—A. That night—are you confining yourself to Brockville ?

Q. Yes ?—A. That night.

Q. Who was present in the room besides yourself and Mr. O'Gorman ?—A. I wasn't in the room, I didn't go in.

His WORSHIP. He simply called out the amount.

Q. That was in pursuance of your arrangement with O'Gorman ?—A. Yes.

Q. And they would come out satisfied ?—A. Yes.

Q Who were some of these men do you remember ?—A. No, I can't recall any of their names. I never kept a memorandum of any.

Q. I suppose it was convenient not to ?—A. Yes.

Q. Do you know whether O'Gorman took receipts or not ?—A. I know nothing about it no more than what I said, I took them to the room and left them there.

Q. Well, what local men did you meet in connection with this ?—A. The deputies.

Q. And would you and O'Gorman confer from time to time as to how he was getting on. You say you were busy ?—A. Naturally.

Q. Where would your conferences take place ?—A. Anywhere we met, anywhere in the house, anywhere in the sitting room—no need of a private place for that.

Q. I understand then really what His Worship has brought out that the way you could check the matter was that the deputy had to bring the genuine ballot to you or O'Gorman and then he would get the $5 ?—A. To me.

Q. That was the arrangement you made ?—A. Yes.

Q. Do you remember how many there were ?—A. No, I can't remember, there were various—some there and some more—none less, I think, than three.

Q. How many would the most of them be—more enterprising ones ?—A I think if my memory serves me right between twelve and fifteen.

Q. How long would it take you to train a man ?—A. It would depend how soon he would pick it up.

Q. What did you do with the counterfoil, do you remember ?—A. What counterfoil ?

Q. Would you do anything with the ballot ?—A. Put it in your pocket. What do you refer to ?

Q. Would you have any ballots when you were training these men ?—A. Oh yes, but I didn't use the genuine ballot—that would be wasting.

Q. Then would you hand any of these deputies ballots to substitute ?—A. Oh yes, they wouldn't use them if they didn't.

Q. That is for substitution ? You would supply a ballot for substitution—that is if it was a vote between Jones and Smith, you would put in so many ballots that he should put in for Smith ?—A. I would have them marked in front of me and initial them.

Q. So that the vote would take place some time before the election ?—A. That vote.

Q. Where would you get those ballots from ?—A. I usually found them in a convenient place in my room. I don't know where they came from

Q. Just dropped there like manna from the skies ?—A. I can't make a statement that I can't bear out.

Q. They were there ?—A. Yes.

Q. How would people get into your room ?—A. By being introduced.

Q. Where abouts would you find them ?—A. The ballots.

Q. Yes ? What would you consider a convenient place ?—A. Under the bed—under the mattress .

Q. Did you always know where to look ?—A. I always found them.

Q. Did you generally know where to look ?—A. I don't know—I got them ; I can't tell you.

Q. Just let me know—did you generally know where to look ?—A. Well, I evidently did look or I would not find them.

Q. If you knew where to look you knew where they put them or some body told you where to look ? Did some one tell you where to look ?—A. No, I don't think they did.

Q. You say sometimes you knew where to look. In those particular cases how did you know where to look if no one told you ?—A. I may have been given a hint.

Q. Who gave you the hint ?—A. I can't remember.

Q. It would be some person having the ballot ?—A. Yes, but I was dealing with one or two people and I don't know.

Q. Who were the one or two people there—they were all working with you ?—A. Mr. O'Gorman and Mr. Lewis and I generally worked together.

Q. So you think it was either one of those two ?—A. I would not like to say.

Q. It was not yourself ?—A. No.

Q. It must have been one of the others or some body else ?—A. It was some body.

Q. Do you remember a man named Upham, he was one of the best experts ?—A. In Brockville, yes, I remember him now you mention the name.

Q. And you were quite pleased with him being such a skilled pupil, and Mr. O'Gorman too ? Gave him a good deal of praise ?—A. He done very well.

Q. And you took him into Mr. O'Gorman's room with the fifteen ballots ?—A. I took him to the room.

Q. How many prizes did he have—how many scalps ?—A. I don't know, I did not see his scalps.

Q. Fifteen ballots ?—A. He had ballots.

Q. How many ?—A. I won't say positively—the amount went up around fifteen to the best of my knowledge.

By His Worship :

Q. He would be considered one of the best ?—A. He was.

By Mr. Duvernet :

Q. Where did you take him when he came with his ballots ?—A. To Mr. O'Gorman's room.

Q. And I understand that Mr. O'Gorman expressed himself as satisfied with the work—

praised him—it encourages a man to be praised ?—A. A man doing good work deserves it.

Q. But when the payment was being made you thought it better to leave the two together ? Were you present when the money was paid ?—A No, sir.

Q. How long was he with Mr. O'Gorman when he came out with that satisfied expression ?—A. Five or ten minutes.

Q. And did Mr. O'Gorman say anything complementary to you about the way in which these men had operated—express his satisfaction ?—A. Not any very satisfactory terms to me.

Q. How did he say—what did he say to you ? —A. He was satisfied of course, the result was all right.

Mr. O'Gorman never gave me very much praise I dont think I stood in very well with him.

Q. It was more money he gave you ?—A. Yes.

Q. Would you tell His Worship just for information for how many years you and Mr. O'Gorman were operating in this way—and Mr. Lewis, I shouldn't leave him out?—A. I couldn't tell exactly. I have no——

Q. Four or five years ?—A. Oh, more than that. It is four or five years since I quit it.

Q. What place did you go to next ?—A. From Brockville ?

Q. Yes ?—A. Here first.

Q. What other constituencies were you in that you had arranged in Toronto to go out to ?—A. We went over to South Ontario, I think.

Q. What other ?—A. West Elgin was not arranged for in Toronto, or Mr. O'Gorman there had nothing to do with me in West Elgin.

Q. It was Mr. Reid sent you down ?—A. No.

Q. Who was it ?—A. Mr. O'Gorman's brother.

Q. Was there in West Huron ?—A. Yes, I was in West Huron.

Q. Was that arranged for in Toronto ?—A. No, I dont' think so. That was west of here.

Q. Were you in West York at all ?—A. No, sir.

Q. You were in South Ontario and Brockville and West Elgin ?—A. And West Huron.

By His Worship :

Q. Any other election ?—A. Oh, yes.

Q. Tell us the others ?—A. I was back in the mines—up in North Hastings.

Q. What year ?—A. I couldn't tell you ; I kept no date of the years.

By Mr. Duvernet :

Q. Was that arranged for in Toronto?—A. Yes.

Q. Who had arranged that ? The same four ? —A. No, I don't know whether I met Mr. Smith in that connection or not.

Q. You didn't tell how much you got for your Brockville work ?—A. I don't think that concerns you.

His Worship. I think you might as well mention it and give all the facts.

Q. That was pretty good work ?—A. Not to me.

Q. How much did you get ?—A. I don't know how much I got. I wasn't very well satisfied, however. I think I got somewhere in the neighbourhood of $60 or $70.

Q. Who did you get that from ?—A. Mr. O'Gorman.

Q. Where was it paid ?—A. Just coming into Toronto on the Pullman car. I had to pay my expenses out of that of course.

Q. That wasn't very good pay. Now, you went to North Hastings ?—A. Yes, sir.

Q. Did you have the pleasure of Mr. Lewis's company as well ?—A. Some of the way.

Mr. ALCORN.

Q. Mr. O'Gorman, did he go up with you ?—A. No.

Q. He just arranged that you should go up. How many days before the election did you go up in North Hastings ?—A. I put in my Christmas there ; I don't know just when the election was. I presume I was up there six days—seven days at the outside.

Q. About a week was the usual time ?—A. Yes.

Q. Did Mr. O'Gorman feel it necessary to go up there at all ?—A. I don't think so.

Q. Was he there ?—A. I didn't see him.

Q. It was the local men arranged for the supply of deputies ?—A. Well, of course the local men arranged. Mr. Vance was my superior there.

Q. What is his first name ?—A. I couldn't tell you.

Q. James Vance?—A. I don't know.

Q. How did you get in touch with Mr. Vance? —A. I met him there.

Q. And he was your superior officer there ?—A. Yes.

Q. Was it he who brought these deputies to you ?—A. Yes.

Q. And these deputies—how many were there? —A. I don't think I instructed over three or four there. It was too cold and a long way to get them. I had to go a long way.

Q. And how much were they to get for their votes ?—A. I think I promised them—some of them money and some of them jobs.

Q. Who were you that you could promise jobs ?—A. Promise anything.

Q. What sort of jobs ?—A. Government jobs.

Q. What sort of government jobs ?—A. Almost anything they wanted.

Q. And these deputies were to be honoured in that way by getting a government job—those that had too high a standard to be taken with money you dangled out the government job ?—A. Well, I promised them.

Q. Whose authority did you have ?—A. My own in that respect.

Q. Did you talk that over with Mr. Vance ?—A. I guess we did.

Q. Do you have any doubt about it ?—A. No.

Q. How many did you promise jobs and how many money and how many both ?—A. I only had anything to do with about three or four there.

Q. What was the price of a vote there ?—A. I don't think there was any money consideration at all in that. I don't remember promising any particular one any money.

Q. These were pure patriots who were doing it for love of the country ?—A. Doing it for the love of the promise of the job, may be.

Q. Do you know how many ballots they switched ?—A. No, I can't say.

Q. And were they paid anything by anybody? —A. Not to my knowledge.

Q. Did you report to Mr. O'Gorman when you got back to Toronto ?—A. No.

Q. Did you see Mr. O'Gorman —A. I see him shortly after.

Q. Did he pay you ?—A. Vance paid me in that case.

Q. How much did he pay you ?—A. $50, I think.

Q. For that cold trip ?—A. Yes.

Q. Did your expenses come out of that ?—A. Yes.

Q. You weren't making a fortune out of it ? —A. No.

Q. Who asked you to go to West Huron ?—A. Mr. O'Gorman.

Q. Where did he see you about it ?—A. I think he came to my house or my place of business, I don't know which at that time. I can't just remember.

Q. Did you go up ?—A. Yes.

Q. Did your friend Mr. Lewis accompany you or did you meet him up there ?—A. I met him up there.

Q. It seems almost a work of supererogation having Mr. Lewis when you had this skilful method ? Was it necessary to take him up ?—A. Well he usually was around.

Q. And you usually went up together or met him there ?—A. As a rule we went together but he was in West Huron when I went up there.

Q. He had gone up ahead of you ?—A. I didn't go with him, I went up myself.

Q. Who did you meet there ?—A. I met Mr. Smith.

Q. How had Mr. O'Gorman asked you again to instruct deputies ?—A. Yes.

Q. Was this to be a case of money or jobs ?—A. Money.

Q. Did you go up to West Huron and who did you meet ? Who submitted the deputies to you for education ?—A. A man by the name of Grant.

Q. What profession does he belong to ?—A. I think he was a teacher or inspector.

Q. He presented these candidates to you ? How many ?—A. Some six or seven. No, I am wrong, some five or six at the room.

Q. Did they all qualify or were some of them plucked?—A. Oh yes, I plucked several of them.

Q. They were weak-backed fellows that wouldn't qualify—poor stuff ?—A. They didn't suit me.

Q. What was the trouble ? What were the esential qualifications for this position ?—A. Nerve.

Q. These men didn't have the nerve that was required. How many did you instruct ?—A. Some five I think.

Q. Then you had seven or eight presented to you and you had three thrown out and about five you could rely on, had the sufficient nerve?—A. I think so.

Q. And you instructed them did you ?—A. Yes.

Q. And did Mr. O'Gorman take any interest in that after you had gone down—did he appear on the scene ?—A. He was there.

Q. Was he there when you were giving these instructions, or did he introduce the candidates to you ?—A. Some one or two.

Q. He stood sponsor for a few ?—A. Some one or two.

Q. You wouldn't pluck any he brought to you ? A. Indeed I did.

Q. You had to be pretty careful I suppose ? A. I acted that way, yes.

Q. Then did you find this little package under the bed at this time ?—A. It was convenient.

Q. It seemed indispensible to every properly regulated room in any hotel when you went out ?—A. When I was in that kind of rooms.

Q. Where did you find it this time ?—A. On the bed.

Q. Had Mr. O'Gorman been in before ?—A. It was his room.

Q. Oh, I see. Were you occupying the same room ?—A. No sir.

Q. This time you found the mysterious package on Mr. O'Gorman's bed ?—A. My room wasn't convenient.

Q. This business required a certain amount of suitablity ?—A. Certainly.

Q. And Mr. O'Gorman's room was more convenient ?—A. Yes.

Q. And you found the prize package on his bed ?—A. I found the ballots.

Q. Right on top ?—A. Yes.

Q. He was reckless. What did you do with these ballots ?—A. Took possession of them.

Q. Did you have any conversation with Mr. O'Gorman about them ?—A. No, it wasn't necessary.

Q. As you have explained I suppose, you got the ballots and had them marked ?—A. The same process was adopted.

Q. And then they were to bring the real ballots back—the same process ?

By His Worship :

Q. How did the election turn out ?—A. You might know pretty well.

By Mr. Duvernet :

Q. It generally turned out well when you and O'Gorman and Lewis went ?—A. Yes.

By His Worship :

Q. You won the election ?—A Yes.

By Mr. Duvernet :

Q. How many ballots did you switch altogether—was it enough to make the difference ?—A. I couldn't tell you that.

Q. It turned out all right anyway ?—A. Yes. that is right for those——

Q. Your side ?—A. Yes.

Q. Then where were these generally paid—the same process of paying them ?—A. Not in this case.

Q. What happened, just tell his Worship ?—Another cashier was appointed.

Q. Who was he ?—A. I expected any people I had anything to do with to see another man there.

Q. Who was it ?—A. His name was Horton, or something like that.

Q. Why was Mr. O'Gorman slighted ?—A. I don't know.

This fits in with the affidavit read by the leader of the opposition (Mr. R. L. Borden) at an earlier stage of this debate to the effect that Horton was in Goderich and that Pritchett was introduced to him under another name.

Q. Who did you get your instructions from to refer them to the other man ?—A. I think Mr. O'Gorman told me to refer them to him.

Q It was Mr O'Gorman told you ?—A Yes.

Q. To refer them to this other man ?—A. Yes.

Q. Where were they paid at that time ?—A. That I don't know.

Q. Well, sometimes you extended your field of operations in your field of usefulness. Did Mr. O'Gorman request you to take any official position at that time ?

By His Worship :

Q. Just before he answers that. You say at this time Mr. O'Gorman told you to refer the people to another man ?—A. Yes.

Q. Did you take them to the other man ?—A. No sir, I sent them.

Q. What did you send with them so that the other man would know they ought to be paid or how did you arrange that with the other man ?—A. I don't think—I think they just took the ballots to him.

Q. In this case ?—A. Yes.

Q. And then he paid them for the number of ballots ?—A. I don't know.

Q. You didn't give any certificate ?—A. No.

Q. And didn't go over the ballots yourself ?—A. Of course, I went over them.

Q. And then sent them with their ballots to this other man ?—A. Yes.

By Mr. Duvernet :

Q. You had arranged they ought to get $5 a ballot ?—A. I made arrangements for different prices there.

Q. Was it bargain day ?—A. No.

Q Higher prices ?—A. Cheaper.

Q. How much ?—A. Oh, some $10 for five or $15 for twenty.

Q. Wholesale rates, ?—A. We needed them up there.

Q. So you got into the wholesale rates, $10 for five or $15 for twenty or $20 for fifteen ? That was the West Huron ?—A. Yes.

Q. You know Mr. Grant up there, do you ? —A. I have met him—never met him before or never since.

Q. Was it arranged you should hold any official position ?—A. In what respect ?

Q. Looking after the interests of those who employed you seeing that no crooked work was done by the other side ?—A. Yes, I acted as scrutineer in one polling subdivision.

Q. What was the object of that ? Who was the deputy there—who spoke to you about acting there ?—A. I am not positive. Mr. O'Gorman spoke to me about going up and of course I took any position they gave me.

Q. From returning officer down ?—A. Yes.

Q. Who was the deputy returning officer there—he was a valuable man, wasn't he ?—A. Fair.

Q. More than fair, the results show. He was the deputy sheriff of the county, you know that ?—A. Yes.

Q. And he had arranged to do a little switching right there while you were present? —A. Yes.

By His Worship :

Q. Switching on the same side ? Who was he to switch for ?—A. Not the Conservatives.

By Mr. Duvernet :

Q. He was a deputy sheriff ?—A. Yes.

Q. What did you do together ?—A. I went out to the polling subdivision and acted as scrutineer the same as anybody else would in a division, and I suppose I had to prod him up a little bit now and then.

Q. Was he slow ?—A. Too slow, yes.

Q. What was he slow about ?—A. He didn't seem to do the work.

Q. What work ?—A. The switching the ballots.

Q. He was slow on the switch ?—A. Yes.

Q. Did you get him working honestly—did you get him working properly ?—A. He worked all right.

Q. What was the result—what was his capacity ?—A. I can't remember, he took some few.

Q. Try and recollect—were there ten ?—A. I couldn't say positively, I don't want to——

Q. Do you recollect that he did switch a number there ?—A. He did.

Q. You kept prodding him ?—A. Yes, I seen him do it.

Q. You didn't object ?—A. I wasn't there for that purpose.

Q. Then did you give instructions—you seemed to be an all round useful man. Did you instruct the scrutineers as well how to switch Conservatives ballots ?—A. Yes.

Q. Who brought this new class of students up to you, the school teacher ? Mr. Grant ?—A. I think it was.

Q. Perhaps they were pupils of his—how many did he bring up to you ?—A. Quite a number.

Q. What did you instruct them to do ?—A. Oh, I don't know—I am getting tired.

Q. What were you to do with them ?—A. Oh, I just showed them how to put on a double cross.

Q. What was the purpose of putting on the double cross ?—A. To spoil a ballot.

Q. Whose ballot ?—A. Well, the Conservative, of course.

Mr. SINCLAIR. May I ask the hon. gentleman a question ?

Mr. ALCORN. Certainly.

Mr. SINCLAIR. I would like to get an explanation of the fact given in the official returns that in the county which my hon. friend (Mr. Alcorn) has the honour to represent in the elections of 1896, there were 115 spoiled ballots under Conservative rule and in the election of 1900 there were only 25. I am referring now to the county which my hon. friend represents and I would like to get an explanation of that fact.

Mr. ALCORN. When that matter is pertinent I will discuss it :

Q. You showed these distingushed gtntlemen how to put on a double cross for the purpose of spoiling a Conservative ballot —

By His Worship :

Q. How could they do that ?

By Mr. Duvernet :

Q. Just as in the North Grey. There is one cross for the one candidate and then the other cross for the other one, when a Conservative ballot wants to be spoiled there is an X put in favour of the Conservative and then he puts one on for the Liberal one.

Q. Just tell his Worship how that was ?—A. In putting the cross ?

By His Worship :

Q. How did they do it—what time ?—A. When the ballots were being looked over.

Q. When they are being counted ?—A. Not when they are counted for the final but when they are counted with the deputy returning officer and the scrutineer assists in counting to facilitate matters to get it done quickly, than it is done.

Q. How would he do it, a pencil ?—A. A bit of lead under his thumb nail.

By Mr. Duvernet :

Q. Was that supplied, the little piece of lead, and sometimes they had appliances little pieces of skin ?—A. I dont know, I never required any skin, not for that.

Q. Where did you get the pieces of lead pencil from—who supplied them ?—A. I generally had them myself.

Q. You carried them around—that was part of your stock in trade—Mr. O'Gorman and you? —A. Mr. O'Gorman did not carry no lead pencils for me. I carried them myself.

By His Worship :

Q. It was put in underneath the nail ?—A. Yes, underneath the thumb nail and in taking a ballot it is easy to make a mark.

By Mr. Duvernet :

Q. That would be a bad ballot and thrown out ?—A. Yes.

Q. Now how would you reward these patriotic gentlemen who spoiled the ballots on the other side. Would they do that for jobs or money ?—A. I presume for money.

Q. Who would pay them ? You say you presume—was that arranged ?—A. Sometimes.

Q. In this particular case that I am asking you about, was it arranged ?—A. You are not referring to any particular case.

Q. Yes, I am referring to the West Huron case ?—A. Oh yes.

Q. That was arranged in that case ?—Yes.

Q. We would like to know the rates for spoiled ballots ?—A. The same as for the others.

Q. The same price ?—A. Yes.

Q. $5 a ballot or $10 for fifteen or how was that ?—A. Along that class.

Q. The market for switching ballots would govern the rates for spoiled ballots—about the same ?—A. About the same.

Q. Of course both would have to take the oath, both the deputy and the scrutineer—wouldn't there be anything extra for the perjury, or would they have a system by which they wouldn't take the oath ?—A. Quite possible.

Q. Did they have a system by which the oaths wouldn't be taken ?—A. I told them a way they could overcome it.

Q. We would like to know ?—A. They could kiss their thumb instead of the book.

Q. Did they think that would make any difference ?—A. I suppose they thought it did.

Q. Now do you know who paid these gentlemen ?—A. I already stated who paid.

Q. The same person paid the scrutineers as the deputies ?—A. Yes.

Q. Now, I have overlooked to ask you that in connection with the other cases—did you combine this second class of work in the other elections as well—were you in the double capacity ?—A. Sometimes.

Q. What cases did you do it in ?—A. I am now speaking of the scrutineers with the nail and the lead pencil—what other elections did you instruct scrutineers ?—A. Oh, West Elgin and Brockville.

Q. How many were there in Brockville ?—A. I dont know how many switched.

Q. How many did you instruct ?—A. I dont know ; some half-dozen may be.

Q. And who brought them to you—who introduced them to you ?—A. I dont remember whether they were introduced by Mr. O'Gorman or by another person.

Q. Was this a specially prepared pencil that you would have or would you just manufacture it yourself ?—A. I would buy a certain pencil that would suit and cut it up myself.

Q. You would make it more suitable yourself ?—A. Yes.

Q. Now in the West Elgin case you say Mr. O'Gorman's brother spoke to you ?—A. Yes.

Q. About how long before the election ?—A. I arranged to go down with him some three or four days before.

Q. In that election you had the distinguished honour of being a deputy yourself ?—A. Yes.

Q. That had been arranged for ?—A. Yes.

Q. You weren't in the riding at all ?—A. I was there.

Q. But it was at the poll your services were needed ?—A. Yes.

Q. Who arranged that, do you remember ?—A. That I would be a deputy ?

Q. Yes ?—A. Well, some gentleman by the name of—I dont know his name. He was a railroad man.

Q. When Mr. O'Gorman's brother saw you you understood you were to be deputy ?—A. I went down for that purpose.

Q. Now when you got there what took place—did he tell you who wanted you to go down ?—A. Mr. O'Gorman ?

Q. Yes.—A. No, I don't think he did.

Q. Just think Did he say anything about Jack ?—A. He may have mentioned his name.

Q. Just think. Tell us what he said ?—A. I cant, positively.

Q. What is your recollection ?—A. Of course I never acted under him before but I acted in places he was.

Q. Did he tell you his brother Jack wanted you to go to West Elgin ?—A. He may.

Q. Do you recollect that ?—A. Not positively.

Q. Do you remember any other distinguished gentleman—Captain Sullivan ?—A. Yes.

Q. And our friend, Thomas Lewis, esquire ?—A. Tom. Lewis was there.

Q. When did the distinguished party arrive ?—A. Who ?

Q. Yourself, Mr. Lewis, Captain Sullivan and Mr. O'Gorman ?—A. I came home every night and went back the next morning.

Q. What took you there before the election ?—A. To see some of them.

Q. Tell us what you did—was the position you were to fill occupied ?—A. As deputy ?

Q. Yes ?—A. Yes.

Q. Who arranged that ?—A. Some of the people there.

Q. Who was the returning officer ?—A. The sheriff of the county, his name has just slipped me. I would know it if I heard it.

Q. Did you go under your own name ?—A. No, Sir.

Q. What name did you take ?—A. Well, a gentleman loaned me his name.

Q. Who loaned you his name—Mr. O'Gorman?—A. No.

Q. Who loaned you his name ?—A. A man by the name of Johnson.

Q. Any addition to it ?—A. In what way ?

Q. Had he a Christian name or just a surname ?—A. J. B. I think.

Q. Who was it introduced you to the sheriff Mr. Lewis ?—A. No.

Q. Who was it introduced you to the sheriff ?—A. I dont know whether it was Mr. Lyall or Mr. O'Gorman.

Q. Who is Mr. Lyall ?—A. A gentleman I met there.

Q. Who is he—what does he do ?—A. I don't know, a farmer I presume.

By His Worship :

Q. Did the sheriff make any inquiry about you, as to who you were or what you did ?—A. Yes, your Worship, he made a few inquiries but after I was represented as this man Johnson that was quite satisfactory

Q. Did Mr. O'Gorman do that ?—A. He was not there.

Q. You said Mr. O'Gorman—who introduced you ?—A. This railroad man I spoke of previously. He went up with me.

Q. Do you know who he was ?—A. I wouldn't like to say.

Q. He was a railroad man ?—A. Yes, that I know.

Q. What took place between you and the sheriff ? Were you appointed ?—A. Yes.

Q. Were you given your ballot box ?—A. Yes.

Q. How long before the election ?—A. Probably a day or two days.

Q. And did you act ?—A. Yes.

Q. And I suppose you wanted to make a record on the switching business. How did you

do, just tell his Worship ?—A. I already explained that to you.

By His Worship :

Q. How many did you switch ?—A. I gave the Grits 27 majority ; they usually got from 13 to 20 the other way.

By Mr. Duvernet :

Q. Who paid you ?—A. Connie O'Gorman.

Q. How much ?—A. $25.

Q. That would be a change of 40 ?—A. Twenty votes—thirty-eight votes.

Q. Did you instruct any deputies ?—A. Yes.

Q. How many ?—A. Two.

Q. Who brought them to you ?—A. I think Con. O'Gorman.

Q. Was Mr. O'Gorman the defendant there at all ?—A. No Sir, not to my knowledge.

Q. Did you see Mr. Lewis ?—A. I did.

Q. What was he doing ?—A. I could not tell you. I had no communication with him at all in this election.

Q. You did afterwards did not you ?—A. I met him afterwards.

Q. He came to your house. They told you there were warrants out ?—A. No, Mr. Ewing done that.

Mr. A. K. MACLEAN. Some time ago the hon. gentleman said that the evidence he was reading was relevant to the resolution. Now he has just read a question in that evidence 'Was a warrant issued ?' That surely is not relevant to this resolution. It does not establish anything.

Mr. ALCORN. The hon. gentleman can consider that omitted if he chooses.

Mr. A. K. MACLEAN. Will he make a motion to strike that from the 'Hansard ?'

Mr. R. L. BORDEN. Whenever the circulars about Mr. Baker are struck out, he will.

Mr. A. K. MACLEAN. The hon. leader of the opposition cannot complain. Nobody transgressed the rules of the House, in discussing the resolution, to a greater extent than he did up to the time this hon. gentlehad the floor.

Mr. R. L. BORDEN. That is entirely a matter of opinion.

Mr. A. K. MACLEAN. I am not finding fault with it, but I certainly have the right to object to the hon. gentleman reading every question and answer in the report which he has in his haud. There is surely some rule against it.

Mr. BOYCE. Some of it is not very nice.

Mr. FOSTER. The hon. gentleman (Mr. A. K. Maclean) should not obstruct the business of the House.

Mr. A. K. MACLEAN. But the hon. gentleman (Mr. Alcorn) is not reading loud enough.

Mr. R. L. BORDEN. That should please the hon. gentleman (Mr. A. K. Maclean) for he does not want to hear it.

Mr. A. K. MACLEAN. It is no good to the House if the hon. gentleman does not read it so that it can be heard.

Mr. ALCORN. Let the hon. gentleman sit over here.

Mr. A. K. MACLEAN. The voice of the hon. gentleman (Mr. Alcorn) is not so agreeable that I would care to do that. I prefer my own place. I think the hon. gentleman should turn this way and read louder.

Mr. ALCORN. There. Is the hon. gentleman (Mr. A. K. Maclean) content now ?

Mr. A. K. MACLEAN. I object to the hon. gentleman (Mr. Alcorn) turning round again.

Mr. ALCORN (reading) :

Q. Did Lewis come to your house at all ?—A. Yes.

Q. Did he ask you to get out ?—A. Well, yes.

Q. What did he want you to get out of the country for ?—A. He didn't ask me. He said I would have to get out or I would be arrested. That is the part he took.

By His Worship :

Q. Who was it said that ?—A. Lewis.

Q. Did he tell you to go to Detroit, or where? —A. He didn't tell me to go anywhere, only to get out.

Q. And you did ?—A. Yes, very quick.

By Mr. Duvernet :

Q. Then did you go to any person's house ? Did you go to see O'Gorman or did O'Gorman see you ?—A. Yes.

Q. And he gave you money, $100 ?—A. Yes.

Q. And you got another $100 did you, or how much ?—A. I got $525 all told for a year's banishment.

Q. How did that come to you ?—A. With the exception of the first $100, through letters.

Q. Did you write to Mr. O'Gorman here in Toronto ?—A. Concerning this election ?

Q. Yes, or any election ?—A. I did concerning a certain thing that took place in one election.

Q. Did he write to you ?—A. He did.

Q. Have you got those letters ?—A. No, sir.

By His Worship :

Q. Who sent the money to you ?—A. The money came through a brother-in-law of mine.

Q. What is his name ?—A. Thomas D. Hastings.

By Mr. Duvernet :

Q. Where does he live ?—A. London.

Q. Have you ever heard as to any person who sent the money—did O'Gorman ever tell you he had sent the money since ?—A. No, sir.

By His Worship :

Q. Did you ever find out ?—A. I was told the money was paid over, but I never got it. It didn't reach my brother-in-law or I would have got it.

Q. More money as well ?—A. I was entitled to $100 a month until my return.

Q. Who made that bargain with you ?—A. Mr. O'Gorman.

Q. And you only got $500 ?—A. $525.

Q. They owe you $675 now ?—A. That is what I claim.

Q. When did he tell you he had given this to anybody ?—A. No, sir, he didn't.

Q. Who did ?—A. Well, there was a member of parliament now dead told me that the money was drawed and paid over.

Q. Drawn where from ?—A. Well, he didn't tell me where from. He told me he knew it was paid in Toronto.

Q. To your brother-in-law ?—A. No, if my brother-in-law had got it I would have got it.

By Mr. Duvernet :

Q. He said he knew the money had been drawn in Toronto and paid over ?—A. Yes, he could swear to it, but it didn't reach me.

Q. Have you had any talk with Mr. Lewis about it, because he was one of the men ?—A. Yes, I wrote him.

Q. What did he say ?—A. He came over and seen me.

Q. Where ?—A. In Detroit.

Q. Were you staying over in Detroit ?—A. Not all the time, no, Sir.

Q. You came back to Detroit ?—A. I got tired being away and I came back to Detroit.

Q. And then Lewis came over to see you ? —A. Met me there.

Q. Did anything take place between you about coming back or anything ?—A. No sir.

Q. Did he talk money matters ?—A. He told me they couldn't pay me the $100.

Q. Why not ?—A. He didn't give me no reason, not per month ; he came and offered me $50.

Q. $50 a month ?—A. Yes.

Q. You wouldn't take it ?—A. I took what I could get.

Q. Did you take any money from Mr. Lewis? —A. No, I don't think I did direct. He offered me some but I told him I had enough. He wanted to give me $25. I think, or somtthing and I refused it.

Q. Did you give receipts for this ?—A. No, sir.

Q. Did you see Mr. O'Gorman at all after that about the matter ?—A. No.

Q. Did you see Mr. Reid ?—A. No.

Q. Then you say that just before you went away and just after the West Elgin election that Mr. Reid spoke to you—that is not this Mr. Reid, his brother ?—A. His brother.

Q. What Mr. Reid was it spoke to you ?—A. Mr. Robert Red.

Q. What position does he hold ?—A. Now ?

Q. Yes?—A. He is on some commission, railroad commission—I am not positive about that, I think it is on the railroad commission, though.

Q. He wanted you to do what or what was it took place between you ?—A. He telephoned me the morning after the election to come up to his office and I did so. That is where the conversation took place with regard to fixing the ballot box.

Q. I don't quite understand about the fixing of the ballot box ? What do you mean ?—A. I volunteered to go down to St. Thomas to change the box, making it as it was reported instead of having in the event of an investigation, the ballot box would be found correct according to my statement.

Q. You had switched those and what were you to do ? You were to make ballots ? Just tell His Worship ?—A. All I had to do was to go down and take some of the ballots out of the packages that were left, taking out a sufficient number of those ballots, the ballots that I called, McDermot—19 or 20. I would have to take out 20 or 19 of McDermot's ballots and put in McNeish ballots.

By His Worship :

Q. How did you expect to be able to get at them ?—A. Well, I thought I could go to the sheriff.

Q. You thought you could get the sheriff to let you look at them ?—A. Yes.

By Mr. Duvernet:

Q. What was it took place ?—A. He said, oh, never mind not to bother with it, it would be attended to.

Q. He told you who would attend to it ? Did he tell you who would attend to it ?—A. Yes, he did.

Q. Who ?—A. A man by the name of Grant from here. I think he said he was a lawyer; he told me his business. I think it was Laywer Grant.

Q. Then what position did the defendant Reid here occupy ?—A. In respect to me ?

Q. Yes ?—A. None at all.

Q. What position did he occupy in London in regard to money matters there ?—A. Well, he was supposed to be the head of the Liberal party there. . . .

Q. Did you ever discuss with this defendant—that is the defendant Reid—what you and O'Gorman or you and Lewis or you and Mulloy were doing ?—A. I think—yes, we spoke about it.

Q. When did you speak to him first about it ?—A. I couldn't tell you.

Q. How long ago ?—A. A number of years ago.

Q. You have discussed with him the practices ?—A. No.

Q. You had spoken to him about it ?—A. Yes.

Q. Just tell his worship in what way you had spoken to him about it ?—A. Just in a casual conversation.

Q. What did you tell him—what would he say to you ?—A. I couldn't recall the man's conversation to me, or mine with him. I know I spoke about the way things were working.

By His Worship :

Q. What did he say to that ?—A. I couldn't recall his words.

Q. Try ?—A. I couldn't.

By Mr. Duvernet :

Q. What was the substance of it ?—A. Satisfactory, that is all—to that effect.

Q. What was ?—A. The method

Q. That the method was satisfactory ?—A. Yes.

Q. Did he say any words at all of approval ? —A. I couldn't recall a conversation that took place a number of years ago. I couldn't recall a conversation of yesterday hardly.

Q. Can you tell the substance of it ?—A. No.

Q. Why did you speak to him ?—A. Being he was the head of the party.

Q. You told him about the methods you and O'Gorman and Lewis were employing ?—A. Yes.

Q. And you say he spoke with satisfaction ? —A. It was. It was satisfactory, yes.

Q. Why did you speak to him ?—A. Well, he was the head of the party and I thought he would be interested in knowing.

Q. Were you ever with O'Gorman and the defendant Reid yourself ?—A. In the committee room.

Q. Where ?—A. In London.

Q. Had you arranged with Mr. O'Gorman who was to go ? Was Mulloy one of the parties that had been arranged for ?—A. I don't know. I was to meet him and did meet at the station.

Q. Who told you to meet Mulloy at the station ?—A. I think Mr. O'Gorman told me that he would be down on that train and to go and meet it and I did.

Q. Now you say at Brockville Mulloy came down and O'Gorman had arranged that he

should go. For what purpose was he going ?—A. That I could not say ; I was not present at any——

Q. For what purpose had O'Gorman told you he was coming up ?—A. To assist in the work, of course.

Q. What work ?—A. I don't know ; I couldn't tell what Mr. Mulloy's business was. As I told you in the beginning I had no particular connection with any of the people only by meeting them and coming on the train.

Q. The purchasing of voters wasn't your department ?—A. No.

Q. You knew from your conversation with O'Gorman what Mulloy was coming there for ?—A. Yes, sir.

Q. For the purpose of purchasing the voters, you knew that ?—A. Well, I suppose you would put it that way.

Q. Well, wasn't that the way. You knew that from that conversation you had with him ?—A. I knew he was coming down to do some work in connection with the election.

Q. And you yourself did meet them in the committee rooms ?—A. Yes.

Q. What rooms ?—A. The committee rooms in the city.

Q. Since you had told him these matters—since you had had these conversations ?—A. One time I spoke to him there—we were alone for a few minutes.

Q. Was that at the London election ?—A. It was a London election.

Q. Which one ?—A. Colonel Lees, I think.

Q. You spoke to him there about it ?

Mr. Robinette. Not about it.

Q. About the methods ?—A. Yes.

Q. What did you tell him—just tell His Worship, what did you tell him ?—A. I can't give the substance—I can't give special——

Q. Did you tell him like you are telling us to-day about the ballots and the rates ?—A. Never spoke to him about the switching.

Q. About the substitution of ballots ?—A. Yes.

Q. Now, after you and O'Gorman and Lewis had arranged the preliminaries, the smaller men would come in, you said Mr. Mulloy was one of these—what election do you remember him in ?—A. Mr. Mulloy was in Brockville.

Q. And you were instructed to meet him.—A. Yes, to meet him.

Q. Where did you take him ?—A. To the hotel.

Q. The same hotel you were staying at ?—A. Yes.

Q. Did Mr. Lewis come down too ?—A. Mr. Lewis was there—not at the station, he was at Brockville.

Q. Why didn't Mr. Lewis meet him—Mr. Mulloy was in his department ?—A. I don't know ; Mr. Lewis was probably out of the city.

Q. Then did you take Mr. Mulloy down to the hotel ?—A. Yes.

Q. And did Mr. Lewis come there ?—A. I met him there quite often.

Q. And did you talk matters over there ?—A. Yes.

Q. Did you ask him or find out ?—A. Not with Mulloy.

Q. With Lewis ?—A. Yes.

Q. How many voters they were buying ?—A. No.

Q. You knew they were bribing voters ?—A. Yes.

Q. You knew that was the purpose that Lewis and Mulloy were there for ? You knew that ?—A. From previous elections, of course.

Q. You knew that from what took place ?—A. Yes.

Q. Did they tell you how many voters they had bought ?—A. No, sir.

Q. Who looked after that branch ? Who paid this money ?—A. I couldn't tell you that. Mr. O'Gorman, I presume.

Q. Mr. O'Gorman looked after that too—how long were Lewis and Mulloy there ?—A. I think Mr. Mulloy came down within the last three days of the election and Mr. Lewis and I were there twelve days.

Q. Now you knew about this system of telling how the voters would vote and giving him his money afterwards. You knew about that ?—A. I knew about it, yes.

Q. Your system was an improvement on that again ?—A. I thought so.

Q. But what part of it, the part as to giving the envelopes or money afterwards to the voter that was the part that Lewis and Mulloy looked after ?—A. I didn't have anything to do with that.

Q. Did they look after that ?—A. They looked after the paying of the votes.

Q. They looked after that in Brockville. You weren't in Waterloo ?—A. No.

Q. When Lewis was reported ?—A. No.

Q. Were they in West Elgin ?—A. Mr. Lewis?

Q. Was Mulloy in West Elgin ?—A. I didn't meet him.

Q. Was Mulloy in Huron ?—A. Yes, I think he was.

Q. Was Lewis in Huron ?—A. Yes.

Q. Was Mulloy in Hastings ?—A. I am not positive, because I was alone in that.

Q. Where would most money be spent in connection with the switching of votes or the purchasing of votes ?—A. Well, I couldn't tell you. It would depend largely on the people, I presume.

Q. It would vary in different ridings, it would depend on the number of people you could buy ? If you couldn't buy, you could switch ?—A. Yes.

Two o'clock p.m., adjourned till 3.15.

Q. Did he want you to make an affidavit saying you were not in Brockville ?—A. Not in Detroit.

Q. Where was it he wanted you to make it ?—A. In the city of London.

Q. When was that ?—A. I couldn't tell you when.

Q. It was after the West Elgin case ?—A. I dont know—yes, it was.

Q. Now you say Mr. Lewis came to you at your house ?—A. Yes.

Q. Just tell his worship what took place ?—A. As to what ?

Q. As to trying to get you to swear an affidavit—a false affidavit—just go on and tell it ?—A. I dont know as I can just recall it now.

Q. What did he want it for ?—A. To the best of my recollection he wanted me to make an affidavit that I was not in Brockville.

Q. That you were not in Brockville at all?—A. Yes.

Q. Did he know you were there ?—A. I think so.

Q. Had he seen you there ?—A. Yes.

Q. He knew you were there if he saw you ?—A. Yes he did.

Q. And he wanted you to make an affidavit you weren't there at all ?—A. Yes.

Q. How much were you to get for that ?

Mr. A. K. MACLEAN. What page is the hon. gentleman reading from ?

Mr. ALCORN. I am reading from page 409.

Mr. Wilkie : That is improper. It assumes he was to get something.

Q. Was anything said ?—A. Yes, I think he had a paper in his possession.

Q. Just tell his worship what he said ?—A. I am like those gentlemen there ; I dont see it bears on the case.

Q. Just tell his worship ?—A. Have I got to answer ?

His Worship : Certainly. This is a conspiracy and you were in Brockville and he was asking for an affidavit to cover up what you were doing and help on the conspiracy and therefore would be a part of the conspiracy, so it is very material in this case.

A. Well, Mr. Lewis came over or telephoned over and I went up to his hotel. He had a paper in his possession and he asked me to sign it and I wanted to know what it was and he told me and I told him positively I would not.

Q. Was that all that passed ? No inducement of any kind held out ?—A. Yes.

Q. Out with it ?—A. He offered me $100 if I would sign it.

Q. Sign this affidavit which he knew was false. Was it to sign it ?—A. To sign the affidavit—to sign the paper in his possession. I asked him what it was and he said it was an affidavit pertaining to me not being to Brockville.

Q. Who were you to swear it before ?—A. I don't know I wouldn't have nothing to do with it.

Q. That was the end of it ?—A. That ended it.

Q. What took place next ?—A. He offered to pay me any back moneys that were coming to me if I would sign it.

Q. To pay your arrears of $100 a month if you would sign it ?—A. Yes.

Q. How much ?—A. $625.

Q. Did you refuse ?—A. I did, positively.

Q. I believe there was a commission going to sit at that time, was there ?—A. That was in Detroit. The commission was not going to sit in Detroit. They were going to sit in West Elgin.

Q. And you were to have this before the commission sat—you were to make this affidavit ?—A. Yes.

Q. Then you told us in West Elgin you went under a wrong name there. What became of the money you were entitled to as returning officer—what did you do with that ?—A. I gave an order to the man who was appointed previous to my being appointed.

Q. An order to what you might call the real man that he should get the money. Where did you give that ?—A. In the Willcox House in St. Thomas.

Q. Did he get the money ?—A. I presume so ; I never made any application for it. He was the original appointee.

Q. You just went and represented him —A. He resigned and I was appointed in his stead.

Q. Did the returning officer know that ?—A. I presume he did.

Q. You went under the other name ?—A. He knew Mr. King was appointed for the polling subdivision—he knew that Mr. King resigned and I was appointed under the name of Johnston.

Q. I thought you took the name of the man who had been appointed ?—A. No.

Q. That was King ?—A. Yes.

That is an extract, somewhat lengthy, from the deposition of Mr. Pritchett. I might go on and give extracts from the evidence of Jerry Collins which might be found equally interesting, but as the hour is growing late I forbear. I think I have read enough to show the different methods of election frauds practised by this gang of election thieves.

Mr. SINCLAIR. Would the hon. gentleman allow me to ask him a question ? I have had some difficulty in following the argument of the hon. gentleman, but if I mistake not he has been discussing the question of spoiled ballots.

Mr. ALCORN. Nothing has been said about spoiled ballots at all..

Mr. SINCLAIR. The question I wanted to ask the hon. gentleman is this : In the year 1896 there were, in thirty-two counties in the province of Ontario, according to the official returns, 4,190 spoiled ballots, that was the year when the election was run by the friends of the hon. gentleman ; whereas in the election of 1900, according to official returns, in these same counties, there were only 850 spoilt ballots, and one of these counties was the county represented by my hon. friend. I wish to get some explanation of that fact from my hon. friend, if he will be kind enough to give it.

Mr. ALCORN. The hon. gentleman (Mr. Sinclair) will get no explanation from me at the present time. That is the same question that the hon. gentleman propounded some time ago and I think I answered it very explicitly at that time. I will make no further remarks upon this resolution than to say that a vote against the passage of this resolution is a vote in favour of a continuance of a state of affairs disclosed by the evidence that I have read.

House divided on amendment (Mr. R. L. Borden).

YEAS :

Messieurs.

Alcorn,	Jackson (Elgin),
Ames,	Kemp,
Armstrong,	Lake,
Avery,	Lalor,
Barker,	Lancaster,
Barr,	Lennox,
Bennett,	Lewis,
Bergeron,	McCarthy (Calgary),
Blain,	McLean (Queen's, P.E.I.),
Borden (Carleton),	Marshall,
Boyce,	Northrup,
Brabazon,	Paquet,
Broder,	Perley,
Chisholm (Huron),	Porter,
Christie,	Roche (Marquette),
Clements,	Sproule,
Crocket,	Staples,
Daniel,	Taylor,
Elson,	White,
Foster,	Wilmot,
Henderson,	Wright (Muskoka.)—44.
Herron,	
Hughes (Victoria),	

NAYS :

Messieurs.

Archambault,	Laurier (L'Assomption),
Aylesworth.	Lavergne (Drum. & Arth.),
Beauparlant,	Law,
Beland,	LeBlanc,
Bickerdike.	Lemieux,
Black,	Loggie,
Bole,	Lovell,
Boyer,	Maclean (Lunenburg),
Burrows,	McCraney,
Calvert,	McKenzie,
Campbell,	McLennan,
Carvell,	Marcile (Bagot),
Cash,	Marcil (Bonaventure),
Chisholm (Antigonish),	Mayrand,
Conmee,	Michaud,
Copp,	Oliver,
Cyr,	Pardee,
Crawford,	Paterson,
Delisle,	Parent,
Demers,	Pickup,
Derbyshire,	Power,
Desjardins,	Proulx,
Devlin (Wright),	Reid (Restigouche),
Dubeau,	Rivet,
Dugas,	Roche (Halifax),
Ethier,	Ross (Cape Breton),
Fielding,	Ross (Rimouski),
Finlayson,	Rousseau,
Fisher,	Schell (Glengarry),
Fortier,	Sinclair,
Geoffrion,	Sloan,
German,	Smith (Oxford),
Gervais,	Talbot,
Girard,	Telford,
Gordon,	Templeman,
Grant,	Tobin,
Hall,	Tolmie,
Hughes (King's, P.E.I.),	Turgeon,
Hunt,	Verville,
Jackson (Selkirk),	Walsh (Montreal, St. Ann's),
Johnston,	Watson,
Knowles,	Wright (Renfrew),
Lanctot (Laprairie-Napierville),	Zimmerman.—88.
Lanctot (Richelieu),	
Lapointe.	

PAIRS :

Messieurs.

Ministerial.	Opposition.
Parmelee,	Worthington,
McColl,	Ward,
Harty,	Reid (Grenville),
Brodeur,	Monk,
Greenway,	Tisdale,
Logan,	Lefurgey,
Ratz,	Clare,
McCool,	Cockshutt,
Wilson (Russell),	Morin,
Telford,	Jackson (Selkirk),
Carney,	Wilson (Lennox),
Turriff,	Walsh (Huntingdon),
Macdonald,	Fowler,
Ross (Yale-Cariboo),	Martin (P.E.I.),
Macpherson,	Schaffner,
Miller,	Gunn,
Clarke,	Macdonell,
Adamson,	Pringle,
Laurier (Sir Wilfrid),	Haggart,
Borden (Sir Frederick),	Osler,
Emmerson,	Ganong,
Schell (Oxford),	McLaren,
Stewart,	Bristol.
Mr. ALCORN.	
Devlin (Nicolet),	Forget,
Dyment,	Seagram,
McIntyre (Perth),	Maclean (York, S.),
Bureau,	Leonard,
Brown,	Broder,
Caldwell.	Smith (Wentworth).

Amendment negatived.

Motion agreed to, and House went into Committee of Supply.

Mr. FIELDING. I would suggest that we should take the items in their order, and we might be able to dispose of those which are only matters of routine ; we can let the others stand.

Dominion Police—Retiring allowance of Constable Angus McCuaig, $1,111.73.

Mr. SAM. HUGHES. Is there no superannuation for the Dominion police ?

Mr. FIELDING. No.

Mr. SAM. HUGHES. Why not put them on the same level as the other servants of the country ?

Mr. FIELDING. That is rather a large question.

Mr. SAM. HUGHES. Nearly every one else is pensioned.

Mr. FIELDING. There are large numbers who are not.

Mr. SAM. HUGHES. All are pensioned except the ex-ministers.

Mr. DANIEL. Why do you give this retiring allowance ?

Mr. FIELDING. Let the item stand.

Legislation—House of Commons, $103,260.

Mr. SAM. HUGHES. Each member is entitled to about 5,000 ' Hansard ' envelopes, but he should be entitled to one of these envelopes for every voter he has. I have 15,000 voters and I have to buy 10,000 envelopes if I send one to each of my electors. Others have only 3,000 voters and could do with 3,000 envelopes. The proper thing would be for each member to have one envelope for each voter in his constituency.

Mr. BERGERON. This item had better stand as there is something to be said about the printing of the revised statutes in French.

Exhibitions—Further amount required, $50,000.

Mr. DANIEL. What is that for ?

Mr. FISHER. We had to make preparations for the Dublin exhibition which is just commencing.

Mr. SAM. HUGHES. Is this vote all for the Dublin exhibition ?

Mr. FISHER. Yes. We finished up the Milan exhibition with the vote we had.

Mr. BERGERON. How much did the Milan exhibition cost ?

Mr. FISHER. Speaking from memory, about $120,000.

Mr. BERGERON. How much will the Dublin exhibition cost ?

Mr. FISHER. About the same, not quite so much.

Mr. BERGERON. Will the exhibit at Milan be transferred to Dublin ?

Mr. FISHER. All that will stand transportation ; for example the agricultural decorations must be renewed.

Mr. BERGERON. What will you do with the buildings at Milan?

Mr. FISHER. The contract is that the contractor shall put up the buildings and then remove them. He takes the materials back, and that is considered in the price. We have been following that system for the last few years and we find it is much cheaper.

Mr. BERGERON. There is no possibility of taking the Milan buildings to Dublin ?

Mr. FISHER. We tried to have the Milan building taken down and put up in Dublin, but the contractor agreed to put up a new building at a lesser price than that would cost.

Mr. BERGERON. How are these buildings constructed ?

Mr. FISHER. Steel girders and wood.

Further amount required for expenses in connection with visit of Prince Arthur of Connaught ($6,000 being a revote), $11,000.

Mr. SAM. HUGHES. What is the $4,000 for ?

Mr. FIELDING. It is an additional amount required to pay the bill ; royalty comes high.

Mr. SAM. HUGHES. We want to know what royalty consists of.

Mr. FIELDING. In this case Prince Arthur of Connaught.

Mr. SAM. HUGHES. It might be champagne.

Mr. BERGERON. There is $5,000 voted and we do not know what it is for ?

Mr. FIELDING. Except it is to close up the accounts for entertaining His Royal Highness. There are officials in the civil service to whom additional sums are proposed to be paid.

To compensate R. Wainwright for injuries from runaway team of Mounted Police horses, $425.

Mr. SAM. HUGHES. I would call the attention of the minister to the fact that there are many claims for injuries received in camp to both men and horses that are held over sometimes for several years and I would suggest that he should expedite the adjustment of claims which are even now before the department.

Legal services in connection with Sunday legislation, $1,840.

Mr. SAM. HUGHES. Who gets that ?

Mr. AYLESWORTH. It goes to Mr. R. U. Macpherson who was retained to assist in the preparation of the Bill.

Mr. BERGERON. What is the effect of that Sunday observance law ?

Mr. AYLESWORTH. That remains to be demonstrated.

Mr. DANIEL. Was Mr. Macpherson retained by the government or by the Lord's Day Alliance ?

Mr. AYLESWORTH. He was retained so far as I am aware by my predecessor for a year or perhaps eighteen months before the introduction of the Bill to assist in its preparation and did very materially assist, as I am told, prior to my taking charge of the Department of Justice in the preparation of the Bill, and in attending on the special committee which considered it.

Mr. SAM. HUGHES. Was there not $2,000 paid to him last year ?

Mr. AYLESWORTH. At the moment I am not able to say but if so it was for services prior to these services.

Mr. SAM. HUGHES. Is Mr. Shearer not to get something ?

Mr. AYLESWORTH. I think not.

Mr. AMES. There were accounts before the Public Accounts Committee showing that $1,000 or $1,500 was paid to Mr. Macpherson in 1905-6. Was this in addition ?

Mr. AYLESWORTH. If there were such sums they would be for services prior to the services covered by this item.

Unprovided items as per Auditor General's Report, page C—4, $69,328.

Mr. FIELDING. If the hon. gentleman will turn to the Auditor General's Report at the page indicated he will find there certain sums of money, small balances which are practically over-expenditures. An appropriation is made for one branch of the service and some small portion may pass to another branch. Technically it is an over-expenditure but at the end of the year the Auditor General covers these in his report and a vote is taken.

Administration of the Chinese Immigration Act, including remuneration to Trade and Commerce and Customs officers..	$ 4,000 00
Canada's proportion of expenditure in connection with International Customs Tariff Bureau..	600 00
Commercial Agencies, including expenses in connection with negotation of treaties or in extension of commercial relations or miscellaneous advertising and printing or other expenditure connected with the extension of Canadian trade.	70,000 00
Bounties on iron and steel, manufactures of steel or lead contained in lead, ore, and on crude petroleum. To cover expenditure in connection with administration of the Acts..	11,000 00
	$85,600 00

Mr. FIELDING. I move to amend the item with regard to bounties on iron and steel, &c., by adding to the word 'petroleum' the words 'and on manilla fibre used in the manufacture of binder twine.' This does not touch the bounties themselves. It is for the special service in connection with the bounty, such as the payments of salaries of the inspectors who have to watch the operations of the various concerns.

Mr. DANIEL. The first item for administration of the Chinese Immigration Act takes in a very large question in which the people of British Columbia are particularly interested. And I think we should have a little explanation as to how the Act is working and how it is likely to work out in the future.

Mr. FIELDING. If we pass the item the hon. gentleman can take the opportunity of discussing it in any form he likes on any other item.

Some resolutions reported.

On motion of Mr. Fielding, House adjourned at 12.50 a.m. Wednesday.

HOUSE OF COMMONS.

WEDNESDAY, April 17, 1907.

The SPEAKER took the Chair at Eleven o'clock.

QUESTIONS.

RIDEAU CANAL—LEASE OF RESERVE LAND.

Mr. TAYLOR asked :

Has the government leased the reserve land on the banks of the Rideau canal between Kingston and Jones' Falls to a company, or a person, for the purpose of making brick and tile ? If so, to whom, and on what terms ?

Hon. W. S. FIELDING (Acting Minister of Railways and Canals) : The government have granted a lease to Messrs. Robert F. Rowan, John H. Birkett and Alexander M. Chisholm, giving them the right to dredge from the bed of the waters between Kingston Mills and Jones' Falls, material suitable for the manufacture of brick tile, &c., for the term of 21 years, at $500 a year, under proper restrictions that do not permit of any injury to the banks of the canal or adjacent property.

ST. CHARLES DE CAPLAN, BAIT FREEZER.

Mr. A. LAVERGNE—by Mr. A. Johnston—asked :

1. How many reports have been made to the government by the Refrigerator Association of St. Charles de Caplan ?
2. Did the said association receive any bounties from the government in 1904 for the freezing of fish ?
3. How many pounds of fish did they freeze ?
4. What is the amount of bounties received by them from the government ?

Hon. WM. TEMPLEMAN (Acting Minister of Marine and Fisheries) :

1. Monthly reports are required from all the fishermen's bait freezers to the outside officer of the department in charge of the establishment of these freezers, through whom they are received at the department.
2. Yes.
3. 38,800 pounds in 1904.
4. $97, in 1904, and $100 in 1905.

MR. ULRIC DION.

Mr. A. LAVERGNE—by Mr. Louis Lavergne—asked :

1. Is Mr. Ulric Dion, of St. Charles de Caplan, in the employ of the government ?
2. If so, what is his salary, and how much is he paid by the month or by the year ?
3. Are his expenses paid by himself or by the department ?
4. How much did the government pay to Mr. Dion in 1906 ?

Hon. WM. TEMPLEMAN (Acting Minister of Marine and Fisheries) :

1. Yes.
2. $2.50 per day, Sundays excluded.
3. His expenses connected with his departmental work are paid by the department.
4. $704.50 for wages ; $421.38 for expenses.

INTERCOLONIAL RAILWAY PASSENGER AGENT.

Mr. ARMAND LAVERGNE—by Mr. J. J. Hughes—asked :

1. Is Mr. John Matthews in the employ of the Intercolonial Railway at Quebec, as passenger agent ?
2. If so, is the government aware that Mr. Matthews does not speak French, and that the

travelling public is greatly put about in consequence ?

Hon. W. S. FIELDING (Acting Minister of Railways and Canals):

1. Mr. John Matthews is not employed by the Intercolonial Railway as passenger agent at Quebec ; he is employed as city agent and his duties are to solicit freight and have a general supervision over the business of the railway in Quebec city.

2. Mr. Matthews does not speak French. There are passenger agents at both the upper and lower town offices of the Intercolonial whose duties are to sell passenger tickets and these agents speak both languages. The travelling public are in no way inconvenienced.

CROW'S NEST COAL.

Mr. LAKE—by Mr. Uriah Wilson—asked :

Referring to the statement of the Minister of Railways, given on the 14th of March last 'Hansard' page 4776, that he was taking steps to secure information in regard to coal on the Crow's Nest line of railway, will the government now answer the questions asked by Mr. Lake on that occasion as follows :—

1. Referring to the agreement with the Canadian Pacific Railway Company for the Crow's Nest line of railway, what is the maximum price now being charged for coal, free on board the cars, on that railway ?

2. What steps has the government taken to fulfil the assurances made, if any, by them on the 18th of June, 1897, that the price would not exceed $2 per ton?

3. If the government has taken no steps, when do they propose to do so, and what is their policy in regard to this question ?

4. What are the freight rates now charged on coal delivered at, say, Moosejaw and Brandon ?

5. Are these rates lower than when the railway first commenced operation ? If so, how much lower ?

Hon. W. S. FIELDING (Acting Minister of Railways and Canals). The department is endeavouring to obtain the information to answer this question ; but so far has not been placed in possession of it.

Mr. URIAH WILSON. Allow the question to stand.

Mr. FIELDING. My hon. friend had better renew it. Information has to be obtained from a distance and my hon. friend had better renew the question at a later date.

Mr. URIAH WILSON. This session ?

OTTAWA IMPROVEMENT COMMISSION.

Mr. A. A. McLEAN—by Mr. Bennett—asked :

1. How many meetings were held by the Ottawa Improvement Commission last year ?

2. On what dates in 1906 were the meetings of the commission held ?

3. Did the senatorial members attend any of the meetings of the commission last year ? If so, on what dates ?

4. How many meetings of the Ottawa Improvement Commission have been held since the 1st of January last ?

5. If any held this year, on what dates, and were they attended by the non-resident members of the commission ?

Hon. W. S. FIELDING (Minister of Finance) :

1. Five meetings were held in 1906. Seven meetings in all were called, but two of them could not be held for want of a quorum.

2. Wednesday, April 4th, 3.45 p.m. ; Saturday, April 7th, 3.15 p.m. ; Friday, June 15th, 4 p.m. ; Tuesday, September 4th, 3.45 p.m. ; Wednesday, November 14th, 3 p.m.

Meetings were called for 3.30 p.m., Monday, March 12th, and 3.30 p.m., Wednesday, November 7th, but for want of a quorum were not held.

3. No.

4. None.

5. Answered by No. 4.

QUEBEC BRIDGE AND RAILWAY COMPANY.

Hon. W. S. FIELDING (Minister of Finance) moved that the House do to-morrow go into Committee of the Whole to consider the following proposed resolution :

Resolved, that it is expedient to provide as follows :

1. The Governor in Council may, from time to time, advance by way of loan to the Quebec Bridge and Railway Company, hereinafter called 'the company,' a sum not exceeding six million six hundred and seventy-eight thousand two hundred dollars, for the purpose of the undertaking of the company as set forth in chapter 54 of the statutes of 1903, and the agreement, a copy of which forms the schedule thereto, which loan shall bear interest at the rate of three per cent per annum, payable half-yearly on the first day of April and the first day of October in each year.

2. So much of the sum hereby authorized to be advanced as is required for that purpose may be applied in repayment of any moneys heretofore advanced to the company by any bank or banks for the purposes of the undertaking, on the pledge or hypothecation of bonds of the company, issued under the provisions of chapter 177 of the statutes of 1903 and of said chapter 54, and the stipulated interest on such advances, said pledged or hypothecated bonds being a part of the $6,678,200 of bonds authorized to be guaranteed by the government pursuant to the provisions of said chapter 54 and said agreement.

3. The remainder of the said sum may be advanced as the undertaking is proceeded with to the satisfaction of the Governor in Council, and in such sums as the chief engineer of government railways, or such other officer as the Governor in Council appoints for the purpose, may certify to be justified.

4. Before any moneys are so advanced the company shall deposit with the Minister of Finance and Receiver General, or arrange to

the satisfaction of the Governor in Council for such deposit, all the bonds so authorized to be guaranteed, whether the same have been already issued or remain to be issued, and the said bonds shall be held by the government of Canada as security for the loan herein provided for.

5. The Royal Trust Company, which is the holder as trustee under the mortgage trust deed, to the Royal Trust Company, dated first February, 1904, of the bonds not yet issued, is authorized, notwithstanding anything in the said agreement or mortgage trust deed, to issue and deposit with the Minister of Finance and Receiver General all the said bonds remaining to be issued.

He said: His Excellency the Governor General having been made acquainted with the subject-matter of this resolution, recommends it to the consideration of the House.

Motion agreed to.

QUESTION OF PRIVILEGE—MR. SAM. HUGHES.

Mr. SAM. HUGHES (Victoria and Haliburton). Before the Orders of the Day are called, Mr. Speaker, I rise to a question of privilege. In the Montreal 'Star' of yesterday—a very excellent journal so far as its news matter is concerned—is an editorial directing some attention to myself. I do not as a rule complain of all the abuse that newspapers choose to heap upon me; on the contrary, I am rather inclined to follow the principle laid down by Barnum a good many years ago, that I would infinitely rather be condemned by my opponents than praised by them. As, it seems, I can rank the Montreal 'Star' as one of my opponents, I therefore feel complimented, in a sense, by its opposition. Consequently I would not have referred to this matter had my honour not been touched upon. Reference is made by the 'Star' to collusion between myself and the Minister of Militia in regard to militia matters. I would say only one word in reference to that: That anything that has transpired between the Minister of Militia and myself is done with the absolute knowledge of my former leader Sir Charles Tupper, and my present leader Mr. R. L. Borden; the policy being that everything connected with the militia should be as far as possible kept out of the arena of party politics. I am not complaining of the news columns of the 'Star'; it is one of the finest journals in that regard, but I do complain of the editorial which is one of the weakest—the editorials are always weak in the Montreal 'Star.' A few weeks ago there appeared a very unfair article in the columns of that journal against my hon. friend, Mr. Fowler, and I took the liberty of reasoning with the Montreal 'Star,' and in the course of the reasoning I undertook to tell them finally that their article was unfair, unmanly and cowardly.

Mr. FIELDING.

Some hon. MEMBERS. Oh, oh.

Mr. SAM. HUGHES. The Montreal 'Star' therefore I presume is merely getting back at me in its usual way for having defended my friend Major Fowler on that occasion. I may point out that the Montreal 'Star's' editorial policy is yet influenced by its conduct on the eve of last election, when it having undertaken—I would not say criminal conduct in relation to that election; found itself at the mercy of the right hon. the leader of the government, and then after trembling and chattering in the teeth for a few months, finally succumbed and surrendered itself, and since that time it has been under the control of the leader of the government.

Some hon. MEMBERS. Oh.

Mr. FIELDING. If the hon. gentleman charges that the 'Star' is under the control of the government I am afraid I will have to rise to a question of privilege myself.

Mr. SAM. HUGHES. I do not know what the compromise with Sir Wilfrid Laurier was, but at all events we do know that after being in a state of mental paralysis for a number of weeks, the 'Star'——

Mr. SPEAKER. I think the hon. gentleman is now going beyond the question of privilege.

Mr. SAM. HUGHES. I am merely explaining why the 'Star' is slating me. I bow to your ruling.

Mr. FIELDING. I think you ought to be allowed to finish that sentence.

COAL STRIKES IN THE NORTHWEST.

Mr. M. S. McCARTHY (Calgary). Before the Orders of the Day are called, I wish to draw to the attention of the government a telegram which I have received in relation to labour disputes in mines in the west. I am in receipt this morning of the following telegram:

Calgary, April, 1907.

M. S. McCarthy, M.P.,
Ottawa.

Calgary Board of Trade strongly urges immediate action board of conciliation miner disagreement. Freight traffic ceased entirely; passenger traffic stops for a few days; miners leaving work in large bodies, though no strike apparently officially declared; output coal practically ceased; manufacturing plants closing; situation most serious in the history western Canada; ask your co-operation prevent fatal demoralization western business.

(Sgd.) E. L. RICHARDSON,
Secretary Board of Trade.

I desire to draw the attention of the government, the Minister of Labour in particular, to this matter.

Hon. RODOLPHE LEMIEUX (Postmaster General). I beg to say that I also have

received this morning a message similar to the one read by my hon. friend. It looks as if there were, in one of the mines at least, a little disagreement between some of the operators and some of the miners. The miners—I mean the men working in the mines—have agreed to appoint a representative on the board. This gentleman is Mr. Eckstein. The cause of the difficulty was that the operators suggested at first the name of a gentleman as their representative who himself was directly interested in the operation of the mines. We remonstrated, as the men did, because the law clearly provides that no one directly interested can be a member of the board. I am glad to say that the operators have changed their mind, and have suggested the name of an independent party, a Mr. Parker, who was only appointed yesterday. I received a telegram last night from the representative of the miners, which reads as follows :

Hon. Minister of Labour, Ottawa.

Am hopeful of clearing misunderstanding and reaching temporary settlement when companies' representative meets me. Shall do my utmost to bring about peace. Am now working in that direction.

L. P. ECKSTEIN.

I hope that in a few hours the representative of the men and the representative of the operators will have met and agreed upon a third arbitrator, and put an end to the situation which now unfortunately exists. But, as I have stated, the disagreement is not as considerable as the message which my hon. friend has received would seem to indicate.

Mr. FOSTER. May I ask the minister if in the meantime the men have gone out from work? Has the operation of the mines ceased?

Mr. LEMIEUX. Mr. Eckstein does not speak of a strike. Some of the men have left, I know ; but there is not a general strike.

Mr. R. L. BORDEN. Is the telegram which the minister mentioned as similar to the one received by the hon. member for Calgary (Mr. M. S. McCarthy) the one he has read just now ?

Mr. LEMIEUX. No ; it is another one from the secretary of the Board of Trade of Calgary, Mr. Richardson—the same as the one the hon. gentleman has read. Mr. Richardson is probably unaware of the fact that the company has appointed Mr. Parker as its representative.

Mr. SAM. HUGHES. Is Mr. Eckstein at Calgary or at the mines?

Mr. LEMIEUX. At the mines.

AMERICAN WARSHIPS ON THE LAKES.

Mr. R. L. BORDEN. I have been waiting patiently for a statement from the government as to permitting American warships to enter the great lakes, and as to the attitude of the government with regard to the matter.

Mr. FIELDING. I stated to the hon. gentleman at the time that I had an impression, but that I did not wish to reply until I looked up the records, which I have done. No such permission has been granted, and no such permission has been applied for.

THE PETAWAWA CAMP.

Mr. SAM. HUGHES. Has the minister obtained any information in regard to the Petawawa camp?

Mr. FIELDING. I have not been able to get it yet, but I will send to the acting minister for it.

SUPPLY—ERIE AND ONTARIO DEVELOPMENT COMPANY.

Mr. FIELDING moved that the House go into Committee of Supply.

Mr. W. H. BENNETT (East Simcoe). Mr. Speaker, before you leave the chair, I wish to call the attention of the House to a somewhat remarkable account of a proceeding that happened yesterday in the city of Ottawa, and for full reference I will read the article which is in the Toronto 'News' of Tuesday, April 16, 1907 :

Ottawa, April 16.—The members of the Private Bills Committee of the House of Commons this morning witnessed an unusual scene when Mr. German, Liberal member for Welland, made a few unexpected remarks about a minister of the Crown. The scene occurred in connection with the consideration of the Senate Bill which proposes to amalgamate the Jordon Light, Heat and Power Company and the Erie and Ontario Development Company. Mr. D'Arcy Scott, mayor of Ottawa, and son of R. W. Scott, appeared in the interests of the Erie and Ontario Development Company.

Mr. German, speaking on behalf of the Erie and Ontario Power Company, which is not included in the proposed amalgamation, stated with heat, that the promoters of the company represented by Mr. Scott got their powers in a secret way from a minister of the Crown. Mr. German further alleged that the Secretary of State had also given the company more power than was authorized by the statutes. An amendment was inserted on Mr. German's suggestion, to the effect that the powers of amalgamation should not in any way interfere with the rights of the Erie and Ontario Power Company.

Now, I think that is a fair comment in part on what actually occurred at that committee. As one who was present, I

am going to state my recollection of it. The hon. member for Welland (Mr. German) appeared on behalf of one of these companies, and at the very outset of his remarks said that a very unfair advantage had been taken of the parties, whose interests he was advocating.

Mr. FIELDING. Has this committee reported on the Bill to which this transaction refers? If not, I question the right of the hon. gentleman to refer to what occurred in the committee in a matter that has not been reported to the House.

Mr. FOSTER. What goes on in a committee, which is not a private but a public committee, is reported through the press and becomes a matter of general observation, general comment and general information. That is all my hon. friend is discussing. He is not discussing the measure or the merits of the measure.

Mr. FIELDING. He is discussing the proceedings of the committee.

Mr. FOSTER. Which are public proceedings.

Mr. FIELDING. I do not think my hon. friend can say that they are public proceedings in the sense that they can be discussed in this House before the measure is reported upon by the committee. That is the general rule.

Mr. FOSTER. He could not go into the merits of the Bill.

Mr. FIELDING. Everything that takes place in the committees is publicly referred to in the press ; and if that were a reason, an hon. member might discuss anything.

Mr. R. L. BORDEN. I do not think the rule excludes from discussion or comment in this House everything that transpires in a committee. Suppose a member of parliament should commit an assault in a committee upon my hon. friend the Minister of Finance, would the mere fact that the proceedings of the committee had not been reported prevent a reference to that in the House?

Mr. FIELDING. Even so I think they would have to report.

Mr. R. L. BORDEN. I do not think so. I should be very much astonished if any parliamentary rule of that kind could be cited. I think my hon. friend the Minister of Finance on reflection will concede that to be a most ridiculous suggestion.

Mr. FIELDING. It might be brought up as a question of privilege.

Mr. R. L. BORDEN. Besides I would like to know whether or not, as a matter of fact, the Bill has been reported.

Mr. BENNETT.

Mr. SPEAKER. I think the point is well taken. At page 551 of the last edition of Bourinot's Parliamentary Procedure, it says:

As soon as the evidence is before the House it may be debated at length, but members will not be permitted to discuss the conduct or language of members on the committee except as far as it appears on the record.

Mr. BENNETT. I think the Bill was reported yesterday by the gentleman who acted pro tem. as chairman of the committee.

Mr. SPEAKER. We had better ascertain if that is the fact.

Mr. FIELDING. I do not know what my hon. friend is reading about. I am taking the general principle.

Mr. SPEAKER. I find from the clerk that this Bill has not been reported.

Mr. BENNETT. Can I comment on the article in the newspaper?

Mr. SPEAKER. I think that would be indirectly doing the same as the other.

LEASE OF RESERVE LAND OF RIDEAU CANAL.

Mr. GEORGE TAYLOR (Leeds). I wish to read to the leader of the House (Mr. Fielding) a letter which has been placed in my hands referring to a question answered by the Minister of Finance this morning in reference to the Rideau canal. I wish to give the letter to the government as a notice from the farmers of this district. It reads as follows :

Kingston Mills, April 6.

Sir,—The farmers of the district from Kingston Mills to Jones' Falls whose lands border on the Rideau canal desire to call your attention to a matter in which they are deeply interested.

It is reported that a company has been formed to manufacture brick and tile, and that said company has obtained from the government a lease of the government reserve between Jones' Falls and Kingston Mills. The material of these reserves to be used in the manufacture of brick.

This reserve consists of sixty-six feet of land on each side of the canal.

In the deeds or patents issued to the farmers of their lands the Act governing these reserves states plainly that these reserves are held for the use of the Rideau canal for the use of the Public Works Department or for any other public use. Now we contend that the leasing of these reserves to said company for abovementioned purpose is not a public use but a purely private one. And that these lands are not only being leased for private purposes, but they are to be removed and used in the manufacture of brick.

If this is permitted the bed of the canal would be widened and the government reserve which acts as a water break would be removed thereby allowing the banks to crumble and wash into the canal thereby damaging all farm lands bordering on the canal.

The government has never fenced or inclosed its reserves, the farmers whose lands the canal crosses running their line fences dividing the farms to the water's edge. Now if these reserves are to be leased and the ends of the line fences removed which crosses the reserve at the canal it will necessitate a great expense to either the farmer or to the government in the erection of fences. Each farmer has always had the use of that portion of the reserve which is on his own farm.

We contend that the leasing of these lands to private parties or companies for private purposes is contrary to the deeds or patents issued to us, we also contend that if these reserves are to be leased at all, they should be leased to each farmer to whose lot they belong. Surely the farmer who bought the balance of the lot is entitled to the first chance to lease or buy the reserve on his own farm, it being a portion of his own lot.

You will confer a great favour on all farmers in that portion of your constituency by investigating the matter, and if necessary bringing the matter before the House, thereby preventing the land grabs of the west being introduced in Ontario.

All landowners on the Rideau river from Kingston to Ottawa are interested, for if one portion of these reserves can be leased they can all be leased. We inclose clippings from a Kingston paper which will further explain matters.

Yours sincerely,
Landowners of District.

I understood the Minister of Finance (Mr. Fielding) to say they had only leased the bed of the canal. I read this letter so that it may be on 'Hansard' and the government can look into the matter. If the patents have been issued as the landowners say I think the government will be making a mistake if they allow these reserves to be interfered with to the injury of the farmers and particularly if they have been in possession for a number of years.

Mr. FIELDING. My only information is the answer I gave this morning. I have no other knowledge, but in view of what the hon. gentleman has said I will see that some inquiry is made among the officials.

REPORT OF INSURANCE COMMISSION.

Mr. HAUGHTON LENNOX (South Simcoe). Mr. Speaker, before you leave the chair, I desire, in accordance with the notice I have given to the government, to bring up the question of the Royal Insurance Commission. Owing to the action of the government we are to have another year of chaos in this matter. The commission was appointed in great haste. Complaint was made at the last session that the government, after leaving the matter so long, had seen fit to make the appointment on the eve of the session, and the explanation given to the House was that the urgency of the matter was the reason the appointment had been made at that time. It was then stated that the probability was that the report of the commission would be in the hands of the government in time to enable them to introduce legislation during that session. The fact is that that hope was not realized and we are again approaching the close of a session and it is evident that there is to be no legislation in reference to this matter this session. The result is that we are to have another year in which the people do not know in what position they stand in regard to insurance matters, a year in which every life insurance company which has been condemned by the Insurance Commission will be to a large extent powerless and paralyzed in its efforts.

The Minister of Justice (Mr. Aylesworth) the other night drew a pathetic picture of the widows and orphans of the policyholders. We must not forget that during this period of uncertainty men will not insure, they will allow their policies to lapse and the widows and the orphans will suffer irretrievable loss in consequence. In addition to that we will have standing upon the records of this House embodied in the report of this commission, a condemnation, unrefuted, of every home insurance company in this country, and although the Insurance Commission did authorize an inquiry into the acts and proceedings of every insurance company doing business in Canada there will not be the same condemnation in regard to foreign companies operating here, and so their operations will be extended and to that extent the operations of our own home companies curtailed. It may be said that this is a matter that affects the companies alone. That is not so. Every policy-holder is interested in the success of the company in which he is insured. The success of the company must be to a large extent the success of the insured as well. I propose at the close of my remarks to move a resolution along the lines of my criticism. First I want to call the attention of the House to the scope of the inquiry which was committed to the Royal Insurance Commission. The order in council provides :

That the commission shall inquire into :

(a) The general subject of life insurance and life insurance systems in Canada ;

(b) The operations of the various companies chartered by the parliament of Canada or by any province, and licensed under the Insurance Act, transacting life insurance in Canada, including expenses of management, investment of funds, and other allied questions.

2. To make the like inquiry, as far as deemed necessary, into the operations of companies other than those chartered by the Dominion or a province, transacting in Canada the business of life insurance.

What would be the scope of the inquiry as regards the home companies because, as regards the other companies doing business in Canada, the commission, as I understand, actually did nothing at all. Would

the scope of the inquiry be different at all from what it would be if directed say to the operations of a bank? They are to inquire into the subject of insurance and insurance systems in Canada. There is no need of elaborating that branch, because that is clear. And they are also to inquire into the investment of funds. If their inquiry were into the operations of banks and their investments, it is perfectly plain what scope the commissioners would have. They would have the right to inquire into what had been done with all the moneys of the bank, to whom these moneys had gone and what securities had been taken in return. But beyond that they would not be empowered to go. They would not have the right to inquire into the particular methods by which the customers of a bank had acquired their property, the prices they had paid, or the chain of title through which it had come. That would all be foreign to the subject of the inquiry. Take the case of a loan company, the commission would have the right to inquire into the various loans which had been made by the company, the expenses they had incurred, the class of securities they had obtained. But what the men the money had been lent to had done with it, whether they had dealt with it honestly or dishonestly, how they had acquired their property in the first instance, by what title it had come to them, would be recognized by all thinking men as matters thoroughly foreign to the investigation. But if we take the methods which were adopted by this Insurance Commission, we are at once struck with their complete departure from any such principle. We may take it for granted as preliminary that any investigation into banks or loan companies—and I submit also in the case of insurance companies—should be perfectly impartial—one in which the parties interested would have the right themselves to show their position. It would not be assumed that the counsel appointed to conduct the commission would paint these companies either black or white, but that these companies would be permitted to bring forward all the evidence they thought would bear on the question and be allowed, through their own counsel, to cross-examine the witnesses produced by the commission and bring forward witnesses of their own. But instead of that we had a one-sided inquisition and trial, and we had an absolute and distinct denial by the commissioners to allow these companies to cross-examine the witnesses or produce evidence on their own behalf, and we have spread upon the reports and the record a condemnation clear and straight of every life insurance company in the Dominion. We had Mr. Shepley employed by the government, and I submit that he should have been in an impartial position. I believe that was the expectation of the country when he was appointed and I do not know but that it was the intention of the government, and if I refer to the language of Judge MacTavish at the opening of the investigation, I would understand that the counsel was merely in the position of assisting the commission and should be exactly in the same position as counsel who would appear on the other side as regards the right to examine and inquire into the various matters that come before the commission. But instead of that the evidence shows that Mr. Shepley throughout this investigation was the pursuer, the persecutor, the inquisitor and the judge in this investigation. In the annals of British or British-Canadian history you cannot find a case in which a gentleman occupying the position that Mr. Shepley occupied in that matter, afterwards took his place as a judge beside the men who were appointed as judges, and decided upon the very points he had been himself advocating during the case, and to show what an impartial judge Mr. Shepley made, I shall refer to a sentence in the examination as a sample of the position he occupied when he assumed to take the position of judge. On page 2603 of the evidence we find this question :

> Q. Mr. Shepley, what do you think, having regard to all these circumstances, can you say with certainty, having regard to the fact that you do not find your signature in the attendance book, and having regard to the fact that the subject was never brought to your attention, have you any doubt there never was any such a meeting ?—A. I do not think there would be any minutes in the minute book unless there was a meeting ; but the minutes would be signed of course.

I call attention to this statement in this question.

> Have you any doubt that there never was any such meeting ?

And yet this gentleman whom the government saw fit to employ as a judge, had before him at that time, and the commission had before them at that time, the clear and implicit evidence of Mr. Stephenson, which I read the other day, who stated that he sailed from New York on the 15th of November, that the meeting in question was said to have taken place on the 13th of November, that on the 13th of November he was in the city of Toronto, that he moved a resolution which was seconded by Col. McGillivray, that the resolution was not put into writing because, as he says,—and he challenges the attention of Mr. Shepley and of the commission to that fact—he was in a hurry on the eve of his departure, and wanted to get to New York so as to sail for Europe. And yet Mr. Shepley, with that knowledge before him, was endeavouring to get Col. Davidson to swear to the fact that there never could have been such a meeting, although he knew as well as mortal man can know, both by the state-

ment of Mr. Stevenson sworn five or six days before, and by the documents which were under his hand at the moment, that that meeting did take place, as a matter of fact, and beyond all question.

I do not intend to go very fully into this matter at present, but I submit that the line of investigation pursued by the commission was wholly unauthorized by the scope of the commission. In reference to that I may be permitted to refer to a matter to which the Minister of Justice referred the other day, namely, that this question had already been brought up in the Senate by the Hon. Senator Cox, and I think it well to read a short extract from the statement of Senator Cox, made in the Senate, with reference to the manner in which this investigation proceeded, and as to whether they confined themselves to the scope of the investigation. He says :

This was something that occurred in the interval——

Referring to the loans that had been made to Ames & Company.

This was something that occurred in the interval, and it seems to me the commission travelled a long way out of their jurisdiction to do this institution harm by raking up a transaction of that kind, a loan which had long since been paid, and in which there was never a dollar risked.

That I have nothing to do with, that is a matter beween the senator and the commission.

Hon. Mr. LANDRY. It was not the first time the commission travelled out of their way.

Hon. Mr. COX. No it was not. They have travelled out of their way a long way to do a great deal of injury to Canadian institutions. In that report of several hundred pages there is not one solitary word of commendation with regard to the thirty or forty different Canadian companies that are doing business in this country, and all over the world, practically. Everything that could be said, and everything that could be done, and everything that could be withheld to injure our Canadian companies in the eyes not only of Canadians, but in the eyes of the public outside of Canada, where neither the commissioners themselves nor the officers of the company are known, was resorted to.

I cannot put it any stronger than that. What the senator means by saying 'where the commissioners are not known' I do not know, whether it would be more injurious where the commissioners are not known, or whether that is the point he desired to make. Hon. Mr. Edwards, a pretty good supporter of this government, says :

Hon. Mr. EDWARDS. An advertisement for outside companies as against Canadian companies.

Hon. Mr. COX. Yes, an advertisement for outside companies—doing everything they could in that way. Our Canadian companies are in competition with several United States and English companies and nothing has been said derogatory to these companies whatever. No examination of them has been made to show whether they could have the same kind of charges brought against them. They have been left untouched, and the Canadian companies have been weakened, injured and prejudiced in every possible way. I think the report of the Royal Commission on Insurance does no credit whatever to that body.

Now, I charge that this commission not only was conducted in a way that was thoroughly unBritish and thoroughly unjustifiable as regards the various interests that were involved, but it was conducted from a political standpoint, and had for its object the prosecution of a political search. Read the pages of evidence; turn to the evidence, for instance, of Mr. Griffin, and see the long and tedious investigation that was made there with the object of trying to show that this land was paid for at an undervalue by the Fowler-Pope syndicate, page after page, column after column and day after day, spent with the object of proving if possible that this land which was sold by the Canadian Pacific Railway for $3.50 an acre, was worth probably twice that amount. And what was the object of that ? If the commission were pursuing a line within the scope of their investigation we can understand that it might be proper for them to inquire whether fair security was obtained when the Foresters invested their money. But when their object is to find out that this land was worth probably double $3.50 an acre, what could have been the object of such an inquiry ? It was, if possible, to blacken the character of public men, members of parliament who were in this syndicate, and to show that they were abusing their position, prostituting their position as members of parliament, had in fact sold themselves to the Canadian Pacific Railway, that the Canadian Pacific Railway bought these men by giving them land at an undervalue. Is there any honest man in this country who, leaving political prejudice aside, can find one scintilla of reason which will justify the Insurance Commission investigating a matter of that kind ? Is there one honest man in this country who can say that the investigation, with Mr. Griffin, of the books and records of the Canadian Pacific Railway advanced one iota the special object which had been committed to this Royal Insurance Commission?

Then we have the evidence of Mr. Fowler. We have that extended over page after page and the object is the same. It starts out by asking Mr. Fowler what papers or documents he has. Column after column is devoted to telling Mr. Fowler to make a jotting of this or that. Mr. Fowler says that he wrote to some people endeavouring to sell his land. Produce these letters or copies of them. Every ramification, every matter from the first day that these gentleman began to think of acquiring these lands, every step and every idea was pressed upon Mr. Fowler by Mr. Shepley, the examiner, and

when that branch is exhausted and when he is told by the commission that he must produce every document, every map and every scrap of paper he has in connection with the beginning of the transaction and how the transaction originated in his mind, they come down to another point, and on this point I will take the liberty of reading a few sentences. Not only do they want to know what was the real value of the land at the time, but they insist upon knowing where Mr. Fowler got the money. Was there any right, was there any necessity, if Mr. Fowler had not been a member of parliament and a Conservative, to inquire into these matters ? Is there any one who believes that this inquiry would have gone into the question of how Mr. Fowler financed this transaction had he not been a member of parliament and a Conservative ? We have Mr. Shepley examining Mr. Fowler as follows :—

Q. Not only the surveyed, but the unsurveyed part ?—A. Well, of course, the unsurveyed part would have to be very general.

Mr. Shepley is asking as to the line of railway.

Q. That would be approximate ?—A. That would be approximately, of course, that any one could pretty well tell from the map, because, as far as it was surveyed they would know that they had to go by a certain route, they were going to Edmonton, and I suppose a layman could arrive at a fair guess with respect to that. However, that is what we did.

Q. That is what you thought was the easier way, but you have not told me what was done in pursuance of that ?—A. Oh, well, in pursuance of that, the route was indicated on the map.

Q. By whom ?—A. I don't know.

Q. Not in your presence ?—A. No.

Q. You left the map for that purpose ? And it was returned to you ?—A. Yes, the map was given to us. We got the map afterwards with a mark in red ink.

Q. You left it with whom ?—A. Oh, I cannot remember.

Q. With Mr. Mann ?—A. I don't think it was with Mr. Mann, but it was left there in the office.

Further on the examination proceeds :

Q. Did anything else take place between yourselves and Mr. Mann then ?—A. I think he invited us over to the Toronto Club.

* * * * * * *

Q. Was there anything then suggested about their having an interest ?—A. Oh, no.

Q. How long afterwards did that come up ?—A. About their having an interest ?

Q. Yes ?—A. I never had any conversation with them about their having an interest ; never the slightest.

Q. Did you have any conversation with them about raising money ?—A. Never in the world.

Q. Did you get any money from them ?—A. Never got a dollar.

Q. They did not assist you in financing your first payment ?—A. Oh, well, I would not say that. They may have done that. As a matter of fact they did not do that, but I never got any money from them.

Q. Do you think you are answering me quite fairly, Mr. Fowler ?—A. I think so.

Q. You think you are ?—A. Yes.

Q. Tell me the arrangement that was made for financing with Mackenzie & Mann?—A. I don't know it.

Q. Did you make it ?—A. I did not.

Q. Who did ?—A. Whatever arrangement was made would be made by Mr. Pope. I was not there at all.

Q. Did he tell you what it was ?—A. He said they would help us in financing the thing here. This was a long time subsequent to that, you know. But I do not see Mr. Shepley, again I may say Mr. Commissioners, I do not see what this has to do with the matter.

And would not any honest man who was pursuing an insurance inquiry feel the same? What on earth had this to do with the question of insurance inquiry that was committed to this commission ? Then, we go on a few pages, and what do we find ? We find that these gentlemen are interested in finding out if the Fowler syndicate obtained from Messrs. Mackenzie & Mann an endorsement of a note, Mr. Fowler again protests against going into the matter, and he is directed by the commissioners to answer the question. That is merely a sample. If we turn to the evidence of Mr. Lefurgey at page 2502—I am not going to read it—we find that the whole ingenuity of the Insurance Commission is directed to the task of finding out, if possible, whether my hon. friend the leader of the opposition (Mr. R. L. Borden) was connected with this matter. And for column after column again, by all the devious methods that could be adopted—not by a straight, open manly question : Was Mr. Borden a partner in this transaction, or had he anything to do with it—but by a surreptitious and hidden course, Mr. Shepley devotes all his energies to finding out if Mr. Borden was connected with this transaction. Mr. Speaker, you are a lawyer, you know how to analyse evidence, you know how to look at both sides of the case ; I appeal to you, if my hon. friend the leader of the opposition had committed himself up to the hilt in this matter, what on earth had that to do with the question that was submitted to these gentlemen for investigation ? Not one thing. I shall not read that evidence because it was read more effectively the other night than I could read it to the House. But, they were not contented with following a political investigation as respects hon. gentlemen in the House. They also went to Australia and tried by putting in newspapers scraps which would not be evidence in any proper official investigation and by cross-examining Dr. Oronyatekha, after he had pointed out to them that the matter had absolutely no connection with the Foresters whatever, and after being told by Dr. Oronyatekha that any money paid by Dr. Montague, if there ever was any paid, was paid out of his own private pocket and had nothing to do with the Foresters, they endeavoured to blacken the character of Dr. Montague, a former political opponent

and one whom they anticipated might give them trouble in the future.

Then, they turned their attention to the Hon. Colin Campbell. We have the evidence as to the matter of the commission paid. That has been sufficiently explained. It is in evidence and it has been dealt with in this House that of the $10,000 commission half of it went to the syndicate and the other half was retained by Mr. Pritchard. You would have thought that the investigation would have ended there? Nothing of the kind, Mr. Speaker. These gentlemen are still upon the war path and endeavouring if possible to fasten some insinuation upon some politicians or upon some gentlemen in the other rank of politics. And so, with the absolute knowledge in their minds before they asked a single question as to what is the fact, they followed up question after question to elicit the information that the Hon. Colin Campbell got $1,000 of that money from Pritchard. What had that to do with the matter committed to these commissioners? At every stage of the investigation we have proof that the main object of these commissioners was to turn this investigation into a political inquiry if possible, to do injury to their political opponents. I need not refer to the method pursued in regard to the hon. member for North Toronto. Every page of the evidence, so far as it relates to the Foresters, is bristling with proof that the main object was to try and get rid of a political opponent whom the government feared. That this was not accidental is illustrated by the whole drift of the investigation, but there is one little piece of evidence to which I would like to refer. With that I am content to leave the case for the present. I leave it with the knowledge that the hon. member for North Toronto will deal with other branches of the case, but I refer you to a letter of the 12th of May, contained in the correspondence brought down, in which Mr. George F. Shepley, writing from Toronto to the Hon. Charles Fitzpatrick, the Minister of Justice says, among other things :

> Pressure is being brought to bear upon the one fraternal society here, and it is anticipated at the end of another fortnight we shall have matters completed as to it so that the public investigation may proceed satisfactorily.

There is pretty good proof in black and white, as to what line these gentlemen were taking with regard to the Foresters.

Mr. URIAH WILSON. Who wrote that letter?

Mr. LENNOX. It is written by George F. Shepley to the Minister of Justice :

> Pressure is being brought to bear upon the one fraternal society here.

What was the nature of that pressure? I think the evidence, I think the report, furinshed pretty cogent evidence as to what the nature of that pressure was. Now, Mr. Speaker, I would like very much to have a fuller investigation into this matter. It is unfortunate that the attitude of the government has been such, that the engagements of the ministers have been such as to render it impossible for them now to bring down an Insurance Bill. Other legislation foreshadowed at the opening of the session has not been brought down. This great measure, this important measure, this measure without which the business of the country is to a large extent stagnant, has not been submitted to parliament. I deemed it my duty to draw attention to a few questions which arise in connection with this report, other than those I spoke of the other day, and I therefore beg to move :

> That all the words after the word 'that' to the end of the motion be left out and the following substituted therefor :
>
> This House regrets that the Royal Commission on Insurance did not confine its investigations within the reasonable scope of the powers conferred upon it for the purposes of its inquiry.
>
> That by its action in conducting unnecessary and irrelavent inquiries into private and personal affairs with which it was in no wise concerned, coupled with its partial and discriminating treatment, its arbitrary and unBritish procedure, its concealment and misrepresentation of material facts in the summary issued as its report, the commission has lent itself to improper and reprehensible partisan purposes, caused grave injustice to companies and individuals and materially lessened the confidence which otherwise would have been felt in its legitimate work.

Hon. W. S. FIELDING (Minister of Finance). There is only one point in the observations of my hon. friend (Mr. Lennox) upon which I desire to offer a passing remark, and that will be exceedingly brief. I refer to that part of his speech in which he represents that the failure of the government to bring down an Insurance Bill this session is most unjust to the insurance companies, is paralyzing their business, and treating them badly. I am surprised to hear that from the hon. gentleman. It is the first intimation I have had from any one that that view is taken. Far from being endorsed by the insurance companies of Canada, I am satisfied the hon. gentleman will find he is at variance with them. In so far as I have learned anything from casual conversation with gentlemen connected with the insurance companies, I think the sentiment of the insurance companies is approval of the action of the government. I have reason to believe that the insurance companies would much prefer that the Bill be not dealt with this session, but that further time be taken in order that the matter may receive full consideration. Therefore, the suggestion of the hon. gentleman that the action of the government in not proceeding with insurance legislation this session is adverse to the interests of the in-

surance companies and disproved by them, is, I think, founded upon a mistake. That is the only point in the remarks of the hon. gentleman which I think calls for special remark. As to the general question, we have had it fully threshed out in a previous discussion. It will be no injustice to my hon. friend if I say that everything he has said to-day was said by himself or others on that occasion, and therefore we have nothing before us now that was not before us in another form a few days ago. Feeling satisfied that the matter has been fully threshed out, and that it is not likely anything new can be added ; at the present stage of the session, with the desire expressed on both sides to advance the public business, I can say on the part of the government, that we shall be quite content to have the hon. gentleman's motion submitted to the House upon the record as it now stands.

Mr. SAM. HUGHES. I did not take part in the previous debate on this question, but I would have said a few words then were it not that the hour was so late. I do chance to know something about the lands that Messrs. Fowler and Pope purchased from the Canadian Pacific Railway and which formed the subject of inquiry before the Insurance Commission. I chance to know that about the same time these lands were being purchased by Messrs. Fowler and Pope, the famous Barr colony secured options on better lands, lands more contiguous to the railway, for $3 per acre. I was very much surprised when I learned of this arrangement between Messrs. Fowler and Pope a year or so later, and that they had been charged $3.50 per acre for their lands. Of course, there was a month or two intervening, and the price in the meantime had gone up, but the retail price of lands at that time was only $3.50 an acre, and my own opinion is, and I have so told Mr. Griffin of the Canadian Pacific Railway on more than one occasion, that they rather buncoed Messrs. Fowler and Pope in getting $3.50 an acre for such a large wholesale transaction.

Another point that has been used in connection with this investigation is that a tip was given to these gentlemen as to where to select the lands. Now, reference to the records will show that long anterior to the purchase of these lands by Messrs. Fowler and Pope, other persons had selected thousands of acres all along the route of the railway, far beyond the locality where these gentlemen had selected theirs ; and, as a matter of fact, the lands selected by Messrs. Fowler and Pope between what is known as the Elbow and Battleford, were the remnant of the Canadian Pacific Railway lands in that locality. The lands selected in ranges 3 and 4 west of the 2nd meridian were also lands that had been passed over by others, while the large block which they purchased south of the Birch Hills was not in the field in competition with any other lands at all. So far as the route of the road is concerned, for more than a year it had been known almost exactly where it would go, and long before these gentlemen purchased, stakes had been there, and these stakes had been followed by hundreds of land seekers. A word with regard to the British Columbia transaction. I happen to know something about that, because Mr. McCormick is an old personal friend of mine, with whom I may say that Mr. McCormick, acting for Mr. Fowler, had pointed out these timber lands to me, and I had them cruised by men to find out what quantity of timber they contained, and what its value was, a considerable time previous to the connection between Messrs. Fowler and Foster in that matter. Those lands were offered to me and an American syndicate in the fall of the year, months before the hon. member for North Toronto was connected with the matter at all, and I presume that the conversation which I then had with Mr. Stevenson of the Foresters, and some data I gave him on the subject, had a good deal to do with cooling that gentlemen off in regard to coming back on Mr. Fowler in relation to the proposed sale of those lands to the Trust Company. I merely, in justice to the gentlemen concerned, place before the House these facts which came to my knowledge long anterior to the deal between the Foresters or the Trust Company and Messrs Fowler and Pope at all. Messrs. Fowler and Pope went into the land transaction previous to any association with the Trust Company or the Foresters. I do not know what their intention was, but I know that if they had consulted persons familiar with the land along the line, they would have been able to make a much better selection of lands, and I believe they would have got them at fifty cents an acre less than they paid ; so that no favours were shown to them by the Canadian Pacific Railway, the Canadian Northern or any other railway in the Northwest.

Hon. GEO. E. FOSTER (North Toronto). Mr. Speaker, after what has been stated by the Finance Minister and on the general principle, probably it is not best to make a very long discussion at this particular time. I acknowledge that on this question I have taken up quite a large portion of the time of the House within the last week. As I stated on a previous occasion, this was not of my own choice, but rather because it had been forced upon me by circumstances over which I had no control, and it was my duty even at length to make the statements which I have been obliged to make in this House. It is gratifying to me in this respect, that whereas the atmosphere was full of thunderings and mutterings of thunderings, when the time came to sit down in this House or to stand up one against the other and discuss the whole question, I did not find, and you did not find, Mr. Speaker, that

charges that were bandied about outside of the House were pressed to the issue in the House. With reference to the whole matter, the discussion upon it has not by any means ended, as I have said. In my mind an injustice was perpetrated upon companies and private individuals, through the action, permitted or otherwise, of the Royal Insurance Commission, by its methods of procedure, and by the extent to which it allowed the procedure to be carried out, it overstepped the bounds of the powers which were given to it by the government, and unnecessarily, and without any reason at all therefor in the way of elucidating the matters under inquiry by the commission, did cause grave injustice to individuals and to companies. In the course of my preceding addresses to this House, I pointed out certain ways in which I thought that had been done. We do not believe, Mr. Speaker, that a commission is necessarily autocratic and possessed of any powers that it wishes to arrogate to itself simply because it is called a Royal Commission. That commission was appointed simply to inquire. If you will take the scope of the commission as laid down by the order in council, you will find that it was commissioned simply to inquire and report what amendments it considered to be necessary to the Insurance Act; and if it had confined itself absolutely to the instructions of the commission appointing it, it would have simply made its inquiry, as full, as broad, as strict, as impartial, as thorough as was necessary to accomplish the object which had been confided to its care. It would have reported the evidence and simply the evidence to the government which created it and to the House before which that evidence was to come. It would not have given a single judgment. It was not a court and was not appointed in order to give judgment; but it was appointed to report, after certain inquiries and after consideration, what amendments it thought were necessary to the Insurance Act of this country. That was the scope and these were the duties imposed upon that commission; and I hold that when they went beyond the ground of inquiry into facts, and strove to get convictions, they went beyond the powers that were confided in them. When, outside of reporting the evidence even if gained by fair and impartial inquiry, they undertake to pass judgment upon certain companies or certain individuals, they again go beyond the powers that were conferred upon them. This House was the court which was to pronounce judgment according to the facts that were obtained. This House was the court which was to make its findings upon consideration of that information, and to embody those findings in legislation, which should cure what was evil, and which should make the companies stronger and better for their particular work of protecting the money of policy-holders and the interests of shareholders and the general public, while having their proper scope and freedom of action.

When the commission attempted to analyse that evidence and to present findings they undertook a most delicate task. They had four large volumes of evidence, running up to 4,000 or 5,000 pages, closely printed as hon. gentlemen will see. To place before this House or the government in the form of findings all the truth with reference to one particular individual or one particular company out of that mass of evidence would be a very delicate and a very discriminating piece of work. To present a conclusion which should treat all sides fairly and be an absolutely impartial and truthful reflex of the evidence—was a most difficult thing to do and the fact of its difficulty—nay, of its impossibility—within the compass of a fairly readable report should have deterred the commission from attempting in their findings or judgments to insert a summary of the evidence in any particular case unless they were prepared to give the evidence pro and con, and make their report an absolutely perfect and an absolutely fair presentment of the case. They did not do that in case after case and they have therefore shown that when they assumed the position of a court and undertook to deliver findings or judgments, they embarked on a piece of business which they have imperfectly and badly performed and that is one of the charges, one of the counts in the indictment which is made against the work of the commission.

Then again that commission clothed with royal authority, with mighty interests confided to their charge for inquiry should have been very careful indeed that they did not themselves, and did not allow the counsel under them to transgress the line which divided what was absolutely necessary to the elucidation of the question before them as regards the insurance problem or the insurance system and the irrefragable rights of individuals personally and of individuals in their private or their corporate business.

Now, Sir, take the prosecution as it developed before that commission; here was an investigation, which involved a security, a mortgage security of farm lands, which security was taken by the Union Trust Company and endorsed to the Order of Foresters. When the inquiry went on as to what money had been loaned on that security, when it went further as to what that security was, when the Union Trust Company and the Great West Land Company opened up their books and their information as they freely did in order to enable the commission to get back to the ultimate basis of that security, namely, the lands themselves, their values, the title by which they were held and everything connected with them, it would seem to me

that a commission would have thought and would have accordingly directed that when you had got to the final validation of the security, and could get beyond that nothing which would add in the least to the goodness or the badness of that security that if was time to call a halt. But, Sir, what took place? The commissioners allowed the prosecuting attorney to go behind the sale of the lands to the syndicate and the sale of the lands to the Great West Land Company, behind the valuations which lay there in the office, to the persons who bought the lands from the Canadian Pacific Railway and to follow that up into the railway office itself, into the private negotiations between the railway managers and the gentlemen who bought the lands, away up and off on a line which developed itself afterwards, and is, I imagine, a little too bald to give very much comfort now to either the prosecutor or the commission. The commission went into an examination as to whether or not members of parliament received lands from railways in this country at prices which were wrongfully placed as to the minimum because of implied or open agreement that if they got these lands on these considerations, these companies would get their support and their influence for legislation in this House. If there were no other circumstances than that, it would prove that the commission was going outside of its province and undertaking, without to my mind any reasonable shadow of establishing greater validation or otherwise of the security held by the Union Trust Company and the Foresters, into a region which busies itself with private rights, which goes still further and busies itself as to the duties and responsibilities of members of parliament in transacting business with great companies in this country.

If that were the only case, that would be strong enough, but, Sir this inquiry has been pursued for purposes beyond the scope of the commission. What purpose could there be? Why the answer to that is simple. The use that has been made of that since shows the purpose. Not a moment after the excursion had gone so far as to take in the negotiations of members of parliament in that way, not one moment thereafter were the party press throughout the country on the heels of these hon. gentlemen and pointing out to the electors of the country by and large, that here were members of parliament recreant to their duties, who had been getting favours from great railways to the abnegation and the wrongful use of their rights and powers as members of parliament. And to this day that is not diminished, to this hour that same propaganda is going on in the party press. What greater proof not only that they had gone beyond their powers, but that they had in thus going beyond their powers loaned themselves to partisan work, could be got than the action of the Minister of Justice himself who, when he wanted a dart to throw at the hon. member for North Toronto, dived into and delved into the work and the findings of this commission in order to barb a dart and throw it at his political enemy. The Minister of Justice himself seeks an arsenal for what he supposes are efficacious weapons and goes to hunt for it in the very report of the commission which he appointed, and finds it because that commission overstepped its bounds and went into an investigation of what was not committed to its powers and what it never should have touched.

Take another example. Why was it necessary for this commission to place in black and white the names of the Hon. R. R. Roblin and the Hon. Colin Campbell and to state upon the pages of that report that Mr. Pritchard was the private secretary of the Hon. Mr. Roblin? The transaction was between Mr. Whitla and the Union Trust Company, in trust for the syndicate. The document that Mr. Shepley had did not point to Mr. Roblin. It was a contract of sale and purchase between Mr. Whitla and the Union Trust Company, in trust for the syndicate. There was the obligation, there was the document, there were the lands that were bought, the value of the lands, the titles, everything necessary. Yet, would you believe it, the prosecutor in the case spent—I was going to say hours—but spent a long while with me, while I was in the witness box, trying to make me say that Mr. Roblin had some interest in those lands. What was the purpose of that? There could only be one purpose, and that was the purpose shown by the hon. member for Carleton, N.B. (Mr. Carvell) the other day, namely, to try and show that I had bought lands from my political friends and forsooth there was some consideration of favours or otherwise in it. There is the arsenal prepared, the ammunition taken from it, and there is the use which is made of it.

But, speaking outside of myself one of the boldest and worst statements is the characterization of the Hon. Colin Campbell. This commission, in its report, declares in so many words that the Hon. Colin Campbell—they are careful to say that he is Hon. and that he is the Attorney General of Manitoba—received $1,000 from Pritchard as commission upon these lands, and that he forced Pritchard to pay him that sum, or, to use the words of the commission, that he stipulated for it. When they make that bold statement that the Attorney General of Manitoba was concerned in taking a commission on the sales of land of a company of which he was president, they are careful to say that he was the president of the company. They state that in so many words. But they have not the common fairness to state that the Hon. Colin Campbell had been called as a witness, and that he had denied on oath that he ever received a dollar

of commission in any shape or form. Instead of doing that they say: 'For Mr. Campbell's evidence, vide page so and so of the evidence.' Where is the evidence? In Hades? It might just as well be there for everlasting burning because in England and different parts of Canada where men read this report and say: The Hon. Colin Campbell, the Attorney General of Manitoba, a Conservative statesman, took a commission on lands he was selling for his own company and twisted it out of poor Pritchard. I say that it a ghastly piece of business. There is no warrant for it in common fairness or under the scope of that commission. Why was that done? There could be but one reason.

I am not going to take up my own grievances; I am not going to take up the statements made there with reference to myself—the false findings, the concealments, the misrepresentations. I simply cite again one or two—the one being that the commission in some way declared to the world, in that little blue-book, that I took a commission in the Kamloops transaction of a certain amount; and after stating that in so many words, it then says: '-For Mr. Foster's evidence, see page so and so in the evidence.' So far as my oath, my testimony, everything connected with it is concerned, it might just as well be burning in Hades for all the ages as regards those who will read it. With reference to that, I was prosecuted by Mr. Shepley, on an undeclared charge of taking a bribe or a commission for doing work for the Union Trust Company in that matter. I was examined on oath, there is the evidence, and it is dead against it. There is the explanation of it as private business and I said to the commission: If you are not satisfied with that, I will give you all my private business and you can look into it. They were satisfied and they asked no other questions. Not another man was asked to give evidence in that connection. My testimony was the only testimony taken. Yet that commission, as long as that report lasts and as widely as it goes, has recorded that I took a commission on the transaction of that business. Instead of, in human fairness, saying something like this: It is but fair to state that Mr. Foster on oath denied this and that no evidence supporting the charge, undeclared though it was, was ever produced before the commission—instead of doing this they simply refer to my evidence, which cannot and will not be seen by those who read the report. Is that the sole transaction? No, there is transaction after transaction—I have a list of them here—in the investigation of my own case alone, but I shall defer giving it to this House to-day. That gives me the ground to say that this commission not only went beyond its powers but it made false and mis-representing findings, that it concealed the truth where it should have shown it, and thus produces the impression of bearing false witness against your neighbour, and puts on the records of the House what is absolutely untrue and is shown by the evidence to be absolutely untrue, which evidence is suppressed in the report and not even the purport of which is given. I do not propose to go any further with this at this late period of the session; but there is to be another session, and if God gives me life and health and strength, this will be taken up at the next session, and I have firm faith that this country does not want any kind of political warfare in which the game is not fairly played. If there is any charge to be brought against any man, let it be brought where he can defend himself in the open light of day. Do not go before a commission which was established for another purpose and there tie his hands and feet and almost his tongue and then condemn him in a partisan and political way on a charge which was undeclared at the time and which you prevent him from meeting fairly and squarely. I believe the people will be fair in this matter. The trouble is that they must be got to see the whole facts. It will be no fault of mine if the people do not have the facts laid before them. Again I challenge this House or any member of it to take up this question and discuss it. Let them bring their charges and laches as they think they have them and meet me face to face right here in the floor of this House and thrash them out. If ever a document was designed for use in the elections of this country this report is one. Wherever I go to run my election, I know what I have to meet.

I have to meet the opponent with the report of the Royal Commission under this arm. He will go no further to substantiate his charges than to say: That is the report of a Royal Commission which investigated this matter. It will not be the sins of the government that will be put in issue, or the virtue of the government's policy, it will not be my political record, but it will be the misuse of a document of that kind and statements in it which will be made the most of in the election, in my case and may be in the case of many others. That is not fair political warfare, but here it is, and I can come to no other conclusions than that this matter has to be fought out, and that all the light possible must be shed upon it. For my part, Mr. Speaker, I do not shun the fullest investigation that can be made, nor do I propose to shun any effort to that end.

Mr. R. L. BORDEN. Just one word before the question is put, and that is respect of the inquiry made by the commission as to the conduct of certain members of parliament. That was discussed before the commission day after day, and page after page of the evidence is taken up with it. I simply desire to make one remark. If that matter was worth investi-

gating at all by the commission it was worth reporting upon. If the commission had any power or duty to investigate the question as to whether those members of parliament improperly used their position as such, then it was equally their power and duty to report as to whether or not that charge was sustained. Although page after page of the evidence is taken up by this inquiry in the conduct of four Conservative members of parliament, not one word of that report from end to end show that that charge was absolutely disproved, as it was disproved by the evidence before the commission. 'That, in my opinion, stamps the conduct of this commission from beginning to end as partisan, and I have not the slightest hesitation in voting for the amendment which has been offered.

House divided on amendment (Mr. Lennox) :

YEAS :

Messieurs.

Alcorn,	Lefurgey,
Ames,	Lennox,
Armstrong,	Lewis,
Avery,	Macdonell,
Barker,	MacLaren,
Barr,	McCarthy (Calgary),
Bennett,	McLean
Blain,	(Queen's, P.E.I.),
Borden (Carleton),	Marshall,
Boyce,	Martin
Brabazon,	(Queen's, P.E.I.),
Broder,	Morin,
Chisholm (Huron),	Northrup,
Christie,	Porter,
Clements,	Reid (Grenville),
Cockshutt,	Roche (Marquette),
Crocket,	Sproule,
Daniel,	Staples,
Elson,	Taylor,
Foster,	Tisdale,
Henderson,	Ward,
Herron,	White,
Hughes (Victoria),	Wilmot,
Jackson (Elgin),	Wilson
Kemp,	(Len. & Adding.),
Lalor,	Worthington,
Lancaster,	Wright (Muskoka.)—51.

NAYS :

Messieurs.

Adamson,	Laurence,
Archambault,	Laurier
Aylesworth,	(L'Assomption),
Beland,	Lavergne
Black,	(Drum. & Arth),
Bourbonnais,	Lavergne
Boyer,	(Montmagny),
Bureau,	Law,
Burrows,	LeBlanc,
Caldwell,	Logan,
Calvert,	Loggie,
Campbell,	Lovell,
Carney,	Maclean (Lunenburg),
Carrier,	McColl,
Carvell,	McCool,
Chisholm (Antigonish),	McCraney,
Conmee,	McIntyre (Perth),
Copp,	McKenzie,
Cyr,	McLennan,
Crawford,	Marcil (Bonaventure),
Delisle,	Mayrand,
Demers,	Michaud,
Derbyshire,	Oliver,
Desjardins,	Pardee,
Devlin (Nicolet),	Parmelee,
Dubeau,	Paterson,
Dugas,	Parent,
Dyment,	Pickup,
Ethier,	Power,
Fielding,	Reid (Restigouche),
Finlay,	Rivet,
Finlayson,	Roche (Halifax),
Fisher,	Ross (Cape Breton),
Fortier,	Ross (Rimouski),
Geoffrion,	Ross (Yale-Cariboo),
Gervais,	Rousseau,
Girard,	Schell (Glengarry),
Greenway,	Sinclair,
Harty,	Sloan,
Hughes	Smith (Oxford),
(King's, P.E.I.),	Talbot,
Jackson (Selkirk),	Telford,
Johnston,	Templeman,
Kennedy,	Tolmie,
Knowles,	Turgeon,
Lanctot (Laprairie-Napierville),	Verville,
Lanctot (Richelieu),	Watson,
Lapointe,	Wright (Renfrew.)—92.

PAIRS :

Messieurs.

Ministerial.	Opposition.
Brodeur,	Monk,
Ratz,	Clare,
Lemieux,	Bergeron,
Belcourt,	Maclean (York, S.),
Borden (Sir Frederick),	Seagram,
Clarke,	Gunn,
Laurier (Sir Wilfrid),	Osler,
Macdonald,	Fowler,
Walsh (Montreal, St. Ann's),	Léonard,
Emmerson,	Lake,
Galliher,	Ganong,
Gordon	Pringle,
Grant,	Smith (Wentworth),
Wilson (Russell),	Forget,
Macpherson,	Perley,
Miller,	Bristol,
Zimmerman,	Paquet,
Stewart,	Walsh (Huntingdon),
Tobin,	Schaffner,
Bole.	Haggart.

Amendment negatived.

Mr. TAYLOR. Mr. Speaker, I beg to call the attention of the House to the fact that the hon. member for Beauharnois (Mr. Bergeron) has not voted.

Mr. BERGERON. I am paired with the hon. Postmaster General (Mr. Lemieux). Had I voted I would have voted for the amendment.

Motion agreed to, and House went into Committee of Supply.

At one o'clock the committee took recess.

Committee resumed at three o'clock.

Harbours and rivers, Ontario—Belle river, $1,450.

Mr. BENNETT. Will this complete the work?

Hon. SYDNEY FISHER (Acting Minister of Public Works). Yes.

Beaverton—harbour improvements, $1,500.

Mr. BENNETT. Will this complete?

Mr. FISHER. Yes.

Mr. BLAIN. What is the total expenditure there?

Mr. FISHER. $21,000.

Blanche river—improvements, $8,000.

Mr. BENNETT. Where is that?

Mr. FISHER. In Nipissing.

Mr. BENNETT. What is the nature of the work?

Mr. FISHER. Removing snags and other obstructions to the navigation; the work was commenced in 1904.

Bronte—dredging, $4,000.

Mr. HENDERSON. Is that work nearly completed?

Mr. FISHER. This will not quite complete it, but this is what will be spent this coming year.

Mr. HENDERSON. Was the $2,200 expended last year?

Mr. FISHER. Yes.

Mr. HENDERSON. How much has been spent on this harbour and the wharf in connection with it?

Mr. FISHER. Nearly $29,000.

Colborne harbour—wharf, $8,000.

Mr. FISHER. This is to complete.

Collingwood—harbour improvements, $22,000.

Mr. BENNETT. There is a vote for Collingwood in the supplementary estimates of $47,100.

Mr. FISHER. That $47,100 was work done in dredging over the appropriation of last year. The dredge did more work than was anticipated when the appropriation was taken, and the people were very anxious the work should proceed and the government allowed the dredge to go on. The $22,000 now asked is for the coming season.

Mr. BENNETT. Last year a contract was let for dredging in Collingwood, and the fortunate contractor received $47,100 worth of work more than he had tendered for.

Mr. FISHER. The contract was at so much per yard, the contractor to do as much as he could during the season. He worked energetically and did considerably more than was provided for. If the department had been confined to the appropriation, the work would have had to stop long before the end of the season, but the people of Collingwood were anxious to have it go on and the contractor continued at the same rate. As a consequence of that, we are only asking $22,000 for the coming season, when, otherwise, we would have had to ask probably $60,000.

Mr. BENNETT. The system is to advertise that so much dredging will be done, and contractors at a distance expecting that the work will be confined to the small amount specified are not disposed to tender, and so a favoured contractor gets the work. I suppose this dredging is done by the Boone Company?

Mr. FISHER. Yes.

Mr. BENNETT. It is a political company. They are made free from competition owing to the fact that the amount to be expended is small, and when they get the contract the government gives them nearly $50,000 more dredging than was contemplated at first. Are there any complaints before the department as to the nature of the work done by the Boone people?

Mr. FISHER. The engineer says he does not know of any complaints. My hon. friend is not quite fair in his statement of the case. This contract was for dredging to go on during the season, and it is well known that more dredging would be done than the appropriation of last year would cover. The contract was let by open tender and public advertisement, and the work has been continued at the same rate.

Mr. BENNETT. How much dredging did you call for originally; how many yards or how many days work?

Mr. FISHER. There was no definition in the original advertisement of how many yards would have to be dredged. The appropriation limited the amount for the year, but it was well understood that the work was to go on beyond that appropriation for another year.

Mr. BENNETT. That is it exactly. The department intimates so much money will be expended on this work.

Mr. FISHER. No.

Mr. BENNETT. The advertisement did not say what quantity of work was to be done or how much was to be expended. What were you inviting tenders for?

Mr. FISHER. We were inviting tenders for dredging in Collingwood harbour at so much a yard. No quantity was specified, and the contract was not given for a quantity. That is not the way contracts for dredging are let. The only possible intimation of the amount would be the appropriation of parliament for the purpose.

Mr. BENNETT. I said at the outset that this was an unfair way of dealing with the question. It is well known who is behind this contractor; it is a crowd of politi-

cians, and the department so framed the advertisement calling for tenders that an outsider who had a dredge would say: I do not know how much work is to be done there, and it is idle for me to make a tender. There are complaints in the department about the nature of the work being done in this harbour. I am going to read from the Collingwood 'Enterprise' to show what the country is getting; and I am sorry that my hon. friend from North Simcoe (Mr. Leighton McCarthy) is not in his place; however, I am not responsible for his absence. This is what the Collingwood 'Enterprise' says:

> The regular board of trade meeting was held in the court room on Tuesday night last, and was largely attended.
>
> The principal question was the harbour. The president wanted to get at the actual condition of affairs. It was generally understood that we had a depth of twenty feet of water in the channel at low water, but facts did not bear out this supposition. He wanted to know who was responsible for the incomplete and unsatisfactory condition of the channel.
>
> Mr. Hughes, the inspector, produced a chart of the soundings showing bumps and lumps dotted all over the channel, which was explanation enough of the trouble.
>
> The board will take energtic steps to have the channel cleared up, as the contractors are evidently digging out the soft spots where it pays the best, and the engineer is either indifferent or ignorant of what is going on. Mr. Hughes only does as he is told, and has no discretionary powers on the work.

That is a peculiar state of affairs. Here is a gentleman, appointed, I assume, on the recommendation of the local member, my hon. friend from North Simcoe, and he goes before the board of trade and tells them that boats are continually scraping and bumping their keels on the bottom, and that this contractor, C. S. Boone, is simply passing over all the hard spots which he is supposed to take out, and is digging out only the soft stuff. I am not saying this out of any ill-will to Collingwood, but the reverse. I want to see the people of Collingwood and the country generally get something for their money. But Mr. Boone snaps his fingers at all complaints, because he knows that the men behind him are well known politicians. Is Mr. Hughes employed in the department now, or has he applied for the work of inspection for this season?

Mr. FISHER. Mr. Hughes is not now in the employ of the department.

Mr. BENNETT. For what reason was he discontinued?

Mr. FISHER. The work was discontinued, and therefore Mr. Hughes's services were discontinued. I might say that if Mr. Hughes made such statements as my hon. friend has read, they are a more severe reflection upon himself than upon anybody else, because if he knew that lumps were being left in the channel, he should have complained of the contractor to the department. I am informed by the engineer in charge that there is no such report from Mr. Hughes in the department. I can only say, if that is the condition of affairs, that as long as I am acting Minister of Public Works I will see that that kind of work shall not go, I do not care who the contractor is.

Mr. BENNETT. Has Mr. Hughes been recommended by the hon. member for North Simcoe to act as inspector this season?

Mr. FISHER. No.

Mr. BENNETT. Has any recommendation been made?

Mr. FISHER. Not that I know of.

Mr. BENNETT. It is stated in this Collingwood paper that Mr. Hughes was superseded last year. Is that correct?

Mr. FISHER. No; he was there the whole season.

Mr. BENNETT. There is no partyism in this matter. The president of the Collingwood Board of Trade, Mr. Peter Patton, is a leading Liberal of the town, and is the right-hand man of the hon. member for North Simcoe; and yet he makes these sweeping charges, which he would not make unless he knew them to be true. I am sorry the hon. member for North Simcoe is not here, because he would not contradict what Mr. Patton said. Has any recommendation been made for inspection this year, and has Mr. Hughes been recommended?

Mr. FISHER. No recommendation has been made to me personally, and the chief engineer informs me that no recommendation has been made to him.

Mr. J. D. REID. Will Mr. Hughes be appointed again?

Mr. FISHER. I think not, if that statement is correct. I would not appoint a man who said that such work was going on, and who allowed it to go on.

Mr. BLAIN. Are we to understand that when an advertisement is put in the papers calling for tenders for dredging it simply asks for tenders at so much a yard, without indicating the quantity of material likely to be taken out? Does the hon. gentleman think that is a good policy for the department to follow? It seems to me that we might expect much better competition if the department were to specify the estimated quantity of material to be removed. Would my hon. friend produce a copy of the advertisement calling for tenders?

Mr. FISHER. I would say, in the first place, that the department has tried a num-

ber of different ways of advertising for tenders for dredging, and after a number of years' experience the officers of the department have decided that this is the best way, and it has been attended with the best results. But I would go a little further, and say that the men who tender for dredging, being thoroughly familiar with dredging work, know very well how much dredging is going to be done in a particular harbour or river.

Mr. BLAIN. I do not understand how the public would be in a position to know when my hon. friend says the department does not know.

Mr. FISHER. I did not say that the department or the public know, but they can pretty nearly gauge the quantity of dredging from the votes which have passed the House. Sometimes a contractor does not do as much as he hoped to do in the season, and sometimes he does more. If the work is expected to extend over several seasons and the appropriation for a particular season was for a certain amount, the department does not necessarily confine the work during a season to the appropriation for that season. That, I think, would be short-sighted. It would not be in the interest of the community for whom the dredging was being done to stop the work if, about two-thirds or half-way through the season, an efficient, prompt, energetic dredge-owner had done all the work that could be paid for out of that appropriation and was willing to go on for the rest of the season on the understanding that the rates would be the same and that he would have to wait for his money until parliament voted it. I think that would be a short-sighted policy, and the people of the community would be dissatisfied, and rightly so. That is the case here. Collingwood harbour was known to be a large work, and it is expected and intended that the harbour should be dredged to a depth of twenty feet. The men who tendered for contracts knew about how much work there was to do there, and were, I think, justified in supposing that they would get paid for all the work they could do at the price at which they tendered. That is why there is a considerable amount in the supplementaries for last year for over-expenditure in the past season. That means that there will be less expenditure in the coming season, because it is expected that the work will be finished this season.

Mr. J. D. REID. I do not think the engineer in charge of that work is the man responsible, and he should be asked whether Mr. Hughes ever made that statement to him. If he did the engineer and not Mr. Hughes is the man to be dismissed.

Mr. FISHER. I quite agree. I said distinctly that if the statements that are contained in the newspapers were true, then Mr. Hughes was to blame. I have inquired whether there is a report from Mr. Hughes giving an account of that kind of thing and I am told there is not. I believe there was not a report from Mr. Hughes to the engineer, Mr. Sing, of Toronto.

Mr. J. D. REID. It would only be a verbal report to Mr. Sing.

Mr. FISHER. It would be his duty to report that the contractor would not obey his orders in such a way that it would be on record.

Mr. J. D. REID. It is never done.

Mr. FISHER. It ought to be done and if an inspector fails to do that and then goes to the board of trade or the newspapers and makes statements of that kind it is a reflection on him and not on the department.

Mr. J. D. REID. I do not agree with you there.

Mr. FISHER. I do not know much about the Department of Public Works, but I have had some experience in administration, and an official who does not report the shortcomings of any one to his next superior officer has himself to blame if he is held responsible for improper conduct.

Mr. BENNETT. In order to show that there are no politics in this thing among the people of Collingwood, I wish to quote from the Liberal newspaper there, the Collingwood 'Bulletin,' which on March 14, says editorially :

> None regret the charges which have been made against the manner in which Mr. Robert Hughes has conducted his work as inspector of the harbour improvements more than the 'Bulletin.' Although we never held that Mr. Hughes was qualified for the position, the 'Bulletin' has always had confidence in his determination to do what he believed to be right and it is certainly regrettable to have to change our opinion in that respect, as will necessarily have to be the case, as will many others if absolute proof to the contrary is not forthcoming. . . . . As gathered from his remarks at the board of trade the question is neither political or personal with Mr. Patton. It is simply one that affects the interest of the town as a whole and which as president of the board of trade, the representative organization of the business interests, he believed it his duty to bring to the attention of his colleagues in the work of advancing the welfare and promoting the interests of the town. Now that it has been laid bare and the alleged defects in the conduct of a public official have been publicly declared, the poopoohing of it will in no wise clear the air, nor will the attempt to throw the onus of the stated case on a political party tend to place Mr. Hughes in any better standing in the community.

That is from a Liberal paper, and as I before stated, Mr. Patton is probably one of

the most prominent Liberals, and I say unreservedly the strongest friend of the hon. member for North Simcoe (Mr. L. G. McCarthy). His father is postmaster of the town of Barrie, one of the best situations in the riding, through the grace of the hon. member (Mr. L. G. McCarthy). I do not altogether agree with the hon. member for Grenville (Mr. J. D. Reid). I know something of this dredging operation. As a rule, the dredge is placed on a certain course, buoys are placed out and the dredge is supposed to keep on the line of these buoys, and having completed that line to return and work over another line. Evidently from what Mr. Hughes stated at that public meeting he was not allowed to keep the dredge on that line because there were these banks and boulders.

Mr. FISHER. Who prevented him?

Mr. BENNETT. I assume the party who always does, the owner of the dredge.

Mr. FISHER. That is a pretty large assumption.

Mr. BENNETT. Take the case at Fesserton. The dredging inspector was a brother of a part owner of the dredge and assisted in perpetrating a fraud. Gendron was paid to look after the dredge, but Eastwood made an arrangement with Gendron to assist in defrauding the country, Gendron receiving $1.25 a day and Eastwood $1.75—and the minister will have Gendron on the dredge this year, the man who helped to swindle the country. Why? Because his brother is one of the part owners of that dredge, and the local influence will be so great through the gentleman who has the patronage for that riding that the minister will not dare to put Gendron off the dredge. Time will prove if he is not on the dredge this year.

Mr. FISHER. Suppose he is not what will you do?

Mr. BENNETT. I shall be wonderfully surprised and I will give credit to the minister for being the first man who has shown any backbone in that part of the country in stopping outrages, and I will publicly testify to the courage of the minister in throwing down the gang. He will be the first minister who has ever dared to turn down the gang in East Simcoe.

Mr. BLAIN. What does the minister intend to do with this inspector who defrauded the government?

Mr. FISHER. I shall see; I shall deal with him.

Mr. BLAIN. But how and when?

Mr. FISHER. That is a matter for the Justice Department to settle.

Some hon. MEMBERS. Oh, oh.

Mr. BENNETT.

Mr. BLAIN. It having been proved out of the witness's own mouth that he hired a man to do his work, paid him $1.25 a day and took $1.75 himself, does the minister intend to keep him in the employ of the government this coming summer?

Mr. FISHER. No.

Mr. BENNETT. When did he arrive at that conclusion? He said that he was not yet sure that Mr. Hughes was to blame.

Mr. FISHER. I was answering a question about another man, not Mr. Hughes.

Mr. ARMSTRONG. I certainly think the manner in which this work in Collingwood has been conducted deserves the severest condemnation. I want to ask the minister whether he intends to continue the issue of such tenders as this.

Mr. FISHER. That is the intention.

Mr. ARMSTRONG. Then I would like to ask him what position will a man be in who is politically opposed to the minister, were he to consent to send in a tender that is lower than those of his political friends; would he be allowed to go on and take out a few scow loads of material, and then, finding the department opposed to him in some particular, would be held up? I would like to ask the minister how any reasonable man would be expected to make a tender under those conditions?

Mr. FISHER. They not only do it, but they get them.

Mr. ARMSTRONG. But the minister well knows that the men who get them are political heelers of the hon. gentleman. He knows that no man would dare to put in a tender and expect to receive an acknowledgment of it unless he was a supporter of the present government. I believe this is one of the most rascally things that can be perpetrated upon the people of Canada. The people don't expect their money is to be turned into the coffers of supporters of this government, and taken in such a manner as this has been taken.

Mr. FISHER. I do not know that my hon. friend is in very good order in talking about a rascally performance, but I am not going to take advantage of that, because he has shown himself so utterly ignorant of the whole matter that it is not worth while. The hon. gentleman is absolutely wrong. There are dozens of Conservative tenderers who get contracts, get them because they put in the lowest tenders. The contract is given to the lowest tenderer, whether he is a Conservative or a Liberal.

Mr. ARMSTRONG. Will the hon. gentleman mention one for dredging?

Mr. FISHER. I can mention Mr. Poupore, who was formerly a member of this

House, and I can mention Mr. Morgan, of Sorel, who is a well known Conservative who never supported the Liberal party in any way. These are the first two names that occur to me, because they are in the province of Quebec and I am acquainted with them.

Mr. SPROULE. This business was mapped out some years ago on a large scale. There was to be a channel I think 400 feet wide for a portion of the way, and 300 feet wide the rest of the way, with a uniform depth of 19 or 20 feet. How much of that work has been done, and what is the channel like to-day ?

Mr. FISHER. I understand the plan is somewhat modified. The channel is to be 300 feet at the mouth and 210 feet going into the harbour. That work is expected to be completed with the vote now being asked for. I am told the work generally is completed. If the condition of affairs spoken of there is correct, those lumps will have to be dredged out. The first thing the contractor is obliged to do this year is to dredge them out.

Mr. J. D. REID. On the same contract ?

Mr. FISHER. Yes, the contract continues for the coming season, with the same people. I am informed this contract is for the whole work, so the same contractor will go on at the same rate until the work is finished. I shall certainly see to it that if there are any lumps in the channel such as described, they will be taken out first thing this spring.

Mr. BENNETT. When were the tenders called for ?

Mr. FISHER. In August, 1905.

Mr. SPROULE. Am I correct in understanding that this channel is practically dredged out to the proper depth so that it may be made an even bottom ?

Mr. FISHER. Yes.

Mr. SPROULE. What rate per yard is being paid for that, and what kind of material is taken out ?

Mr. FISHER. The schedule rate under the contract is 30 cents for clay and sand and $2.30 for rock. The work this summer was done at those rates.

Mr. SPROULE. How many tenders were received for that contract ?

Mr. FISHER. The number of tenderers is not put down here.

Mr. BENNETT. I do not wish to be understood as objecting to this work at Collingwood, I think it is only proper and right. As long as ten or twelve years ago I advocated in this House that what should be done there was to make a narrow channel, but above all things to make it deep. There is a grain elevator there, it will be on the direct line of the Grand Trunk to Montreal via Orillia and the Midland division of the Grand Trunk. What the people of Collingwood want is value for the money, and they think they have a right to expect that. I do not think 20 feet is too deep at Collingwood. It is on the Georgian bay, a very large body of water, and at certain seasons, under prevailing winds, the water will be lowered sometimes over a foot. The class of vessels that go into Collingwood should have without any delay a clear 20 feet of water, it not more. Make the channel narrow, but above all things make it deep.

Mr. SPROULE. You have reduced the channel from 300 feet to 210 feet a portion of the way, I presume that is towards the wharf, and further out the width is increased.

Mr. FISHER. To 300 feet.

Mr. HAGGART. How much did the quantities paid for by the government exceed the prism quantities estimated by the engineer ?

Mr. FISHER. I could not tell here.

Mr. HAGGART. The engineer ought to be able to inform you what the prism quantities were, what the calculations were at first, and how the dredging turned out.

Mr. FISHER. These figures will all be in the department. They were given four years ago when the work was begun but I have not got them now.

Mr. HAGGART. You will have the figures in the estimates first prepared. Your engineer ought to be able to tell whether the two quantities are nearly similar or not.

Mr. FISHER. The difference between the measurement in situ and the scow measurements for the rock work was about 40 per cent. These measurements are checked, as the work goes on, by actual sounding, so as to see that the amount has been taken out. The sounding would show the measurement in situ, and a percentage of allowance is made for the difference between the measurements in situ and the scow measurements. These are compared from time to time with the dredge returns.

Mr. HAGGART. Of course the engineer has a book in which he shows the actual quantities taken out and the quantities estimated at first. Then the quantities paid for are 40 per cent in excess of the original estimate of the prime quantity.

Mr. FISHER. That is on rock.

Mr. HAGGART. I mean the whole.

Mr. FISHER. Of the balance not rock, probably not 15 per cent would be the excess.

Mr. ARMSTRONG. Are there any men sent from the department to inspect this work ?

Mr. FISHER. There is a resident engineer who from time to time makes an inspection of the work. The actual work from day to day is under the local inspector. The resident engineer goes, on his own initiative from time to time ; or if any question arises, he would go on instructions from Ottawa.

Mr. ARMSTRONG. What are the names of the inspector and engineer ?

Mr. FISHER. Mr. Hughes was local inspector last year, and Mr. Sing, of Toronto, was the resident engineer in the district.

Mr. BLAIN. When this item was up last year, I complained that in different parts the government had appointed men who had no qualification at all for the duties. I produced a letter showing that in Collingwood harbour this very gentleman had no qualification at all for this position and he was defended by the minister. I pointed out that his business was that of a hosiery manufacturer and enlarger of photographs, and I wanted the minister to explain what qualifications he had for the position. Also at the same place another man, who was a sewing machine agent, was superintendent of part of the work at Collingwood. I want now to draw the attention of the acting minister to the fact that he has men in charge of the works at different parts who are not qualified. In this very town of Collingwood, where the money is being expended, the board of trade passed a condemnation on this man because he allowed dredging to be done by taking out the soft parts and leaving the rock, although the minister announced last year that all that was necessary to complete the work was to take out some rock to finish up a one hundred and ten feet course so that vessels could pass in and out. Does he propose continuing the hosiery manufacturer and sewing machine agent in charge of this special work, which would need special qualifications ?

Mr. FISHER. I will try the best men I can find. I do not know who the men are to whom the hon. gentleman has referred.

Mr. BENNETT. Not only did the minister have Mr. Hughes as inspector at $3 a day but also Mr. D. Williams, and the latter covers almost exactly the same time. Mr. Hughes' services are from May 1 to November 2, 1905, and Mr. Williams' services are from June to September, 1905. What was Williams doing?

Mr. FISHER. There were two dredges. He was on the second dredge.

Mr. BENNETT. One of the qualifications of Mr. Williams is that he is editor of the Liberal newspaper there.

Mr. FISHER. Newspaper men are supposed to know everything.

Mr. SPROULE. Who had the determining of how much was rock and how much clay?

Mr. FISHER. The whole thing had to be taken up, whether rock or clay. Any man would be able to judge as to whether the stuff in the scows was rock or clay. A newspaper editor might do that.

Mr. SPROULE. Rock is paid for at $2.50 a yard and the other clay at 30 cents. If there is any shell rock or anything at all that could by any process be paid for as rock work, the contractor would charge it as rock work at $2.50 per yard. Who determines what was rock work and what was clay ? It is not solid rock there I am told but largely shelly rock, and there are some places where you have rock and patches of clay underneath, or between the layers of rock, and you work from one to the other, so that it would be very easy to make a calculation showing that a much larger proportion was rock work than was actually the case, and the inducement to do this would be the larger price paid for rock.

Mr. FISHER. We have to rely on the inspector's judgment as to that. In this particular case there was a thin layer of clay over the rock, and when that was removed there was a large quantity of rock bottom taken out.

Mr. HAGGART. How were these quantities paid for—by the prism quantity or on the estimate of the inspector as to what the barges removed ?

Mr. FISHER. By scow measurement as estimated by the inspector.

Mr. HAGGART. Surely the contract must be for prism quantities.

Mr. J. D. REID. It would be an outrage to pay for rock by scow measurement. They generally have a profile of the work and they are to take out so many feet of rock and be paid for it as solid. Was that $2.50 per yard scow measurement or as it was solid in the bottom of the river ?

Mr. FISHER. I do not think that makes any difference. When the scow measurement is made and compared with the prism measurements and the returns of the inspector, the two balanced. The basing of an estimate on scow measure is simply a convenient way of doing this. It is all checked by the soundings to see that the rock has gone. The rock must have gone if the proper depth of water is found to be there. The scow measurement is checked and confirmed by the prism measurement of the rock.

Mr. J. D. REID. But I mean after it is blasted and put upon the scow. Is the price of $2.30 a yard for the solid rock in the prism?

Mr. FISHER. The price is on the prism measurement.

Mr. HAGGART. That is what I wanted to know. I understood that it was scow measurement.

Mr. FISHER. I did not mean as to price. That is only a convenient way of estimating as they go along in order to arrive at the progress estimate. The price of $2.30 a yard was for rock in situ.

Mr. HAGGART. Do you not think it was too much of a blunder when a mistake was made of 40 per cent on rock and 15 per cent on earth?

Mr. FISHER. I do not understand the hon. gentleman.

Mr. HAGGART. The hon. gentleman told me that he overpaid on earth 15 per cent.

Mr. FISHER. No, the hon. gentleman misunderstood me. What I said was that the in situ measurement was 15 per cent more than the scow measurement on other things except rock, but on the rock the in situ measurement would be 40 per cent more than the scow measurement. But, that was not the measurement upon which payment is made; it is simply the measurement upon which the progress estimate is based. The payment is made on the quantity in situ.

Mr. HAGGART. On the original prism measurement?

Mr. FISHER. On the original prism measurement.

Mr. J. D. REID. I cannot understand the way the measurement is made except that as the dredge goes along they take the measurement; but how are they going to take the measurement of the solid rock?

Mr. FISHER. Progress estimates are made every month.

Mr. J. D. REID. The measurements are taken as the dredge brings the material up. Have they to take soundings to be sure that the quantity is dredged.

Mr. FISHER. The dredge owner does that. We do not take his measurement. We take our own measurement.

Mr. J. D. REID. You have no engineer on the dredge at all?

Mr. FISHER. No, we have an inspector.

Mr. SPROULE. I would like to know if after you struck rock from that down it was measured as rock?

Mr. FISHER. Yes.

Mr. SPROULE. Was there any blasting done there?

Mr. FISHER. Yes, the rock ledge had to be blasted under water.

Mr. SPROULE. What do you mean by the ledge?

Mr. FISHER. Solid rock underneath the clay. The ledge has to be blasted before it can be dredged out.

Mr. SPROULE. I understand that there was shaly rock and that below that there was clay. If the measurement was taken from where you reached the rock first and from that down and calculated as rock then I think the minister would find that he is paying for rock work when a large proportion of it was only clay. Evidence was given to me to verify that. A new lighthouse was built there. After it was erected a certain height it suddenly sank 7 to 9 inches. It was supposed that it was on a solid bed of rock but it was found afterwards that it had broken through the shaly rock. There was shaly rock on top. I have seen this rock many times. I have no doubt that below that shaly rock you may find considerable clay and that there will be a great deal of clay dredging to be done. I am not sure whether that is really the case or not, but I was told by some men there that it was on account of the lighthouse going down that they came to find out that it was not solid rock but that it was clay underneath.

Mr. FISHER. Is that in the Collingwood harbour?

Mr. SPROULE. Yes.

Mr. FISHER. In the first place let me say to my hon. friend that if it is shaly rock such as the dredge can scoop up without blasting it is not counted or paid for as rock. It is counted and paid for as clay, but when it comes to solid rock it is paid for as rock. In the channel the bottom is all rock. You do not go through a rock layer at all. You go through a clay layer which is rather thin and then you come to the solid rock.

Mr. HAGGART. Would the minister tell us what quantity was originally estimated for?

Mr. FISHER. I have not got that.

Mr. HAGGART. Ninety thousand dollars seems an enormous sum of money for a dredge to earn from May to November.

Mr. FISHER. There were two dredges at work during that time.

Mr. HAGGART. No, there is a separate amount stated as having been paid to the other dredge of $12,400. The amount of money paid to dredge No. 14 from May to November, 1906, was $90,000, less paid in

1906-7, nearly $10,000, leaving a balance of $76,784.

Mr. LALOR. Who is the owner of the dredge?

Mr. BENNETT. That is the Boone crowd.

Mr. J. D. REID. Were there any other tenders received?

Mr. FISHER. I do not know. The work was given out over two years ago.

Mr. J. D. REID. How many papers was it advertised in?

Mr. FISHER. It was advertised in the usual way all over the province.

Mr. J. D. REID. The amount stated as having been spent for advertising is very small. I have never heard of such prices as these—30 cents for mud and $2.30 for rock. They seem very big prices.

Mr. FISHER. What my hon. friend calls mud includes what is called hard-pan.

Mr. SPROULE. I am told that there is a good deal of that shaly rock which was taken out with a fork that practically ripped it up. Was that measured as rock or clay?

Mr. FISHER. As clay at 30 cents.

Mr. SPROULE. Who made the measurement?

Mr. FISHER. I suppose the inspector, checked over by the engineer in charge.

Mr. SPROULE. That was Mr. Hughes. But, there was no engineer on the work.

Mr. FISHER. Mr. Sing is the engineer in charge and he goes there.

Mr. SPROULE. Mr. Sing would not be there very often in the course of the season?

Mr. FISHER. No, not very often.

Mr. SPROULE. And the rest was left to the inspector. That would be paid for as clay dredging?

Mr. FISHER. Yes.

Mr. SPROULE. That is not my information.

Mr. J. D. REID. I guess there is a nigger in the fence.

Mr. LALOR. Who are the owners of dredge No. 14?

Mr. FISHER. Mr. C. S. Boone is the contractor. I suppose he is the owner of the dredge although he may have chartered it; I do not know.

Mr. LALOR. Has the minister any explanation to make of the record as read by the hon. member for Lanark (Mr. Haggart) showing that one dredge earned $76,000 in one season?

Mr. HAGGART.

Mr. FISHER. I am informed that there are dredges which have earned a great deal more than that.

Mr. SPROULE. Yes, but they would be very different dredges from this.

Mr. FISHER. This is a very powerful dredge, I understand.

Mr. ARMSTRONG. How many men are employed on that dredge?

Mr. FISHER. I could not tell.

Mr. J. D. REID. Has the minister any information to show that any of the government dredges have earned that much?

Mr. FISHER. We do not charge for our dredges in the same way. We simply pay the running expenses and nothing else. Of course, the contractor has to make his profits, and to charge for interest, wear and tear.

Mr. LALOR. I have seen some of the work done in my own constituency by this C. S. Boone Company, and of all the extravagant and wasteful expenditures of public money by this government, I do not think there is anything worse than this. I represent a county in which the honest Liberals, who knew what was going on with reference to this extravagant payment for dredging, voted against the Liberal candidate. The minister can turn his attention to no better way of saving money for the country, than to prevent extravagance and wastefulness in these charges for dredging, and he should change the system of inspection also.

Mr. FISHER. I do not think the department has been doing any dredging in my hon. friend's constituency.

Mr. LALOR. Just before the last general election you spent $42,000, and it was absolutely wasted and not worth a dollar to the country or to the constitutency.

Mr. SPROULE. I have heard, I do not know whether it is correct or not, that although other tenders may have been put in for this dredging, there was no bona fide intention to do the work by any except the Boone Company. I am told that all the other dredges were employed to their fullest capacity, and that the other tenders were probably put in just to show there was competition, and on an understanding among dredge men. They say amongst themselves: You put in a tender for such a place but I am getting that work there, and I will put in a tender for another place where you are getting the work. I have been told that tenders were put in in that way, but it was understood that Boone would get the dredging, and I am told he got it at such a price that if he had a few seasons work he would make a nice little fortune out of it. I am not prepared to say that is correct, but I am told it on reliable authority and I am

bound to draw the attention of the government to it. I do believe that a great deal of the money of the country is absolutely wasted under the present system of dredging. Now, Collingwood is a live and important town and it is necessary to do this work there, but in doing it we should see that while it is done efficiently it is done economically as well.

Mr. FISHER. My hon. friend may be correct in saying that tenderers connive with one another, but the department cannot very well find that out, and we know nothing about it. He must not forget that the expert engineers of the department have declared that these prices are fair and reasonable. No contract is let until that is done by the engineer, and the engineer is of course obliged to take the judgment of his experts. It seems to me that if this is such a profitable contract, as is alleged, enterprising men in the province of Ontario and in the Dominion would have tried to get the work.

Mr. SPROULE. The minister knows he has not been able to get a dredge on the Georgian bay for some years to do half the work that is required to be done, and consequently the dredge owners get their own prices.

Mr. FISHER. The only alternative then would be to stop the work.

Mr. LALOR. There is another alternative, and that is that the government should own their own dredges and do away with the extravagance.

Mr. HAGGART. We have the distinct promise of the minister that no payment will be made to these contractors beyond what the actual prism quantities show.

Mr. FISHER. What I said was that the price paid would be to quantities as measured by the prism. If a larger prism is required we will have to pay for it.

Mr. HAGGART. Of course, but the understanding is that you are only to pay according to the prism quantities.

Mr. FISHER. That is the contract.

Mr. HAGGART. The minister stated, on the authority of his deputy, that there were other dredges in the country earning a much larger amount than this dredge. I do not believe there is a dredge in Canada of the same capacity as this one, which earns from $19,000 to $20,000 a month.

Mr. FISHER. It is not fair to say that the dredge alone has earned that, because there is drilling and blasting to be done and machinery for that has to be provided.

Mr. HAGGART. I doubt very much if there is any dredge of five or six times the capacity of this dredge which earns as much per month. I understood from the member for Grey (Mr. Sproule) that this is a shaly rock and that there is no blasting or drilling to be done.

Mr. SPROULE. That was represented to me, but I do not know it of my own knowledge.

Mr. FISHER. I stated, on my information, that the shale rock was paid for as clay but that the bed rock there was solid rock.

Mr. BENNETT. As a matter of fact I have seen them boring at Collingwood.

Mr. CLEMENTS. I notice that Boone & Co. are doing the dredging at Rondeau Harbour for 13¼ cents per yard, whereas at Collingwood harbour they get 30 cents per yard. We have several dredges in the vicinity of Rondeau harbour and possibly the competition may account for the price we are paying there. The difference between 13¼ and 30 cents, is an absolute waste of public money.

Mr. FISHER. It is different material altogether.

Mr. CLEMENTS. We have good solid clay at Rondeau, and the inference is that we are getting the work done there at a proper price.

Goderich harbour—improvements, $50,000.

Mr. COCKSHUTT. I wish to ask the minister what the special improvements are that are proposed in Goderich harbour, and what the depth of water in the harbour will be when they are completed? Is it intended to deepen the harbour or to increase the wharfage or otherwise to provide for terminal facilities for railway purposes?

Mr. FISHER. I would say to my hon. friend that a small amount of the vote is for repairs on the wharf, but the bulk of it is to be applied to the breakwater to protect the harbour. About two years ago a contract was let for the building of 500 feet of breakwater. The contractor went on and built a portion of it, when a great storm arose and washed away a good deal of what had been constructed, and the contractor did not go on with the work. After a good deal of negotiation and difficulty an arrangement was come to by which he was to be paid a certain amount for what he had done and damages, and the work was to be taken from him. I have just advertised for new tenders for the completion of the work.

Mr. COCKSHUTT. Can the minister say what the depth of water is in the harbour at present ?

Mr. FISHER. Nineteen feet at ordinary water; about 18 feet at very low water.

Mr. COCKSHUTT. Is the work under contract at the present time?

Mr. FISHER. I have just advertised for tenders for the completion of the work. Tenders have not yet been received.

Mr. BENNETT. What will it cost altogether?

Mr. FISHER. The estimate is that it will cost a little over $70,000 to complete the 500 feet of breakwater.

Mr. COCKSHUTT. Was any dredging done there last year or is any contemplated this year in connection with this expenditure?

Mr. FISHER. Some dredging was done there last year and some will have to be done this year. Some dredging is required in the harbour every season.

Mr. COCKSHUTT. Can the minister remember who had the contract for this particular work?

Mr. FISHER. The Mareton Dredging Company had the contract last year.

Mr. COCKSHUTT. Is it possible to use the breakwater as a pier?

Mr. FISHER. No, it is simply for the protection of the harbour.

Mr. COCKSHUTT. It will not increase its facilities as a railway terminus?

Mr. FISHER. No.

Mr. COCKSHUTT. My inquiry is with reference to its facilities as a port for a railway. Goderich was thought to be a favourable point and I was in hopes that these improvements would be such as to increase its facilities as a railway terminus.

Mr. FISHER. We think it well to finish the work on the breakwater before taking up anything else.

Mr. BENNETT. I see that W. L. Horton was the lowest tenderer. Is he the same as the Mareton Dredge Company?

Mr. FISHER. Yes.

Mr. BENNETT. In order that the public may know whom they are dealing with, I want to go into this matter. We cannot have the advantage of knowing whom we are dealing with in the case of the North Atlantic Trading Company, but we do know that we are dealing with Mr. W. L. Horton under the name of the Mareton Dredging Company. Who is Mr. Horton? He has been rather in the public eye of Canada in late years. I will read from the evidence before the investigation in the police court in Toronto which one Pritchett gave in connection with Pritchett's record of crime through western Ontario. This was in connection with the theft of ballots in the memorable election in West Huron:

Q. What happened, just tell his worship?—A. Another cashier was appointed.

Q. Who was he?—A. I expected any people I had anything to do with to see another man there.

Q. Who was it?—A. His name was Horton, or something like that.

Mr. FISHER.

Now, there was an affidavit read yesterday by the leader of the opposition, made by Mr. James Farr, one of the deputies who stole a lot of ballots in that election, and this is what he says:

After the last mentioned refusal to give up my ballot box and papers, the said W. L. Horton asked me to go with him to Craig's hotel in Goderich town, which I did. Both the said Horton and I went upstairs in Craig's hotel together and I was then introduced to a man by the name of Garrett and also to a man named O'Gorman. These two latter persons were introduced to me by the said W. L. Horton.

Now, there can be no mistake as to the W. L. Horton. One of the contractors dealing with this government is the same W. L. Horton who was introducing Mr. Pritchett to innocent men and paying him for the theft of ballots. It is just as well that the country should know whom they are dealing with in connection with these dredging contracts. Who has the work of supervision at Goderich? The work is done by the scow load, and if Mr. Horton has a friend looking after the scows he is bound to make quite a stack of money out of the work. No wonder, as was stated by the hon. member for Glengarry (Mr. J. T. Schell) the other night, he is pestered to death by people coming to him and asking him to go into dredging companies. Other gentlemen on that side of the House have informed me of the same thing. It is a notorious fact, as was pointed out by the hon. member for South Lanark (Mr. Haggart), that men are making colossal fortunes out of these dredging contracts, because this swindling game is allowed to go on. May I ask the hon. minister if J. M. Proudfoot was the inspector at Goderich last year?

Mr. FISHER. I think he was the inspector on the breakwater, not on the dredging.

Mr. BENNETT. William Watson appears to have been the inspector of the dredging. Both of these men are unknown to me. Who had the contract for the pier?

Mr. FISHER. Battle & Conlon.

Mr. BENNETT. They are very reputable contractors, so far as I have ever heard. $9,389 seems to have been spent for dredging, and the quantities are given here. Some of it was rock at $1.50 a yard. What was the contract price, or was there a contract for the different qualities?

Mr. FISHER. 25 cents per cubic yard for all kinds of material except rock.

Mr. BENNETT. They work in something under the name of hard-pan at 80 cents.

Mr. FISHER. That is for 1904-5.

Mr. BENNETT. The minister should remember the record of Horton, and if there is anything more to be done by him,

send out a reliable man from Ottawa to watch him.

Mr. J. D. REID. I think we should have a royal commission, as in the case of the Insurance Commission, trace this money to the man to whom it was finally paid.

Mr. SPROULE. I understood that some of this work was destroyed by a storm last year.

Mr. FISHER. It was seriously damaged; the contractor declined to go on with the work, except at a greatly increased rate, which was declined by the department, and finally an adjustment was made with the contractor by the board of arbitrations and awarded, composed of departmental officers at something under $13,000, although his claim was $60,000.

Mr. SPROULE. Is the same man doing that work now?

Mr. FISHER. No, he gave up the contract; tenders were advertised for; he tendered again, but his tender was so much above the estimate of the department that it was not accepted. We recently advertised for tenders again, but the time has not yet expired.

Mr. BARKER. I see that the answer by Sir Wilfrid Laurier as to who tendered for this Goderich contract in 1904 was that Mr. W. L. Horton tendered. Did he sell out to the Mareton Dredging Company?

Mr. FISHER. I am informed that Horton is a member of the Mareton Company, that he got the contract which the Mareton Company are carrying out in his name.

Mr. ARMSTRONG. Is the breakwater at St. Joseph going to be completed?

Mr. FISHER. I am informed it is to be completed by the contractor at his own expense, so that we do not have to vote any more money for it.

Mr. ARMSTRONG. How much money has been spent on the Grand Bend pier?

Mr. FISHER. I see last year there was $599 for repairs.

Mr. ARMSTRONG. What is the total expenditure?

Mr. FISHER. I have not the details here, as there is no special vote for it this year.

Mr. ARMSTRONG. If the minister is going to take an active interest in the affairs of the Public Works Department, I wish he would investigate the manner in which the money is being squandered at some of these piers, especially at St. Joseph, where he will find some of the pier scattered along the beach. No boat has stopped at that place, and the pier is of no benefit to the people at large. If he investigates, I think he will find justification for my remarks.

Hamilton harbour, $32,800.

Mr. BARKER. What is this money intended for?

Mr. FISHER. This is to carry on a contract which is already in existence. The total work is expected to cost $75,000. There was $10,000 spent last year. This will make $41,000 more, and there is an item in the supplementaries for last year of $6,000.

Mr. BARKER. Will this complete the work?

Mr. FISHER. I think so.

Mr. BARKER. Is it intended to do all the work the coming season?

Mr. FISHER. Yes, but if not, there will be an amount required in the supplementaries of this coming year.

Mr. BARKER. With the supplementaries of this year, will the work be completed?

Mr. FISHER. It will provide for its completion and I hope we will be able to complete.

Mr. BARKER. It is intended to have enough in the supplementaries to complete the work?

Mr. FISHER. Yes.

Kincardine harbour—repairs to piers and dredges, $4,500.

Mr. BLAIN. Is this supposed to complete it?

Mr. FISHER. This is for repairs and will no doubt put it in perfect order.

Little Current—improvement of north channel in Georgian bay, $50,000.

Mr. SPROULE. What is the explanation of this?

Mr. FISHER. A contract is being let for dredging out that channel north of Manitoulin Island, so as to provide a good channel for the largest vessels on the lake from Sault Ste. Marie to Georgian bay ports. There was one point the vessels could not pass and they had to go out to the lake to avoid it. When that is dredged out, a sheltered course will be available.

Mr. SPROULE. What is the total cost?

Mr. FISHER. $532,000. It has been let by contract, and the contractor has been pushing on the work very assiduously, so much so that there had to be an item in the supplementaries for last year of nearly $100,000.

Mr. SPROULE. There was $50,000 voted last year, surely you did not do $150,000 worth of dredging.

Mr. FISHER. Yes, it is all rock dredging.

Mr. SPROULE. Who is the contractor ?

Mr. FISHER. C. S. Boone. There is an item of $50,000 in the estimates for this coming year. If the contractor goes on with the work as expeditiously as he did last year, there will have to be another item next year.

Mr. SPROULE. The government voted $50,000 and the contractor earned $150,000 That looks rather suspicious or your estimate was sadly out.

Mr. FISHER. The contractor pushed the work very energetically and has not been paid for anything he did not do.

Mr. SPROULE. Was it understood, when he took the contract, that he would earn $150,000 in one season ?

Mr. FISHER. He got the whole contract and it was understood he would do the work as rapidly as possible. If he can do it in two years, it is better than three years.

Mr. SPROULE. How can you account for making an estimate that he would do $100,000 worth of work last year and then pay him $150,000 ?

Mr. FISHER. It is in the interests of the public that the work should be done as rapidly as possible.

Mr. SPROULE. Did the contract cover a certain number of years ?

Mr. FISHER. There was no such condition. The contractor may do it all in one year.

Mr. SPROULE. Why then did the government not provide money enough ?

Mr. FISHER. Because we did not anticipate that he would do so much.

Mr. BENNETT. Everybody concedes that the engineer, Mr. Lafleur, is a competent man ; he has been in the department a number of years and enjoys a high reputation. He knows very well how much work can be done in a year by reason of the construction or formation of the bottom. He knows that the contractor can reasonably at Little Current do so much work in a season and consequently estimates what appropriation is required for that purpose. But in this case the engineer, no doubt to his amazement, is told by Mr. McLean and another man named May that the contractor has dug out so many scow loads of rock. Was all this rock formation ? Has that been measured ? Has the bottom been swept and measured in situ ?

Mr. FISHER. Yes.

Mr. BENNETT. By whom ?

Mr. FISHER. By either Mr. Sing or his assistant engineer.

Mr. BENNETT. Who would be his assistant engineer ?

Mr. FISHER. He has two or three. Mr. Marrick is his assistant and a man called Pence.

Mr. BENNETT. Who was it measured this rock bottom at Little Current ?

Mr. FISHER. Mr. Sing signs the report.

Mr. BENNETT. It may be a matter some day for investigation in the committee. But it is certain that your chief engineer tells the acting minister. If we vote so much money for the work at Little Current it will in all probability be earned. And to our amazement, after the work is all done, not only has the amount voted been earned, but $100,000 worth more, and here you are asking in the supplementary estimates for, in round figures, $95,000 more. That $95,000, the minister says, is for work done last season. It is a surprise to people to learn that Mr. Boone is the possessor of as many dredges as he seems to have, two at Collingwood and one at Little Current. A few years ago nobody ever dreamed that Mr. Boone, was going to blossom out into a millionaire contractor. Now who are the clerks of this work. Mr. Maclean and Mr. May ? I assume they were both recommended by the member for Algoma, or are they sent from Ottawa ?

Mr. FISHER. They are not sent from Ottawa, I do not know who recommended them.

Mr. BENNETT. It is fair to assume, by the local member. Now I contend that only work should be performed for which money is voted, or if more is going to be performed, then let parliament vote the money and let us know what is going to be done. This, I assume from the Auditor General's Report, is all rock work ?

Mr. FISHER. Yes.

Mr. BENNETT. But the real wrong doing was pointed out by my hon. friend from East Grey (Mr. Sproule). If you would tell the contractors openly that they could go in there and do as much work as they possibly could, you would have wider competition. Suppose a township council were to say, we are going to spend $300 in gravelling a road and give the contract on the basis of $300 would it not be an astounding thing if the contractor should go on and do $1,500 worth instead of $300 ? The public will see that this government is still doing business in the same way as they did in the case of Collingwood. Vote a certain sum of money, invite the contractors to tender, and once a man becomes the contractor he has carte blanche to go on, under the supervision of a couple of local men, and after that is done the department says, we have swept the bottom, and by measurements in situ of the rock we certify there is that much. It may be a matter perhaps for inquiry

before a committee some day to find out who really did this work.

Mr. FISHER. My hon. friend is too suspicious. He has perhaps made out a plausible statement to show how extraordinary it is that last year there was only about $50,000 spent on this work, and this year about $150,000. The explanation is as simple as A B C. I am informed by the engineer that during the first season the contractor set to work and did a great deal of blasting and loosening, and got his plant on the spot, for all of which he was not paid at all until he had finally removed the loosened rock. During the last season he did remove that loosened rock, and took away so much of it that he earned $140,000 instead of the $50,000 which he earned a year ago. The way in which the contractor carried out his contract was concurred in. He did it in the most convenient way for his own work and the way in which he did it was accepted by the department. There is no question about it, no impropriety and no suspicion about it. The contract is to do this work, the whole work, to take out the rock all through that Little Current passage and give a channel of 22 feet right through. It is to the great advantage of the trade of the lakes that that work should be done. If the contractor does it rapidly, I dare say he will earn more profit; at the same time he will be doing a great service to the country and to the trade, and probably he will then be able to apply for another contract somewhere. He has set an example to contractors generally that I wish they would follow. It is not going to cost the country any more, but rather less; because all the money to be expended is going to be of no use until the work is finished. They might spend $300,000 or $400,000 there, and if there were $50,000 or $60,000 worth of rock left in the bottom of the channel, vessels would not be able to pass through, and it would be of no use to the country. But when it is finally completed, and swept, and measured, and accepted, the work will be right. The contractor deserves a good mark for it, and I hope he will go on in the same way.

Mr. TAYLOR. What was the chief engineer's estimate of the total work before it was commenced?

Mr. FISHER. $615,000.

Mr. TAYLOR. How much has been spent?

Mr. FISHER. When the accounts of this last year are paid for work up to the present time, there will be nearly $300,000 worth of work alone.

Mr. J. D. REID. Does the contract provide for $600,000?

Mr. FISHER. Yes.

Mr. BENNETT. Then in the original tender was it intimated that there would be expended at that point $600,000 under the contract, and that the lucky tenderer would receive work to that extent?

Mr. FISHER. The contractor had a plan which had been prepared by the department, on which to base his calculations. The contract was for the completion and carrying out of that plan. It was awarded in 1904?

Mr. J. D. REID. When the minister advertised for these tenders, the quantities were given, at least, they know about what the quantities were?

Mr. FISHER. I am told not.

Mr. J. D. REID. Well, the government have estimated the quantities in the department.

Mr. FISHER. Yes. When the engineer makes a plan he knows what that plan means. The estimate of the cost is based on that plan.

Mr. J. D. REID. Is not the contractor shown that about so much work is to be done?

Mr. FISHER. No, he is given a plan and has to figure it out himself.

Mr. AMES. It is highly desirable that this work should be completed as rapidly as possible in the general interest of trade and not as a local improvement. I was there last summer and I had an opportunity myself to see the importance of that work. The channel is very narrow at Little Current, there is a sharp elbow opposite the town and vessels coming in have to go very slowly and very carefully in order to get by. There is a fair depth of water but the channel is extremely narrow at the present time. All that work is rock. I can testify to the fact that the dredges were working day and night and without cessation while I was there, because the drills continued to pound from twelve o'clock Sunday night until twelve o'clock on the following Saturday night. It is very important that the work should be finished as rapidly as possible. The channel is narrow, the dredges necessarily have to be placed in the channel while the work is proceeding, and vessels have to proceed at almost a snail's pace in order to get around the dredge at the turn. I trust that the contractor will put on as many dredges as possible so as to finish this work at an early date. The channel is very dangerous. When the wind blows in one direction the current is westward and when it blows in another direction the current is eastward. Sometimes the current runs three or four miles an hour and it might very easily take a vessel out of the channel. I would like to ask the minister if there will be anything done this season to

clear the obstruction in the channel at Little Detroit near the mouth of the Spanish river ?

Mr. FISHER. My information is that no provision has been made for that. That is a name which has not come before me at all. I am glad to have a confirmation of what I have just said by the hon. member for Montreal, St. Antoine (Mr. Ames). If he has been on the spot he knows more about it than I do, but what he has said is an exact confirmation of the information that I have given the committee.

Mr. AMES. Little Detroit is twenty-five or thirty miles west of Little Current and it is a very narrow place between two high promontories through which all boats that take the northern part of the channel have to pass. This last season a large vessel was stranded on the ridge of rock that runs out from the southern side and it almost closed the entrance ; in fact the channel is almost unserviceable at the present time, and I sincerely trust that the department is not only preparing to clear away the wreck, if it has not already been done, but to take away the hog's back of granite rock which caused the wreck.

Mr. FISHER. I shall see that a report is made of the situation and we will consider what can be done.

Mr. SPROULE. I would like to say one word with regard to the statement that the minister made that Mr. Boone had done a great deal of blasting one year and had removed it the next year, and therefore an enlarged amount of money was earned. I would imagine that the engineer who was preparing the estimates to be submitted to council would have taken into account that fact and would therefore have asked the government to provide money enough to pay for that extra work. Surely that could have been estimated pretty closely if the work was partly done this year and it was to be paid for next year. The minister smiles as though there was something wonderful about it.

Mr. FISHER. No.

Mr. SPROULE. I thought so.

Mr. FISHER. I had no intention of doing so.

Mr. SPROULE. I thought so and I thought he might be as near it as when he told us that a boat, to pass through the north channel, had to go out into Lake Huron. I think he was a little out in his geography then. I have had some experience extending over a number of years in regard to this matter of dredging. Dredging was done at various places in the Georgian bay in years gone by and just as soon as the amount of money voted by parliament for the year was spent the dredging stopped and had to remain in that condition until more money was voted. It was not the custom to allow a contractor to commence dredging where there was only a vote of $50,000 and go on and earn $150,000 without the money having been voted by parliament. I think that principle is a bad one, that it is a wrong one. It is a very loose way for the government to do business. Suppose parliament refused to vote that money, where would the contractor be ? Where would the government be which allowed that contractor to go on without the money having been voted to pay for the work ? They would be in awkward position. I think this is just one of the abuses that are creeping in. Mr. Boone has been doing the same thing in Collingwood. Some years ago, when we were asked why did you not finish a particular work the answer was, that there was only so much money voted and available this year and that was all that could be spent. It is a new idea that when there is only $50,000 voted a contractor can go on and earn $100,000 in addition to the original appropriation. I think that is a very improper system and one that is likely to lead to very grave and absurd abuses. It would be well to know the explanation of it, because I do not think the committee has been given the proper explanation.

Mr. FISHER. The hon. gentleman understands that there are two different kinds of contract. One is a contract under which a man will go on and dredge a certain amount in a season. The other is a contract for a given piece of work. This is a contract for the whole work in the Little Current passage which nobody expected would be done in two or three seasons.

Mr. SPROULE. You have the same at Collingwood ?

Mr. FISHER. Well, Collingwood is exactly the same. But there is this work that no one expects will be done in a season. A man has a given contract to do as much dredging as he is able to do during the season and he is not given any work for the next season. I find that a lot of contracts were given for last year. A man was given a contract for the season or for as much as his dredge would enable him to do, and in some cases, as is shown by these supplementary estimates, he has earned more money than was voted. I have to ask for a lot of little items and some considerable amounts to pay for the work last year. That is one class of contract, and under those circumstances I do not think that a man should be allowed to do very much more than the vote which was given by parliament, although I would not like to tie him right down to a few dollars or to ten or fifteen per cent as to what he must do. But, when you give a contract as in this case, and as in the Collingwood case, which is not terminable in a season,

and which is for the whole work, I think that it is in the interest of the work that it should be pushed forward as rapidly as possible and if by a miscalculation by the department enough money was not put in the main estimates for the year to accomplish the work which the man was afterwards found able to do, it would be unfortunate if we did not allow him to go on and do the work. My hon. friend knows, that that has been a very common practice for many years under similar circumstances.

Mr. SPROULE. I do not know. That is just the difference between what the minister imagines I do know and what I do not know.

Mr. FISHER. I can remember when I sat over there, supplementary estimates coming in for work during the year which had passed. I do not know the exact terms upon which it was done but I know that there were expenditures which had to be supplemented in the supplementary estimates and that this kind of thing has been going on for years. In this particular instance it happens to be a large amount but the principle is just the same.

Mr. SPROULE. Some years ago I pressed very hard to get the Collingwood work gone on with on the ground of urgent necessity, but the government always answered me that they could not expend more money than had been voted. I can understand a small amount of over expenditure, but here you have $150,000 ; you have expended three dollars for the one that parliament has voted. How do you know that next year some one might not tender to do the work cheaper, or had the contract been let in the first instance on these lines, that it might not have been taken cheaper ?

Mr. FISHER. It was let on these terms.

Mr. SPROULE. Has all the work at Collingwood been done in that way from the first plan ?

Mr. FISHER. So I am informed.

Mr. SPROULE. Parliament should not be deprived of its right to exercise its judgment on the voting of this money, before the country is committed to the expenditure.

Mr. FISHER. That is quite right.

Mr. BENNETT. Here we are asked for $50,000, and no doubt more than that amount of work will be done by Mr. Boone this year.

Mr. FISHER. I will have an item in the supplementaries to provide for that.

Mr. BENNET. Then there will be $100,000 in the supplementary estimates if Mr. Boone does $150,000 of work this year ?

Mr. FISHER. I hope so.

Meaford harbour—improvements, $21,000.

Mr. SPROULE. What work are you doing now at Meaford ?

Mr. FISHER. It is under contract.

Mr. SPROULE. Will this complete the work ?

Mr. FISHER. It will complete the breakwater and do some dredging besides.

Mr. SPROULE. Will it complete the dredging ?

Mr. FISHER. No. We will do what we can this summer.

Mr. SPROULE. Who had the dredging last year ?

Mr. FISHER. Weddell, of Trenton.

Mr. SPROULE. Is this work under contract ?

Mr. FISHER. It will be advertised for.

Mr. SPROULE. What about the pile works ?

Mr. FISHER. That is under contract to Kastner and Porter, of Wiarton ; there were five tenders and the lowest accepted.

Mr. SPROULE. What dredging do you provide for ?

Mr. FISHER. We think $6,000 will be done this summer.

Mr. SPROULE. I understand this harbour is laid out on a definite plan. If the contractor does all the work he can do this summer and it is over the estimate, could you pay for it as you did in the case of Collingwood ?

Mr. FISHER. I am told the plan as prepared by the department would be covered by about $6,000 worth of dredging this summer.

Mr. SPROULE. That is not the whole work ?

Mr. FISHER. I believe not. If the contractor goes on and does more than provided for we should pay him, if it is on the plan of the department.

Mr. SPROULE. How much will it cost to do all the dredging and pile work in the whole harbour according to the plan ?

Mr. FISHER. We have had requests for very large work there, which we have not agreed to. The plans prepared to be put into execution by the department would be covered by $6,000 of dredging and the completion of the breakwater.

Mr. SPROULE. It needs a good deal more than that.

Mr. FISHER. It may be we will have to ask for something in the supplementary estimates next year.

Mr. SPROULE. It is needed badly.

Mr. FISHER. I remember some representations, but I cannot give the details.

Midland harbour—dredging, $40,000.

Mr. BENNETT. Where will this $40,000 be expended for the next fiscal year ?

Mr. FISHER. On dredging the whole harbour so as to permit vessels drawing 20 feet to safely approach at low water all the quays and wharfs built along the harbour front from the inner lumber docks on the east side to the outer end of the wharf on the west side ; and dredging to 26 feet of water in front of the new Grand Trunk Railway Tiffin elevator wharf.

Mr. BENNETT. How will the expenditure be divided ?

Mr. FISHER. The total required for the two items would be $62,500.

Mr. BENNETT. How much will be expended at the elevator ?

Mr. FISHER. I am told $40,000 in the old harbour proper, and about $20,000 at the new wharf.

Mr. BENNETT. With due deference to the department I would think that in the transportation interests of the country, these figures should be transposed. A very large elevator has been constructed there without any government aid, and there should be deep water facilities in front of that elevator. I am at a loss to understand how $40,000 is to be expended in what the minister calls the old part of the harbour around the docks. In what particular place is this $40,000 to be expended ?

Mr. FISHER. Along the quays and wharfs of the harbour front from the inner lumber dock on the east side of the bay, to the outer end of the wharf on the west side of the bay.

Mr. BENNETT. I think there should be some expenditure made near the old elevator in the upper part of the bay, but as to these lumber docks, I do not think that the work there is quite so urgent.

Mr. FISHER. Do I understand my hon. friend to say that there ought to be less spent there and more at the Tiffin elevator?

Mr. BENNETT. My idea is that there should be at least twenty-four feet of water to accommodate the large class of vessels which go there, some of which carry 300,000 bushels of grain.

Mr. FISHER. The plan is to give 26 feet of water.

Mr. BENNETT. That is quite necessary. Are tenders to be invited for this expenditure of $40,000 at Midland?

Mr. FISHER. Yes.

Mr. BENNETT. Below the place where this dredging has been done there is now in course of construction a 2,500,000 bushel elevator, which is being so constructed that it can be made capable of holding 10,000,000 bushels. That I understand will be built by the Grand Trunk Pacific at Tiffin. There was one finished last year by the Aberdeen Company which had a capacity of 1,500,000 bushels. There will be a large amount of dredging necessary at this new Grand Trunk Pacific elevator, and I hope there will be in the supplementary estimates a very substantial sum for that purpose, because I understand that it is the intention of the owners to push the elevator to completion so that it will be capable of taking in grain next fall. I would like the minister also to impress on the Department of Marine and Fisheries the absolute necessity of placing a gas buoy on the shelving rock in the middle of the bay, where there is now only a little spar buoy, besides a couple of little flickering lights on the hillside.

Mr. FISHER. I will draw the attention of my colleagues to the matter.

Owen Sound harbour—dredging and pile protection work, $20,000.

Mr. BLAIN. Is this to complete the work?

Mr. FISHER. This is supposed to complete the work at present planned.

Point Edward—dredging, $29,000.

Mr. ARMSTRONG. What is the nature of that?

Mr. FISHER. This is to deepen the channel to 21 feet, and to obtain 21 feet of water in the main natural channel of the St. Clair river.

Mr. ARMSTRONG. The people of that vicinity are anxious to know what is the nature of the dredging work that has been going on there year after year. There has been an expenditure of from $25,000 to $30,000, and it would be of some interest to know whether the department have a definite plan of expending that money in the river.

Mr. FISHER. Great difficulty has been found in keeping the main channel open, and dredging has to be done there right along. Then, we require dredging to provide landing facilities in connection with the elevator and the wharfage to a distance of about 800 feet to the lower end of Point Edward.

Mr. BENNETT. Will that be placed under contract this year?

Mr. FISHER. This is for last year's contract. It will be advertised again this year.

Mr. ARMSTRONG. Who had the contract last year?

Mr. FISHER. A company called the Sarnia Bay Lumber, Timber and Salt Company. The rate was 22 cents a yard.

Port Burwell—improvement of harbour, $60,000.

Mr. MARSHALL. I find that about $37,000 has already been laid out on Port Burwell harbour. The inspection of that cost nearly $3,000. I would like to know whether these inspectors are practical men or not. Their names are McCrimmon, Jones and Ford.

Mr. FISHER. We have had no reports or complaints to the contrary. I do not know the men at all.

Mr. MARSHALL. My reason for bringing the matter to the minister's attention is that I know one of the inspectors, Mr. Ford; he is a farmer.

Mr. FISHER. That is no harm.

Mr. MARSHALL. No, he is none the worse for that if he is practical; but as a matter of fact he is not practical. He is a political worker. I know this gentleman. He has been kept on the harbour at $3 a day for some time. It is the general talk of that district. That is why my vote was so large there. The acting minister has been frequently there, and I am surprised that he would allow this thing to go on. There are others besides Ford who are not practical. I find that the former Liberal candidate, Mr. Hepburn, has been paid for a pile driver. I did not know that a candidate would be interested in any machinery doing work for the government. The item is not a large one, but as a matter of fact since the general election of 1904, Mr. Hepburn has been working this scheme. He has had control of certain moneys laid out at Port Burwell, and he has had this class of men around him. Mr. Ford is a first-class farmer, but he is not capable of inspecting a dredge, as he has had no experience at all in that line; yet he was drawing $3 a day and doing a little electioneering at the same time. I am quite well acquainted with Mr. Ford, and I know that he was very active in my election. Though he was still inspector on the dredge, he was out through the country doing electioneering work. I just want to make the hon. minister aware of what is going on.

Mr. LALOR. The hon. member for East Elgin is one of the new members of the House, and he does not understand that that is one of the necessary qualifications of an inspector.

Mr. BLAIN. Might I ask the hon. minister how it comes that there are four inspectors at Port Burwell?

Mr. FISHER. I am informed that there were two dredges working there, and that one of the inspectors was looking after the cribwork and not the dredging. I do not think there were four at any one time. They were changed around somewhat apparently, but I have not the information as to the dates of their appointments.

Mr. BLAIN. My hon. friend from West Elgin (Mr. Jackson) has pointed out that Mr. Ford who is on the pay-roll was a very active supporter of the government in the recent by-elections. Did he receive $3 a day for inspecting the dredge during the contest?

Mr. FISHER. I cannot say.

Mr. BLAIN. The minister should be in a position to supply the information as to the days on which Mr. Ford was at work and paid by the government.

Mr. FISHER. I have no doubt I could obtain the information in the department.

Mr. BLAIN. As the minister has been informed that this gentleman is an active politican with no special qualifications for inspecting dredges, we may expect that he will not be employed during the coming summer.

Mr. FISHER. I shall make inquiry as to his qualifications.

Mr. BENNETT. Is it necessary where two dredges are working to have an inspector for each dredge?

Mr. FISHER. I am told so.

Mr. BENNETT. I would suggest the employment of marvels like the one at Midland who inspects three dredges at one time. Last year Mr. A. G. McKay, of Owen Sound, who is the Owen Sound Dredging Company, had two dredges employed, and in order that this $20,000 that we have been rather unexpectedly asked to vote could be expended, some friends of the hon. gentlemen opposite having brought in a dredge she was placed on the work as well, I suppose on a subcontract. This marvel, Mr. W. H. Hacker, succeeded in doing the trick of looking after three dredges. I shall not ask that his services be dispensed with as he is such an admirable vote maker for me that I would rather have him kept on.

Mr. W. JACKSON. In connection with the Port Bruce wharf there is an item at page 252 of the Auditor General's Report for white oak, 510 feet at 15 cents. That seems an unusual item.

Mr. FISHER. I suppose we had to buy it.

Mr. W. JACKSON. It is the price.

Mr. FISHER. I do not know what it means exactly. I do not know if this is for heavy timbers.

Mr. W. JACKSON. It is at the rate of $150 per M. for inch oak, and it seems to me to be a little out of the usual.

Mr. FISHER. This is the first I have heard of it.

Mr. W. JACKSON. There is another item for $30 for pile driving at Port Bur

well. Would the minister say who owned the pile-driver?

Mr. FISHER. I have not the information here. Perhaps my hon. friend has it.

Mr. W. JACKSON. F. E. Shepard, rent of pile-driver, $30.

Mr. FISHER. It does not convey anything to me, but I suppose it does to the hon. gentleman.

Mr. WARD. It is significant that Cobourg is not mentioned in these estimates, why is that?

Mr. FISHER. My hon. friend will have to possess his soul in patience. The supplementaries are not yet down and perhaps he will derive some information from them.

Mr. WARD. I may give notice now that I intend to bring that matter of the ferry before the House to-morrow.

Port Stanley—harbour improvements, $75,000.

Mr. FISHER. This is under contract.

Mr. W. JACKSON. Who is the resident engineer?

Mr. FISHER. Mr. Lamb.

Mr. W. JACKSON. How long has he been in that employ?

Mr. FISHER. He has been in the department I think ten or twelve years. He was assistant in Toronto for many years and has been in charge of that district for about two or three years.

Mr. W. JACKSON. What are his duties?

Mr. FISHER. His duties are to superintend the works under the department in a certain district of western Ontario.

Mr. W. JACKSON. After the work is completed and the account rendered what are his duties or how is the department advised as to whether the work has been done or not?

Mr. FISHER. The accounts have to be transmitted to the department for payment; he has to certify them.

Mr. W. JACKSON. Some pile driving was done in Port Stanley, who received pay for that?

Mr. FISHER. There is an item in the Auditor General's Report:

C. A. Shepard, rent of engine and pile-driver, 28 days at $5, and rent of pile-driver, $43, $183.

Mr. W. JACKSON. That is not the first item. On the fourth line there is the name of James Arniel, I believe. This is the same driver that was in Bruce. This man, F. E. Shephard, is the foreman in Port Stanley and in all these accounts the Bruce part of the work is the only case in which the driver is given as belonging to Shepard. The first payment for this pile driving business is to James Arniel which was $142.45, while according to the accounts we find that C. A. Shepard received $183 for the same driver. The acting engineer there was not doing his duty when he allowed those items to pass and when in each of those cases the driver did not belong to either of those men.

Mr. BENNETT. Is F. E. Shepard the same as C. A.?

Mr. W. JACKSON. No, that is one of the boys. I will ask the Minister of Public Works if he is aware that that pile-driver should partly belong to this government and that the government partly if not wholly built it?

Mr. FISHER. I am not.

Mr. W. JACKSON. Would it not be the duty of your acting engineer to find out whether that pile-driver was built or almost wholly constructed by this government or a private individual?

Mr. FISHER. If that pile-driver belongs to the government the department ought to know it.

Mr. BENNETT. Where does this Mr. Lamb live?

Mr. FISHER. His headquarters are in London.

Mr. BENNETT. That explains it.

Mr. W JACKSON. Is it proper that cheques should be made out to parties who do not own the properties they purport to rent this government for government use?

Mr. FISHER. If the government get the services of a pile-driver from any individual and he is paid a reasonable price for the work, it does not matter to us in the slightest whether that driver belongs to that man or not. But if it belongs to the government, of course we should know where it is and have control of it. I do not know that it does.

Mr. W. JACKSON. Is it proper for this department to make out cheques to a man who is not entitled to a cent?

Mr. FISHER. I should think not, but I have yet to know that that has been done.

Mr. W. JACKSON. The minister is hard to persuade that there is anything wrong. There were returns asked for in the beginning of the session with reference to the work at Port Stanley. We had that report brought down and I find that no less than twenty-eight accounts were placed in that report, but they were not itemized. I made some inquiry from the deputy minister and he said he would get me the itemized account, but he brought down only twenty-six out of the twenty-eight. He brought one that was not in the original—a very peculiar thing. Why was an account brought down in a subsequent return

which was not brought down in the original ? We have in these itemized accounts what I consider shows a condition of things which proves that the resident engineer was not doing his duty. Look at what they are doing in the harbour of Port Stanley where they are employing eight or ten men repairing old work and putting in some new. I would like to ask the minister what he would consider would be a fair amount of one class of hardware to use in two years. How many ordinary cross-cut saw files would have been sufficient for those men to use in the carrying out of their work?

Mr. FISHER. I am not prepared to give an opinion.

Mr. W. JACKSON. Would he think that twenty-one files used in Port Stanley an amount to use?

Mr. FISHER. I can quite understand several files being worn out in a month.

Mr. W. JACKSON. Compare the two classes of work, the one at Port Burwell, where there are more men employed and more new work being constructed with the work at Port Stanley. Yet there were only thirteen files used in Port Burwell at the same time as there were one hundred and twenty-one files used at Port Stanley.

Mr. FISHER. It would be a better comparison to find out how many saws were filed at each place.

Mr. W. JACKSON. I do not think the minister wants to be enlightened but I will enlighten this House. In two years in that work there were one hundred and twenty-one files used in Port Stanley and thirteen in Port Burwell.

Mr. FISHER. How many saws were used ?

Mr. W. JACKSON. How many would you expect to be used on a piece of work of that kind? This is not a jesting matter. You would not think they would require on a piece of repair like that very many padlocks but I suppose those files had to be locked up. I find there were twelve padlocks bought.

Mr. FISHER. In Port Bruce ?

Mr. W. JACKSON. No, in Port Stanley. In that time there were twenty-eight axes bought. I can go through those accounts and see an immense waste of material. I am not saying that the material was not bought from the hardware in the village. I believe it was. But if the minister thinks that that is not a condition of things which should be looked after, then I am afraid there is no use of my offering him any assistance towards obtaining a better condition of things. There are accounts here for padlocks, saws, ropes and oil cans to an extent that seems almost incredible. Perhaps that is the reason these itemized accounts were not brought down as they should have been in the original return. Let me read some correspondence I find in that return. Here is a letter dated Welland, April 7, 1906 :

Secretary Department of Public Works, Ottawa.

Dear Sir,—We inclose herewith copy of invoice in triplicate, of material supplied Mr. F. E. Shepard, foreman of works, Port Stanley, Ontario, October 17, 1905, which has not yet been paid, although we have sent several statements to Mr. Shepard at Port Stanley and to the department at Ottawa. We have also written Mr. Shepard, but have received no reply from him.

Will you kindly look into this matter, and advise us why this bill has not been paid.

Yours truly,
M. BEATTY & SONS, Limited.

Now should it not be ? Where is the communication itemizing that account in the public accounts ? Should that not be brought down in this return ? There is a letter from Mr. Beatty saying he had written to the department in Ottawa rendering this account. Is there anything in this return ? I have hunted for it from A to Z, and there is nothing. That letter should have been in this return, and we have not got it. Here is another letter addressed to Beatty & Sons, Welland :

April 27, 1906.

Messrs. M. Beatty & Sons, Limited, Welland, Ontario.

Gentlemen,—I beg to acknowledge receipt of your letter of the 23rd instant, in regard to an invoice for materials supplied in connection with the work at Port Stanley, and to state that the chief engineer has been requested to give the matter his attention.

(Sgd.) F. GELINAS,
Secretary.

Now here is another letter from the secretary :

Welland, Ontario, April 25, 1906.

Secretary Department of Public Works, Ottawa.

Dear Sir,—On April 7 we wrote you regarding some material supplied Mr. F. E. Shepard, foreman of works, at Port Stanley, October 17, 1905, which have not yet been paid for, and inclosed copy of invoice in triplicate. Not receiving any reply from you, we think our letter may have gone astray. Kindly look into this matter and advise us why the bill has not yet been paid.

Yours truly,
(Sgd.) M. BEATTY & SONS, Limited.

Where is that letter ? It does not appear in these returns brought down. There was a letter sent out to the Department of Public Works in Ottawa, and are they not supposed to keep these communications ? If they are, why was the letter not brought down ?

Mr. TAYLOR. Something in it they don't want you to see.

Mr. W. JACKSON. Now there is the winding up letter in connection with that:

Welland, Ontario, May 26, 1906.

Mr. Fred. Gelinas,
Secretary Department of Public Works, Ottawa.

Dear Sir,—Referring further to our letter of May 14, in reply to yours of April 25, No. 156,-081, we received cheque for this account from Mr. W. F. Hepburn for Mr. F. E. Shepard.

Yours truly
(Sgd.) M. BEATTY & SONS, Limited.

Hepburn is the defeated candidate. Here is an account sent to this department which the department refused to pay, and afterwards we find a man that is not the foreman, but I believe he is the man that had the patronage in East Elgin, sending that money to this manufacturing establishment in Welland. Here is another letter that don't seem to have any head or tail to it.

The Waterous Engine Works Company, Brantford, Canada.

July 9, 1906.

The Department of Public Works, Ottawa.

Dear Sirs,—On the 25th June we received a communication from the Deputy Minister of Marine and Fisheries of Ottawa, in reference to one F. E. Shepard at Port Stanley, in regard to a grate of the value of $10.50, in which he said that he was referring this matter to the Department of Public Works for attention.

Where is that communication that the Department of Marine and Fisheries say they have referred to the Department of Public Works? We cannot find anything of it in these returns.

Will you be kind enough to look into this matter and let us hear from you at your earliest convenience.

Yours truly,
WATEROUS ENGINE WORKS COMPANY, Limited.
(Sgd) Walter T. Mair, Accountant.

As I say, there is no head or tail to that letter. There must have been a communication leading up to it, but we find nothing of it here. We have no knowledge of what that disputed account was which this department refused to pay and which was afterwards paid by the defeated Liberal candidate in East Elgin. Let me say that the repairs for this pile-driver, although the minister makes light of it, has been paid by the government over and over again, and they have been until quite recently paying for the use of it. Now, I am not through with Port Stanley yet.

Mr. BENNETT. Who is the contractor there?

Mr. W. JACKSON. Boone & Manley. Now we have here accounts paid in the first part of this item, over 54,212 yards at 15½ cents a yard, and we have another item of clay, sand and boulders at 19½ cents a yard. Now what are we to understand from that kind of figuring?

Mr. FISHER. I can hardly understand what the hon. gentleman is driving at.

Mr. R. L. BORDEN. I think the minister might very well understand that—what kind of work is it?

Mr. W. JACKSON. I want to know what that word 'boulder' means.

Mr. FISHER. I think the engineers call boulder a large stone.

Mr. W. JACKSON Let me tell the acting Minister of Public Works that there are no boulders in Port Stanley except what are running out of the bottom of the pier into the harbour, and I think the residents of Port Stanley will corroborate what I say, that it is not a harbour where there are boulders at all. What is your inspector there for? Is he the only check you have to see whether they shall be paid the lower price for clay digging or the greater price for boulder digging?

Mr. FISHER. If the contractor was getting 19 cents a yard for clay, sand and boulders, the probability is that there were very few if any boulders, otherwise he would not have done the work at 19 cents a yard.

Mr. W. JACKSON. He was doing this work at 15½ cents a yard, and for quite an item here he received 19½ cents for boulders, a part of it, and I submit that outside the stones that drop out of the cribwork into the harbour there is no such thing in Port Stanley harbour as a boulder at all.

Mr. FISHER. If he did have to take out any boulders he would be paid for them.

Mr. R. L. BORDEN. What rate is he paid for boulders

Mr. FISHER. I am informed that the contract was 19½ cents for sand and clay including any boulders that might happen to me there.

Mr. J. D. REID. How much for the sand alone?

Mr. FISHER. I think 15 cents.

Mr. J. D. REID. The Auditor General says 21 cents for sand, and 19½ cents for boulders. There were 14,488 yards at 21 cents for sand, clay and boulders and 7,448 yards at 19½ cents.

Mr. FISHER. That was the lowest contract price.

Mr. J. D. REID. I cannot understand you should pay more for sand.

Mr. FISHER. I cannot understand it.

Mr. J. D. REID. The minster has treated lightly the statement made by the hon.

member for West Elgin that a pile-driver has been built out of government property and used by a contractor.

Mr. FISHER. I would like to know on what the hon. gentleman bases that statement. I do not know that a pile-driver was built out of government property.

Mr. J. D. REID. That may all be, but the minister treats it lightly and refusee to make inquiries about it.

Mr. FISHER. I will make an inquiry when I get the opportunity, but I will not accept the statement that this is a pile-driver belonging to the government and that it was used by another man.

Mr. J. D. REID. The hon. gentleman treated it lightly.

Mr. FISHER. Well, I cannot believe it.

Mr. J. D. REID. Well, then we will take the opportunity perhaps at another session of making the hon. gentleman believe it.

Mr. FISHER. I will take the opportunity myself of finding out, before another session.

Mr. J. D. REID. Last year we proved that we have enough files to last us for forty-eight years and six months, bought from Straube of Montreal, and now the government are buying a lot of files for this work.

Mr. CLEMENTS. I think the minister should take into consideration the contracts given at Port Stanley and at Rondeau. They are only a few miles apart, it is precisely the same lake bed, the soil is the same, there seems to be a great difference between these contract prices, and I think the matter is worth looking into.

Mr. FISHER. These contracts were let by public advertisement and tender. I have no means of knowing why the contractor asked more at one place than at another. The contract was given to the lowest tenderer, and if a lot of men tendering at one place believed that they could do the work for a certain price and that they could do it for a lower price at another place. I take it for granted that they knew what they were about when they made this difference between the two.

Mr. R. L. BORDEN. The contract seems to be of a very indefinite nature. The minister says if there are sand, clay any boulders, the department pay 19 cents a yard. If there is one boulder in a thousand yards, do you pay 10 cents instead of 15 cents?

Mr. FISHER. As I understand it there is a contract given to take out everything that comes—sand, clay or boulders altogether—the boulders being mixed with the sand and clay, at so much per yard.

Mr. R. L. BORDEN. At 19 cents per yard ?

Mr. FISHER. At 19 cents or 19½ cents per yard. If boulders are met with they have to take out the boulders and if no boulders are met with they do not have to take out any boulders. All they take out is the sand and clay.

Mr. R. L. BORDEN. If there is one boulder in a certain amount of sand and clay you pay 19 cents. If there are 100 boulders in the same amount of sand and clay you pay 19 cents. Is that what we are to understand ? Is there any proportion ? Suppose 90 per cent is free of boulders, does the contractor get exactly the same ?

Mr. FISHER. I understand that it is a matter of luck or of knowledge on the part of the contractor when he makes his offer. He is obliged by his contract to take out whatever boulders there are. I have just had an explanation which will probably solve the question. There used to be a classification of different materials, and so much was paid for each. Under the new arrangement under which this contract was made, there are only two classes of material—one solid rock and the other everything else. In some cases in the other materials may be included boulders; in other cases where there are no boulders they will not be included. But, if a man makes an offer and gets a contract he is obliged to take out any boulders that are reached. He probably makes his tender on his knowledge of the material that he is obliged to dredge under the contract, and he will be obliged to take all the boulders at the price at which he tenders.

Mr. R. L. BORDEN. As I understand it, you have two classifications in so far as prices are concerned; one in solid rock, and the other in everything else ?

Mr. FISHER. As I understand it.

Mr. R. L. BORDEN. One price is fixed for solid rock and another price is fixed for everything else. The contractor takes his chance and the government takes its chance too. Of course, there are chances on both sides.

Mr. FISHER. The government, in a sense, takes no chance, because everything has to be taken out.

Mr. R. L. BORDEIN. The government takes its chance in this way that it may be paying 19 cents for that which may not be worth more than 13 or 14 cents, and the contractor takes his chance because he may be receiving 19 cents for that which may cost him 21 cents. There are chances on both sides. I do not understand, then, why a different price is fixed for sand alone.

Mr. FISHER. There is not now. That was under the old classification which has been given up.

Mr. R. L. BORDEN. That is the old contract ?

Mr. FISHER. Yes.

Mr. R. L. BORDEN. Why did you make the change ?

Mr. FISHER. They found that a great deal of trouble used to occur in classifying and there were so many disputes between contractors and the department and the resident officers that it was found impossible to deal with it, so they gave up the classification and adopted the single one of solid rock which can be easily determined and everything else.

Mr. W. JACKSON. When was the change in the regulations put in force ?

Mr. FISHER. Last season was the first that we worked under the new arrangement.

At six o'clock, committee took recess.

After Recess.

Committee resumed at eight o'clock.

Mr. W. JACKSON. At six o'clock I was trying to get some information, without much success, as to what was meant by boulders in the contract for dredging Port Stanley harbour.

Mr. FISHER. As I understand it, the boulders are large stones and they have to be moved by the contractor without extra charge.

Mr. W. JACKSON. In this contract there is a special item for removing boulders. The account in the Auditor General's Report is :

C. S. Boone, dredging, April 10 to October 15, 1905, clay and sand, 54,212 yards at 15½ cents; clay, sand and gravel, 101,130 yards at 17 cents. clay, sand and boulders, 7,748 yards at 19½ cents; sand, 14,488 yards at 21 cents.

I know Port Stanley harbour very well, and there are no boulders or large stones in that harbour except those that came out of the pier, and I fail to see how they would amount to 7,500 yards.

Mr. FISHER. At the time that contract was let there was a classification of the material according to its description, and 'boulders' are included in one class. If there was no such material found there would not be a report that it was found, and the contractor would not be paid according to that classification.

Mr. W. JACKSON. I repeat that that class of material does not exist in the harbour at all. I find from the accounts that C. S. Boone was paid for taking out 177,278 yards and the lowest price for that was 15½ cents. There were 54,212 yards charged at the low rate and 125,066 yards at the higher price. That was under the old contract, and under your new contract you are getting all that material taken out for 14 cents a yard, which is 1½ cents a yard lower than the lowest price in the old contract, and at that lowest price only about one-third of the material was taken out. I say that the digging in Port Stanley harbour under the old contract was paid for at an altogether too high price. If any one should think that under the new contract at a low price, there is a great deal more dredging than under the former contract to be done, and that hence it can be done cheaper, that is a mistake, because Boone received over $30,000 on the scale contract whilst under the new contract it will not exceed over $5,000, and the price is 1½ cents per yard less than the lowest former price. I shall go further with this criticism and it is an honest criticism. If you were doing work in that harbour that was for the public good, there would not be so much fault found with it, but what do we find? We find the government officials there digging a trench where there never was a ship, and I don't believe ever will be, and undermining one of the best steel and stone abutment bridges that the county of Elgin has. As the Minister of Public Works has seen fit to doubt some of my statements I wish to read to him a report of a civil engineer at the head of the county of Elgin engineering department, the city engineer for St. Thomas, and a man whose services are sought by each and every county within a radius of fifty miles from St. Thomas on account of his ability in his profession. This is his report as to what happened in the harbour of Port Stanley :

On account of the Dominion government dredging out the Kettle creek within a short distance of Port Stanley bridge, it had the effect of washing out the creek in front of the west abutment of the bridge to such an extent that the earthwork of the approach has been washed out into the creek. In the early spring the approach gave way and left a large hole in the roadway which I had repaired. Since that time the west abutment shows signs of moving forward towards the creek. The south wing of the abutment is fractured and there seems to be a very slow movement, both the settling and moving towards the east. The north wing does not show any signs of fracture, but there are indications that it is also moving towards the creek, although not to such an extent. This abutment is built on a pile foundation, there being sixty-four piles under it.

There is now thirteen feet of water in the creek a short distance in front of the abutment, whereas formerly there was only about five feet of water. It is very difficult to say what the result of this moving will be. If it continues there is only one thing that can be done. The earth approach will have to be removed and a coffer dam built underneath and made as deep

as necessary. This is going to be a very expensive work, and to commence to do this work at this time of the year would have a very serious effect on the business of Port Stanley. I would ask that your public improvement commission visit the site of this bridge on Wednesday morning with me.

All of which is respectfully submitted.

JAS. A. BELL,
Engineer.

Mr. FISHER. When was that?

Mr. W. JACKSON. Last winter. The dredging was done in the fall of 1905, and the abutment was undermined during the winter of 1906. That is a report made to the county council at their June session by James A. Bell, engineer. There was no more need of digging that trench than there was of digging a trench from Port Stanley to St. Thomas. No vessel will ever lie near there; but through the inefficient management of this government, so far as Port Stanley is concerned, that has cost the county of Elgin $3,000 or $4,000. This government have practically destroyed this bridge, which cost $20,000. It has been suggested to me by the Elgin County Council since last year that this government should be held responsible for destroying that public bridge. Now, I have a word to say with reference to Port Stanley as a port which is well entitled to have public money judiciously expended upon it. That port is bringing in a revenue of between $50,000 and $60,000 in customs duties. The Père Marquette Railway Company, formerly the Lake Erie, with the assistance of $10,000 from this government, have constructed a work costing nearly $100,000. They have built a slip on the west side of the west pier, and this government is extending the breakwater. I hope that when that is completed it will add to the accommodation in the harbour, which is badly required. Notwithstanding all the reports which have come to the Public Works Department in regard to the deepening of the harbour, the 'Bessemer' steel ferry No. 2 made an attempt last year to turn round in it, and it took her four or five hours to do so, with the assistance of two tugs. She had to dredge her own way, and she has never made the attempt since. The only thing a ship of that kind can do, as the harbour is now, is to back in and steam out ahead. Now, I do not trouble this House very much, but it has been my duty this afternoon to bring to the attention of the Minister of Public Works the facts in regard to the harbour of Port Stanley. The electorate of that village and the surrounding country, irrespective of politics, complain of the existing state of things, and have requested me to bring it to the attention of the government. The Public Works Department is going on repairing the piers, which have been overhauled three times within the past six years. Port Stanley was but a 12 foot harbour at one time. Now the government is deepening it to 16 or 18 feet, and as a result the piers are all tipping into the water. The time has come for ceasing that kind of patchwork, and building permanent piers, even if only 200 feet are built every year. I do not think I have been treated fairly this afternoon by the acting Minister of Public Works. I do not think the answer he gave me with regard to that little item was quite a fair answer, when he said that it altogether depended on how many saws you had to file. If the hon. minister had asked his engineer, he would have told him how many saws would have to be filed on a work like that, but the hon. gentleman did not see fit to do so. He sought to make light of the boulders and said he could not believe that the statements I made were correct. I resent these things. I do not trouble the House much, but I am going to do my duty, and when I do I want fair-play. When the hon. minister says, as he did last session, that it is only in the diseased mind of the member of the opposition that these things exist, I want to tell him that I resent that. We are here to assist in the proper management of the affairs of our country. The minister treated me with scant courtesy this afternoon for bringing this matter to his attention.

Mr. J. D. REID. According to the Auditor General's Report, the foreman on this job has been paid for 237 days at $3 a day. Now, as this work was in operation only eight months of the year, out of which there must have been four months of winter, you cannot in that time make more than 200 actual working days. I would like to have an explanation of that. From what the hon. member has said about this work at Port Stanley, there is evidently a most serious state of affairs. The destruction of the bridge owned by the county and the fact that the piering that has been done is now tumbling into the harbour would seem to indicate that there must be some person there who is not doing his duty, although the hon. minister does not seem inclined to believe the statements the hon. member for West Elgin (Mr. W. Jackson) has made.

Mr. FISHER. If the work is falling in it must be examined by an engineer and the necessary precautions taken. When the dredging was first commenced there was some damage and that is why the piling was resorted to. The department has no knowledge of any trouble about the bridge.

Mr. ARMSTRONG. I think the member for West Elgin (Mr. W. Jackson) deserves every credit for bringing this matter before the House and trying to show the damage resulting from this work. If the minister will promise to investigate all these charges I would be willing to let the item go through, but without such a promise I doubt if members on this side would wish the item to pass.

Mr. FISHER. I am free to admit that the statements require investigation and I shall investigate them.

Mr. TAYLOR. Will the minister ascertain the quantities of supplies such as axes, files and padlocks purchased? The quantity seems unreasonable. It must also be possible to ascertain the quantities dredged and whether there are boulders there or not. Possibly it might be made advantageous to the man inspecting the work to say that there were boulders as this would make a difference of perhaps $30 per day in the payment of the dredge and he might put half of that in his pocket.

Mr. FISHER. I shall certainly demand a explanation of the statements and see what truth there is in them. We cannot now ascertain what material was dredged because it has been put into the lake.

Mr. TAYLOR. There are persons acquainted with the bottom of the harbour who can say whether there are boulders there or not.

Mr. ARMSTRONG. Will the minister be willing to recompense the county for the damage done to the bridge if it is found that it has been undermined owing to work done by this government?

Mr. FISHER. I certainly could not answer a question like that without knowing all the facts.

Mr. MARSHALL. I notice the minister has not set aside anything for Port Bruce about which I have been speaking to him privately. The government has already spent about $10,000 or $11,000 on this harbour and $1,000 more is now required to extend one of the piers. It seems that every southwest storm fills up the narrow channel to the harbour and there are many men with nearly everything they have invested in fishing plant which is useless to them if they cannot get in and out of the harbour. If I had a promise from the minister I could write to the many people who have applied to me in connection with this matter.

Mr. FISHER. $1,000 is such a reasonable request that I will surely be able to get it in some way.

Mr. BOYCE. As the minister is in a generous mood, I would ask if he has provided anything for aids to navigation in the Rainy river country?

Mr. FISHER. I must ask my hon. friend to keep a little nearer to the vote in question. If my hon. friend will wait a little perhaps he will see.

Mr. BOYCE. While I am quite willing to be patient there is a point at which I find that with this government patience ceases to be a virtue.

Mr. FISHER. It will have much more effect with me than anything else.

Mr. ARMSTRONG.

Mr. BOYCE. And the people in that country are beginning to feel that patience is ceasing to be a virtue. I would like the minister to decide whether the applications that have been received and which have some virtue are to receive the consideration they deserve?

Mr. FISHER. I am sure they have some virtue.

Otonabee river, $10,000.

Mr. FISHER. This is to continue dredging in the Otonabee river.

River Thames—wharfs at mouth, $1,800.

Mr. CLEMENTS. I do not object to the amount of this vote nor to the work being done if it were done properly. I wish to call attention to the work upon the wharf at the mouth of the river and also on the one built last year at Jeannette's creek, about a mile from the mouth of the River Thames. After a good deal of persuasion from the hon. member for East Kent (Mr. Gordon) and myself, and after a great many petitions had been sent in, the department considered the request favourably and put in an estimate to build the wharf. I asked what the wharf cost and was told $5,000, and that the man in charge was a man named Colby. Mr. Colby is a farmer, who never lived anywhere near water until then, and I am quite sure he knows nothing about building wharfs. He, however, is a good political man in the interests of the government of that district and was consequently put in charge, but with all due respect to him he never had any experience, to my recollection, in work of that kind. I suppose he received his plans from the department which was then presided over by Mr. Hyman, who of course is thoroughly responsible for the whole work. The result was that this $5,000 which was spent on that upper wharf was money thrown away, and the wharf is not worth a dollar to the community. This wharf was supposed to have a concrete facing and was to be of a fairly good size. It was to be built upon a pile foundation, the piles cut off below the water, and a cement course to follow. I drew the attention of the House last year to the condition of that wharf, and I hope that the one now in contemplation will not be constructed as that was. Mr. Colby, not knowing the water levels of the River Thames, had these piles driven not sufficiently deep into the earth and besides they were not sufficiently long. These piles were cut off under water, but not at low water simply because the man in charge knew nothing about the water levels of that district, and the result was that after the wharf was completed, a year ago last winter, the piles in the river stuck out of the water a foot. I drew the attention of the government to this and suggested that some precaution should be taken to protect the foot of the

piles which showed above water, or the wharf would go to pieces. Last spring this wharf was completed, the piles were driven in three feet of water, and it was intended to dredge out to the face of this wharf in order to allow boats drawing ten feet of water to reach it. But to my surprise the dredging was not done. The municipalities which this wharf was supposed to benefit contributed many hundred dollars in order to dredge a cut up to Jeannette's creek station so as to build a road to that wharf and thus get all the advantage intended, but much to my surprise the dredging was not done. I called the attention of the Minister of Public Works (Mr. Hyman) to this early last fall so that the dredging might be done and the farmers might have the advantage of that wharf for shipping their sugar beets and other goods. The minister wrote that he would have the matter attended to at once. I also drew his attention to the fact that there were two dredges on the ground and that there was no reason why the wharf should not be completed. A dredge was sent in there, but it only did very little work, and this cement facing, which is at least 100 feet in length, practically split in two. I happened to be in the vicinity a few days later and was asked by the people there to go and look at the wharf from which they had expected great advantages. I want to say to the acting minister and his head engineer that I counted myself at least twenty-five cracks up and down the face of this concrete. I also happened to be down there one morning and found that evidently this had been drawn to the attention of the government because there were two or three men there plastering cement into the cracks. That $5,000 as that wharf stands to-day, is a complete loss to the country, and the people are not getting any benefit from it. And this is due solely to the fact that the department put the work in charge of a man who had no experience in such work. There was no reason for this because we have there such men as Mr. John Flook, a very capable man for such work, who has done similar work for both this and the late government and works which are a credit to any one. We have other men in the same business who would no doubt give satisfaction. Had the contract been given to Mr. Flook or some of the other contractors we would have had a wharf which would have been a credit to the government and the people's money would not have been thrown away. I am sure that if I wanted to criticise the items of that expenditure, I could make very good reading for my constituency. The department should take active steps without delay. There is no boat which can land within ten or twelve feet of that wharf today. Should you attempt to dredge it out, the wharf will fall into the river because the piles are too short and were not driven to their full depth. The vote we are asked to pass for the wharf at the mouth of the river at the lighthouse is for a very important object. No doubt the wharf is a most important one which the department must keep up. I notice you have this work in charge of one, Mr. Lefave. I do not know anything of his ability, but I hope he is fit to take charge of that work. But I am told on very good authority, I cannot vouch for it myself, that these piles, which were all driven in, and I think part of the concrete work was done, last fall—I am told these piles are driven right through an old ship's bottom which was sunk there many years ago. Now if that is the case, it is simply gross negligence on the part of the department in not clearing up that channel properly before these piles were put down. If that is the case, as stated to me by shipowners and those who have every reason to know the conditions, it means that you will have to spend possibly $2,000 to get a diver there and cut this old ship away. I do not blame the acting minister at all for this, and I want to give him credit for the promises he has made us this afternoon that more precaution will be taken in the future in spending the public money. I say again that it is a shame that the people's money should be squandered as it has been, upon this one wharf in particular. I hope the second wharf upon which we are spending another $5,000 will be made more serviceable, and that the money will not be wasted as it has been in this case.

Mr. CLARKE. As the wharf that has been referred to by my hon. friend (Mr. Clements) is in my riding, I can assure him that Mr. Lefave who has charge of the work is one of the most competent men for that purpose that can be found in western Ontario. He is a gentleman who was recommended by myself, he is a practical man, the government engineer says he is a first-class man, and my hon. friend need have no fear that the wharf, at any rate the wharf in my riding at the mouth of the River Thames, will have the difficulty which he says has occurred in his riding which is still further up the river. The story about driving the piles through an old ship is something which I think has been dug out of fiction. I have been at that wharf many times, and I do not want to let the statement go forth unchallenged. It is one of those rumours like many other rumours that arise, and may be disposed of as discredited. It is a place where I have been many times. There has been a dock there before, and piles have been driven there before, and I never heard up to the present time, a suggestion that there was any difficulty whatever in regard to driving piles there. There must be a difference of opinion between my hon. friend from Kent (Mr. Clements) and the government engineer as to the dock that has been already constructed, being the second dock up the river. My hon. friend also repeats rumours about this

dock cracking, owing to nigh water. I saw the government engineer within a few weeks, and he assures me that the dock that has been built is an excellent dock, and that there is no fear whatever such as dreamed of by my hon. friend.

Mr. CLEMENTS. Has the hon. gentleman visited this wharf ?

Mr. CLARKE. I have not visited that wharf. I know my own wharf very well, but the one further up I have not visited, and therefore I have to take the word of the government engineer. My hon. friend is good enough to tell me what he had heard said about it. I understand from the engineer that there were some cracks in the original construction, which were inevitable. At certain seasons of the year the water is remarkably low on acount of ice jams in the St. Clair river at the flats, and I think he told me there was a crack, but it had been repaired. The government engineer says now it is an excellent dock, and there is no reason for the criticism.

Mr. ARMSTRONG. Why were they not dredged out so that boats could go up to the dock ?

Mr. CLARKE. The work is not completed yet as I understand. They did not get through the work last year. I am not able to say about the dredging. I know there is dredging to be done this year at the mouth of the river, at least I understand so. I am quite as anxious as my hon. friend to see that this is made a first-class job. It is a place where wharfs are badly needed, and I join with my hon. friend in saying that a first-class job should be done on the one that is not completed. But with regard to the wharf in Kent, I do not wish the hon. gentleman's statement to go unchallenged, because the government engineer assured me that, although part of the wharf has been cracked, it has been so far remedied that it is an excellent job, and meets with hearty approval.

Mr. FISHER. The department has a photograph of that wharf of which I have spoken. The hon. gentleman's statement that boats cannot go up to it is a mistake.

Mr. CLEMENTS. Has the minister a photograph showing a large boat lying at the wharf ?

Mr. FISHER. I do not say what size of boat.

Mr. CLEMENTS. I want to say to my hon. friend from Essex (Mr. Clarke) that while he claims to have been so often at the mouth of the river of which he speaks, the other wharf is one mile from it. I am sure that the department built that wharf to benefit my hon. friend's constituency as much as my own. I do not care what information the department have here, I say that that wharf has not been twenty-five cents of value to that whole district.

I say again that no boat drawing eight feet of water can land within ten feet of that wharf ; I say that there has not been a shipment from that wharf where there could have been many ; I say also that the wharf is not completed, that there was no reason for saying that the government have not had time to complete the dredging. I am surprised at my hon. friend from Essex saying that, because there were two dredges.

Mr. CLARKE. No, I say I do not know about the dredging.

Mr. CLEMENTS. There were two dredges lying there, and as soon as a dredge came in to dredge the face of this wharf in order to give a depth for boats, the wharf spread in two, and it is simply because the piling is not down deep enough. Any competent man who knows anything about such works will tell you that if you dare to dredge that out to give you the proper draft for boats coming up that river, as it was intended, the face of that wharf will fall into the river. There is only one way it can be remedied, and that is far a new facing to be built further out in the river, and to be put down the proper depth, so as to thoroughly strengthen it, using the inside for an inner wall.

Rondeau harbour—improvements, $48,000.

Mr. CLEMENTS. There is also a wharf built in Rondeau called the Shrewsbury wharf, which I understand cost $5,000, I think somewhat over that. I asked the cost of it, because I wanted to be sure that it was well built. While I am not objecting to this wharf being built, if the department will take care of this wharf, and keep it and put it in repairs as it was intended, the wharf will be a great benefit to that district. I want also to state that this wharf was built, that the contract was given and the piles were hauled out the very day the last elections were announced. There was a considerable vote there to which I am sure my opponent thought it would make some difference, and the pressure he brought caused that wharf to be built. I am not saying anything against the wharf being built, but I do say that there is not two feet and a half of water, or three feet either, at that wharf.

There is only one way in which that wharf can be made useful to the public and that is by continuing the pier out further so that you can get deep water. I also want to draw the attention of the minister to the approach to the wharf. The Hon. Mr. Hyman, I think, a year ago, said that he had an estimate that it would cost $250. I do not think that $50 of actual money was spent there. There is a sandy bottom at the approach to this wharf and they have piled logs and earth in there. The result is that the wash of the sea from Rondeau has carried the sand out and made it absolutely useless to those in the district who desire to

drive a team on the wharf. That approach should be remedied at once. The earth should be taken up at the end of the approach and the approach should be filled in with stone so that the wash from the sea would not affect it, and so that the public may have some use of the wharf which affords accommodation for boats drawing from two and a half to three feet of water. This government are spending a great deal of money at Rondeau harbour. I think it is justly spent. As to whether we have got value for every dollar that has been spent there I am not going to say, but this is a good harbour and a proper amount of money should be spent there. The Ontario government have an estimate for a splendid wharf at the public park there, where boats drawing 12 feet of water may land and I suggest that this government continue this pier out to a proper depth or that they dredge into it so that boats may come in there and land at the wharf which the Ontario government are building. Also Shrewsbury wharf. I think that the Ontario and Dominion governments should join hands in making the Shrewsbury and Rondeau wharfs of some value to the people of that district. As far as the Shrewsbury wharf is concerned you might as well build a box out in three feet of water and expect it to serve the needs of the people there. You cannot get at it from the approach or at the other end with boats of any draft. I would ask the acting Minister of Public Works to draw this matter to the attention of the department and see that the approach to the wharf is properly constructed.

Mr. CAMPBELL. When was the wharf commenced ?

Mr. CLEMENTS. If you will give me the date when the last Dominion elections were announced I will tell you, because the first load of piles was hauled from the town of Blenheim on that day.

Mr. CAMPBELL. That wharf was commenced and considerable done on it in 1897 when I had the honour to represent that county.

Mr. CLEMENTS. Shrewsbury wharf ? Evidently the hon. member for Centre York (Mr. Campbell) has not been in that district if he says that it was commenced in his time. I say that the wharf that I spoke of was commenced and that the first piles that were hauled for it were hauled from Blenheim on the day that the elections were announced.

Mr. CAMPBELL. What wharf do you refer to ?

Mr. CLEMENTS. The Shrewsbury wharf, in front of the Rev. Thompson's residence.

Mr. CAMPBELL. I think the item ought to be struck out.

Sault Ste. Marie wharf—dredging approaches, $50,000.

Mr. BOYCE. What is that for ?

Mr. FISHER. This is not under contract. This is for dredging the approaches to the wharf there. There was a vote last year and it was intended to put this work under contract, but owing to the lateness of the season at which the vote became available nothing was done.

Mr. BOYCE. Is this to dredge the shoal immediately around the government wharf ?

Mr. FISHER. Yes, the approaches around the government wharf.

Mr. BOYCE. Does the minister intend, by removing that shoal, to endeavour to dredge the channel between the government wharf and the mouth of the canal ?

Mr. FISHER. I understand this is the approach to the basin along the government wharf.

Mr. BOYCE. Who are the contractors ?

Mr. FISHER. I have not the names. It was only allotted a month ago and these notes were made before that.

Mr. BOYCE. I can get it from the minister again ?

Mr. FISHER. Yes, it was the lowest tender in answer to public advertisement.

Toronto harbour—improvements and repairs, $100,000.

Mr. A. C. MACDONELL. May I ask what this is for ?

Mr. FISHER. This is for the continuation of the work at the eastern entrance of Toronto harbour—the breakwater on the lake shore of the island and dredging at the eastern channel bar.

Mr. A. C. MACDONELL. There are two separate works—the extension of the eastern pier at the eastern entrance is one and the breakwater is another ?

Mr. FISHER. This is the breakwater, I am told.

Mr. A. C. MACDONELL. Surely there is some mistake about that. The breakwater work is an entirely different work. This work at the eastern gap is not yet completed and this item must be intended to cover that.

Mr. FISHER. I understand that this is for the concrete superstructure for the eastern pier at the eastern entrance, for sheet piling of the west pier of the eastern entrance, for the extension of the breakwater on the lake shore of the island, for repairing the stone talus of the breakwater, piling at the base of the slope of the breakwater, dredging 40,000 cubic yards of the eastern channel, superintendence, contingencies, and so on, at a total probable cost of $152,000. We are only taking $100,000, which is pro-

bably all that will be needed for the coming season.

Mr. A. C. MACDONELL. Who are the contractors ?

Mr. FISHER. Mr. M. J. Haney, of Toronto.

Mr. A. C. MACDONELL. Has he the contract for both the eastern entrance and the breakwater ?

Mr FISHER. No, this is for the breakwater. We have not yet allotted the contract for the eastern entrance. We will have to call for tenders.

Mr. A. C. MACDONELL. This whole item is for the breakwater ?

Mr. FISHER. Except for the dredging of 40,000 cubic yards in the channel. The rest of it appears to be for the breakwater, for the east and west piers and the extension of the breakwater.

Mr. A. C. MACDONELL. That is altogether in connection with the eastern entrance ?

Mr. FISHER. Yes.

Mr. A. C. MACDONELL. There is nothing for the island breakwater ? It is an entirely different work.

Mr. FISHER. I see that the extension of the breakwater is included in the appropriation.

Mr. KEMP. These two works are kept separately in the Auditor General's Report.

Mr. FISHER. I think they come under the head of 'harbour improvements, Toronto.'

Mr. A. C. MACDONELL. The work on the eastern entrance has been going on for some time, but the work on the breakwater has not yet commenced, and I want to know what the government intends to do about it. Tenders for the breakwater were advertised for before the last election in the fall of 1904, the contract was awarded in September, 1905, and the work was to have been completed the following March.

Mr. FISHER. To be completed March, 1907.

Mr. A. C. MACDONELL. The original contract calls for completion in March, 1906, but it was extended.

Mr. FISHER. My engineer assures me there was no extension given, and of course nobody would take such a contract in September, 1904, to complete in March, 1906; the interval being the winter months.

Mr. A. C. MACDONELL. Was there any extension given?

Mr. FISHER. I am informed not. It is quite possible that when the tenders were advertised for an earlier date for completion might have been intended, but the date mentioned in the contract was 1907.

Mr. A. C. MACDONELL. A return was brought down by the late Minister of Public Works which showed that the time for completion had been extended. Be that as it may, the time has now expired.

Mr. FISHER. Yes.

Mr. A. C. MACDONELL. And the work has not been even commenced yet? A very great deal of damage has been caused on the island, especially by the storms of the last few months, to public and private property on the shore. I have repeatedly urged that the government should complete this work. The original contract called for timber piling, but steel piling was substituted and new tenders asked. No steps have been taken to even commence that work, although it is two years since the first contract was let. At the eastern entrance the government is making fair progress with the work in view of the difficulties that have to be contended against, but the minister should give the House some assurance now that the breakwater at the south shore will be completed immediately.

Mr. FISHER. The contractor has been pressed this winter to go on with the work, and he will be pressed more if he does not do so.

Mr. KEMP. What is the policy of the government with regard to the western entrance to Toronto harbour?

Mr. FISHER. In view of the representations made I have given instructions to the resident engineer to report on the suggestions made by the deputation. Just as soon as that report comes in I hope we will be able to take some action.

Mr. KEMP. This is a very serious matter and the minister should not allow parliament to prorogue without placing a vote in the supplementary estimates to proceed with this work. He can provide the ways and means before he gets the report of his engineer.

Mr. FISHER. Wait until the supplementary estimates come down.

Mr. KEMP. If the minister will hold out some hope to me I will not say another word.

Mr. FISHER. I will hold out hope.

Mr. KEMP. That is rather indefinite. It has been represented to the government by many deputations from Toronto that life is seriously endangered, because it is impossible to get a vessel drawing more than eleven feet of water into Toronto harmour when the wind blows a gale from the east.

Mr. FISHER. You are not keeping your promise.

Mr. KEMP. If the minister will make his promise definite I will deal with him gently. The minister knows that a vessel was wrecked in the western entrance in November last and that six lives were lost in sight of the city lights of Toronto. Such an accident is liable to occur at any time if the improvements are not made. There came into Toronto harbour last year between 3,000 and 4,000 vessels so that I need not impress on the minister the importance of that port. At this late stage I will not take up further time, but I express the hope that the minister will carry out the promise made to various deputations and deepen the western entrance to twenty feet.

Mr. A. C. MACDONELL. I endorse what my hon. colleague (Mr. Kemp) has said. Toronto harbour is one of the most important in Canada, the work necessary is not extensive and the necessity for it is great. I believe the government engineer has practically completed the material for his report and that the minister can deal with it before the supplementary estimates are brought down. The urgency of this work has been represented to the government. Within the last sixty days the government has received petitions and memorials to have this work done from the Masters' and Mates' Association, the Toronto city council, various public meetings held in the city during the past winter, the Toronto Board of Trade, the Toronto Board of Harbour Commissioners, the Turbine Steamship Company, the Niagara Navigation Company, the Richelieu and Ontario Navigation Company, the Hamilton Steamboat Company, the Polson Iron Works, the Niagara, St. Catharines and Toronto Navigation Company and other public bodies. The hon. minister surely has had enough representations made to him to induce him to insert in the supplementary estimates a sum sufficient at least to commence this work.

Mr. KEMP. I might read what the 'Globe' says in regard to this matter, which will sink deeper into the heart of the acting Minister of Public Works than anything I can say, I am sure.

Mr. FISHER. Oh, no.

Mr. KEMP. Well, if the 'Globe' has not more influence with the hon. gentleman than I have, I flatter myself. Referring a short time ago to the western entrance, it said this among other things :

It will be a standing disgrace to the government of Canada and to the city of Toronto if the work necessary to make this a harbour of refuge is not undertaken at once and completed with all practicable speed. As there is nothing but dredging and pier building to be done the work may be carried on with great rapidity. The wreck of the 'Resolute,' with its attendant loss of life, is a warning that cannot be ignored. A similar tragedy might happen any time during the season of navigation. At present there is no harbour of refuge on the north shore of the lake between Weller's bay and Burlington bay—a state of affairs for which the Dominion government and parliament will have to bear a full share of responsibility.

Mr. WM. WRIGHT. Mr. Chairman, before you leave the Ontario estimates, I wish to draw attention to a condition of affairs which renders necessary some dredging at the town of Bracebridge. A few years ago the government built a wharf there, but at such a place that vessels could not reach it from the water and people could not reach it from the land. It was something like Mahomet's coffin—it could not be got at from land or sea. However, there happened to be something left over from the second vote for this wharf, and the Public Works Department consented to allow a portion of that to be used to make a road to the wharf. This has been supplemented by the town council, and they have succeeded in blasting out a road. But, as it is at present, the wharf is practically useless for the purpose for which it was intended, as vessels cannot approach it, and the only use made of it in the last two or three years has been that a few old men who do not care to risk the danger of going out in boats go there on calm summer evenings and do a little fishing. The people of Bracebridge would like to have the basin dredged out so that the wharf would be available. I believe that deputations have waited on the department, and have urged this matter on the attention of the minister, and, though I do not find anything in the estimates for it, I hope to see something done. Two years ago I took occasion to lay this matter before the then acting Minister of Public Works, and he assured me that there was a general vote with regard to dredging which would be available for this purpose, but so far nothing has been done. I would like also to call the minister's attention to the requirements of the town of Gravenhurst for a wharf. It is true, there is a pretty good wharf within about a mile of the town, but it belongs to the Grand Trunk Railway Company or the Muskoka Lake Steamboat Company, or both ; but the general public have no right on that wharf. There is a great deal of lake traffic there, but there is no place at which boat owners can land their boats. This matter has been laid before the government so often and for so many years that I think it is time it granted to the town of Gravenhurst some little improvements in the way of a wharf. It need not be an expensive work, costing $20,000 or $30,000 like many wharfs for which requests are made ; but I suppose that $8,000 or $10,000, or perhaps less, would build a good wharf which would be a great convenience to the public. There is a great deal of traffic there, especially during the tourist season, hundreds

of people having their own boats and having no place to land without trespassing on private property. It is a condition of affairs that has become almost intolerable. I do feel that the district which I have the honour to represent has not been fairly treated by the Department of Public Works. I believe that Beaumarais and other places have also been urging their requirements on the minister. Some of these places have twenty times the traffic of other places which have been getting improvements. The Muskoka lakes in this respect have claims on the government which it cannot lightly set aside.

Mr. FISHER. I may say to my hon. friend that some representations have already been made to me by the various interests in the places he speaks of, and that I have been trying to take them into consideration. So far as dredging is concerned, that would naturally come out of the general dredging vote. There is also a general item for harbours and rivers out of which we could make any necessary repairs. I have not forgotten the hon. member's constituency.

Mr. WHITE. I would like to ask the hon. minister if any provision will be made in the supplementary estimates for improvements in the Petawawa docks ?

Mr. FISHER. I do not wish to interrupt my hon. friend, but I have to warn him that I am not prepared to say what will be or what will not be in the supplementary estimates. I could not answer my hon. friend. We have had representations in regard to the Petawawa dock and they have received very careful consideration.

Harbours and rivers—Manitoba, $32,500.

Mr. STAPLES. I see nothing here for the completion of the wharf at St. Laurent, Lake Manitoba. When was that commenced, how much has been spent on it, and what is its present condition?

Mr. FISHER. I am informed it must have been about three years ago; there is no item in the estimates here for it. Some work has been done, but it is not quite completed.

Mr. STAPLES. The work was begun about three years ago, we know what was on at that time; the people need the wharf but as it stands now it is practically of no use to the community. Would the minister assure me that the work, which will not require much for its completion, will be continued this summer? If he would I would be satisfied to let the item go without further remark.

Mr. FISHER. I shall certainly investigate it, but as to saying that I would appropriate enough to complete it, that would depend on the report on it and the amount required. I could not pledge myself to complete it without further information.

Mr. AMES. While not desiring to be understood as objecting in any way to the passing of this item, there is an incident in connection with the Public Works Department as it affects Manitoba which I think demands explanation by the minister before we permit this amount to be granted. According to a return laid before this House a few weeks ago, we find that the resident engineer connected with the work in Manitoba found it necessary to send in his resignation under circumstances which are hardly made clear by the correspondence ; that is the Hon. F. W. Aylmer, who had been resident engineer in the Upper Columbia Valley under Mr. Keefer, of British Columbia, and who had given excellent satisfaction in that position for a number of years. Mr. Aylmer, on the urgent demand of the department, was removed from British Columbia and brought to Manitoba to take charge of the work that was there being carried on by the Public Works Department in connection with harbours and rivers. Mr. Aylmer did not seek the position, he was not brought to Manitoba at his own demand, but came there somewhat to his own regret and much to the regret of Mr. Keefer who did not wish to have him go. Mr. Aylmer arrived and, understanding that he was to take complete charge in the place of Mr. Malhiot, who was resigning, he made an inspection of the work that was to come under his purview while resident engineer and his letter which gives his estimate of the way in which the work in Manitoba is being carried on is on file and reads in part as follows :

Winnipeg, April 26, 1906.

Chief Engineer,
Department of Public Works, Ottawa.

Dear Sir,—I beg to inform you that I arrived here on the 22nd instant, since when I have been engaged with Mr. Malhiot looking over the dredges, tugs and other plant belonging to the service on the Red river, and gaining information regarding the office routine, &c. I cannot say that I have been favourably impressed with the plant, nor do I think that I would care to assume charge as resident engineer unless assured that I would be permitted to put this service on an altogether different footing to that obtaining at present.

A pretty strong statement for a resident engineer to make, that he considered that the plant was wholly inadequate and imperfect and that he would not care to risk his professional reputation unless he was assured that he would be given a free hand in remodelling it.

Mr. Aylmer had not been in his position long before, for some reason which is not made clear by the corespondence, he came into disfavour with the chief engineer and as a result felt it incumbent upon him to ask to be returned to his former position.

The chief engineer apparently thought that Mr. Aylmer was evading his orders and Mr. Aylmer considered that the tone used towards himself on the part of the chief engineer was offensive and consequently he asked to be permitted to go back to his old position and Mr. Keefer, the engineer in British Columbia, writes a letter in which he speaks of his pleasure in having Mr. Aylmer restored to him. He asks, as a special favour, that he may be allowed to go back to British Columbia and says:

> Will you kindly let me know so that I need not proceed further in trying to secure a competent successor—which I find a difficult matter. The government service, I regret to say, does not seem to attract men such as the nature and responsibility of the work demand.
>
> G. A. KEEFER,
> Resident Engineer.

Thus we hear from Manitoba that the work there being done is wholly unsatisfactory to the resident engineer asked to take charge of it, and we hear from British Columbia that it is extremely difficult to get men of the right calibre to assume service under the government on account of reasons not disclosed. I know something of Mr. Aylmer and his reputation in British Columbia; in fact I had an opportunity to see him on his own ground in British Columbia not long ago, and I know him to be a scrupulously honest, a painstaking civil servant, thoroughly desirous of doing his duty and of having everybody around him do the same. I cannot see how it should have so soon come upon Mr. Aylmer that his usefulness in Manitoba was at an end after he had spoken as he spoke in his letter and pointed out how much there was to be done to put that service on a proper basis.

If you turn to the expenditure on public works in Manitoba you find that there were three dredges at work last year, the 'Winnipeg,' the 'Manitoba' and the 'Priestman.' We find that the dredge 'Winnipeg' is credited with having dug out 32,000 yards of material, which cost $16,700 or $2 per yard. The dredge 'Manitoba' dug 28,600 cubic yards, at a cost of $7,943 or $3.50 a yard, and the dredge 'Priestman,' which is described in the report as 'a small dredge, old and not much good,' but which still has a staff of men, is credited with digging 15,000 yards at an expense of a little less than $5,000 or $3 a yard. If you compare these prices with the cost of dredging in other places you will find that the cost is excessively high. Of course it is possible that moving the dredge from place to place——

Mr. S. J. JACKSON. I would call attention to the fact that the hon. member is slightly out in his arithmetic. 15,000 yards at a cost of $5,000 is 33⅓ cents a yard, not $3 a yard.

Mr. AMES. That may be.

Mr. S. J. JACKSON. All your statements are just the same.

Mr. AMES. I should have said 50 cents, 28 cents and 33 cents. Still——

Mr. S. J. JACKSON. That is a great difference.

Mr. AMES. Still the prices there are much higher than they usually are. If you look over the account of the dredge 'Eastman,' you will find a very large amount expended which appears to have gone into repairs. It is a question whether it is good policy to keep at work 'a small dredge not much good' when it costs from 15 per cent to 20 per cent of the appropriation to keep it in repair. Certainly the characterization by Mr. Aylmer of the work carried on in Manitoba is one which requires some explanation. He says:

> I cannot say that I have been favourably impressed with the plant, nor would I care to assume charge as resident engineer unless I would be permitted to put this service on an altogether different footing from that obtaining at present.

Since Mr. Aylmer returned to British Columbia, has that plant been improved and the service put on an altogether different footing, or is the old machinery and plant still continued and will this money be expended according to the old way?

Mr. FISHER. I am not familiar enough with the department to go into that question very deeply. When Mr. Aylmer was to take charge of the Manitoba division, it was intended that he should take charge of it as it was and do the best he could with it as a government officer. His removal had nothing to do with the condition of the work there but was due to the fact that he did not carry out certain instructions and was censured or suspended by the chief engineer and then offered his resignation, saying he believed he had incurred the displeasure of the chief engineer. His resignation was accepted, and he was returned to work where he had apparently been able to satisfy his superior officer, and apparently was content to go on with the work in the way he had been doing before. He was brought to Winnipeg under recommendation of the chief engineer; and when he resigned there, he went back to British Columbia also on the chief engineer's recommendation, not indicating in any way that he had incurred the displeasure of the chief engineer, but simply saying he had not been able or willing to carry out certain instructions given him. I am not prepared to give an opinion on the value or effectiveness of the plant in Manitoba. It has been doing the work some time. The figures which my hon. friend read a few minutes ago were of course absurd, and he recognized at once that he had make a mistake of a decimal point in his calculations. The

correct figures show that the dredging there was done at about thirty cents a yard and that, judging from the cost of dredging at other places, is not very much out of the way. I cannot give a definite opinion because I am not familiar with the conditions these dredges were working under. It might have been quite economical work or the contrary according to the material in which they were working. Soft mud and sand and even clay can be got out at less even than thirty cents and other material cannot. All I can say is that I am proposing this summer to see if we cannot make some improvements in the dredging plant in Manitoba. We have a vote for that purpose in the estimates, and I trust the money will be expended in the wisest way possible.

Mr. CLEMENTS. I have had some correspondence in connection with the tunnel proposed to be built at the Detroit river. Our Canadian tug men say that the American tugs are doing that work and that the Canadian tugs are not put upon the same basis. Does that come under the hon. gentleman's department?

Mr. FISHER. That has to do with the Marine and Fisheries Department.

Mr. W. J. ROCHE Is this vote at Big Sandy Point a new work ?

Mr. FISHER. It is a revote. About $350 was spent out of $1,500 voted last year. We are now asking for $1,500 to finish the work.

Mr. W. J. ROCHE. Is the Grand Harbour improvement a new work ?

Mr. FISHER. The whole of it is a revote. Nothing was done last fall, but we hope to do that work this summer.

Mr. W. J. ROCHE. You have a vote in connection with Mossy river. How much has been expended there altogether ?

Mr. FISHER. Nothing.

Mr. W. J. ROCHE. That has been voted several successive seasons.

Mr. FISHER. We can do nothing there without building a plant.

Mr. W. J. ROCHE In the Auditor General's Report of last year I see that there has been an expenditure of $4,995.

Mr. FISHER. That was at the mouth of the Mossy river. That is dredging which will be gone on with next year.

Mr. STAPLES. What is the nature of the improvements at the mouth of the Red river ?

Mr. FISHER. Dredging a channel.

Mr. AMES. Is the same old dredge 'Eastman' to be kept at work ?

Mr. FISHER. She will do work at the mouth of the Mossy river where she has been before.

Mr. AMES. A strange thing about the work of these dredges is that the appropriation seems to give out about the middle of the summer. They work from the 1st of July until the fall, and then get ready in the spring but have no money, so that in the month of June nothing is done.

Mr. FISHER. That is due to the fiscal year beginning on the 1st of July, and we could not go on with the work until an appropriation was available. They will from now on have money during the whole season.

British Columbia—Anderson and Kennedy lakes—clearing outlets, $1,000.

Mr. AMES. Will that finish the work? We were promised last year by the minister that the vote of last year would finish the work.

Mr. FISHER. This is to provide an emergency fund to make such further improvements in the outlets as may be found necessary in order to give easy access to boats carrying supplies to the mining camps. It is a continuation of the same kind of work. Sometimes rocks and boulders fall into the river, and this is to clean them out when necessary.

Columbia river—improvements, $30,000.

Mr AMES. Who is the resident engineer in connection with these improvements ?

Mr. FISHER. Mr. Keefer.

Mr. AVERY. At what points on the Columbia river is this work being done ?

Mr. FISHER. We expect to work above Golden and to expend $3,000 ; below Golden, $1,500; above Revelstoke, $5,000; below Revelstoke, $2,000; Revelstoke Narrows, $10,000; general improvements all over, $9,000.

Coquitlam river—removal of obstructions, $1,000.

Mr. AMES. Is this being done for navigation purposes, or is it to favour lumber companies who use the river?

Mr. FISHER. The removal of obstructions is to free the river for the floating down of the logs.

Mr. AMES. Then it is entirely done for the lumber companies. Is it customary for the Public Works Department to clear boulders out of rivers to enable the lumber companies to float their logs ?

Mr. FISHER. I think the government has frequently removed obstructions to make rivers floatable.

Mr. AMES. If the government is convinced that it is proper to clear out rivers

for the benefit of private companies, they will have many applications.

Mr. FISHER. I think this has been going on for some time.

Fraser river—improvement of ship channel and protection works, $30,000.

Mr. AMES. What will be the total cost, if it is known to the department, of the ship channel from New Westminster to the sea in connection with the Fraser River improvements ?

Mr. FISHER. The department is not prepared to make an absolute statement.

Mr. AMES. Has the department any idea ?

Mr. FISHER. We would not undertake to give what my hon. friend would call an idea.

Mr. AMES. What depth of water does the department intend to give for vessels coming from the sea to New Westminster?

Mr. FISHER. It is intended to make the channel 25 feet deep.

Mr. AMES. But you cannot tell us how much more needs to be expended in that direction ?

Mr. FISHER. I ought to say that this is not all dredging. They will have to include work on the banks to keep the stream in one channel, and beach protection also. It is all for the purpose of improving the channel.

Mr. AMES. Are the government planning eventually to consider New Westminster as one of the national ports on the Pacific coast ?

Mr. FISHER. I am not prepared to give an opinion of that nature.

Victoria harbour—dredging and removal of rocks, $30,000.

Mr. AMES. How much more is required for the improvement of Victoria harbour ?

Mr. FISHER. That is too big a question to answer offhand. We have not got a complete plan of that harbour, and therefore cannot estimate what it will cost. I have no doubt that if a good many of the improvements that have been suggested were made they would cost about a million dollars.

Mr. AMES. That is one of the harbours which will be in future considered as a national port. Has the government no definite information as to what improvements will be required there ?

Mr. FISHER. We have not made a comprehensive plan of improvements required there.

Mr. AMES. It seems to me that the government should begin to consider, as my hon. friend from Jacques Cartier (Mr. Monk) said the other day, the carrying out of the recommendations of the Transportation Commission, and that in order to do so we should have some definite idea as to the improvements that require to be accomplished at national ports on the coast and along the national transportation lines. Here we are called upon to deal with one of the national harbours on the Pacific coast; we would like to know whether we are simply playing with the harbour, or whether the government has a regular definite plan to expend a certain sum of money within a certain length of time, and which will give us a certain amount of accommodation, and a certain depth of water at the end of that time. Then we could feel that we were looking forward to some definite end. That is the information I desired to have in connection with Vancouver, Victoria and New Westminster, in order that we might see that the treatment of national ports on the Pacific coast kept pace with the treatment of the national ports on the Atlantic coast.

Mr. FISHER. I would say to my hon. friend in a general way that the report of the Transportation Commission is a very elaborate and comprehensive one, and I need not say to him that to carry out all the recommendations in that report would involve an expenditure of millions, I might say, tens of millions of dollars. While I think that may come in the future, we are not ready yet to carry out the whole of it. We can only take up such parts of it as the revenues of the country may justify from time to time. As I pointed out on a former occasion we have been called upon to do a good deal and we propose to go on, as occasion arises, and as the commerce of the country seems to justify. Personally I would most emphatically say that we should not do anything which would, on the general and great lines of traffic, be contrary to that general scheme, but that scheme was proposed several years ago and already other demands have been made upon us. I have only to instance the Georgian bay ; already the Canadian Pacific Railway is preparing to adopt a new harbour there which the Transportation Commission never mentioned, never suggested, and other propositions have been made by the transportation and other interests which were not anticipated, discussed or advocated by the Transportation Commission of several years ago. I am not prepared to say that we will be bound down to the recommendations of the commission because in a young and growing country like this new conditions arise and new discoveries are constantly being made with the result that we may have to adopt entirely different plans. I would not like to say that we should confine ourselves absolutely to these great through lines of transportation. I believe that there are other interests in the country that the government must

guard and help in every way it can, but I am quite prepared to admit the justification of my hon. friend's suggestion that we should try when we do undertake a large work in a harbour to do such work as will contribute to the final completion of that harbour. That has been the intention of most of the work that has been done by the Department of Public Works in these great harbours in which it has undertaken improvements. Such ought to be the case in Victoria.

Mr. AMES. The minister knows that when a channel is being dredged through an important waterway the probabilities are that the government would first make a narrow channel that will permit large vessels to pass through carefully, and that as time went on they would widen that channel and enlarge the curves in such a way that it might become a double track waterway if such an expression can be used. A similar line of policy should be adopted by this government and by the minister who is at present or who may be in future in charge of the Department of Public Works. There should be a broad survey of the needs of transportation and a determination to develop synchronously the entire line of transportation, both on the Atlantic and Pacific coasts. We would then be in a position to know when a certain plan was nearing completion, what was the position of each unit in connection with that plan. We would then be in a position to know that when sums of money were expended upon these different ports the work was part of a symmetrical whole and would bring about a general result for the benefit of the Dominion of Canada. The trouble with most of these Public Works estimates is that they are viewed purely from the local standpoint without being considered from the point of view as to how much they contribute towards the general benefit of the whole Dominion, and the reason why I have raised the question of these ports on the Pacific coast is that I want to know whether they had been looked upon in a broad way and whether they were being developed with an eye to the future in the general interest of the western provinces of Canada. I would like to know that we are to have 25 or 30 feet of water in each of these harbours in five years and that each succeeding year that desideratum is being approached. I trust that whoever may be in charge of the Department of Public Works will in future preface his remarks when he comes down and asks for his estimates by something along these lines, which may enable us to take a general view of what the Department of Public Works is doing for transcontinental transportation in the Dominion.

Williams Head quarantine station—improvements, $10,000.

Mr. AMES. That is the enlargement of the disinfecting station. Is there any considerable immigration coming in that way now?

Mr. FISHER. Not a great deal of immigration, but there is a good deal of through Oriental traffic and we not infrequently have to keep considerable numbers of Orientals at the station.

Dredging, maritime provinces, $170,000.

Mr. A. A. McLEAN. I would like to ask what the capacity of the dredge 'Montague' is per day?

Mr. FISHER. 800 to 1,000 yards.

Mr. A. A. McLEAN. That dredge went to work on the 5th September and only dredged about 20,000 cubic yards during the season. If that dredge has been there for three months and can only dredge 20,000 yards it cannot be in a proper condition to do the work.

Mr. FISHER. It was a new dredge commencing her first season's work and she did not get into working order. It requires some little time for a dredge to get into working order.

Mr. WILMOT. How many dredges are there in southern New Brunswick, at St. John and on the St. John river?

Mr. FISHER. There is no special dredge in New Brunswick, but a dredge called the 'New Brunswick' is working on the St. John river. The new 'Dominion' has been working at St. John and St. Andrew's and there has been dredging done on the north shore by different dredges.

Mr. WILMOT. I confine my inquiry particularly to the St. John river. Last season I was making some inquiry of the officers of the department at St. John and they told me that they were short of dredging machines. There is a good deal of work of that kind required to be done on St. John river apart altogether from the harbour.

Mr. FISHER. These votes are general votes for the maritime provinces. We are hoping to make arrangements by which the dredges there will make a longer season this year than usual. In the past, the dredging votes coming in late in the calendar year, interfered with the length of the dredging season. I hope this year, the appropriation being available earlier, to commence the work earlier in the season and perhaps prolong it more than usual.

Mr. SPROULE. In a great many of these votes you have the proviso: 'Notwithstanding anything in the Civil Service Act.' Is the Civil Service Act systematically evaded?

Mr. FISHER. A number of these technical or semi-technical employees, especially in the lower grades, must be given

higher pay than the Act allows, and these votes have been so worded for many years.

Mr. AMES. Might I ask the minister, who compose the committee of artists in connection with the national art gallery?

Mr. FISHER. Formerly a couple of artists were invited on each occasion when a work of art was purchased, but recently I have arranged for the establishment of an advisory council on the advice of the Royal Academy. The order in council constituting it has been passed, but the individuals have not yet been appointed. I may however say that I have been fortunate enough to secure the services of Sir George Drummond, Mr. Byron Walker, of Toronto, and the Hon. Arthur Boyer, of Montreal, who are most acceptable and well qualified to act on the council. Just as soon as I can get the order in council through I hope to call them together.

Telegraph service generally, $3,200.

Mr. SPROULE. How is the revenue of the telegraph lines, especially in the Yukon, holding out?

Mr. FISHER. I am told there is a loss of about $70,000 a year.

Some resolutions reported.

Mr. FIELDING moved the adjournment of the House.

Mr. TAYLOR. A message from His Excellency giving the supplementary estimates?

Mr. FIELDING. Not to-night, perhaps to-morrow or the next day; I cannot be sure.

Mr. HENDERSON. Is the House to sit on Saturday?

Mr. FIELDING. Yes, we propose to give notice that the House will sit on Saturday, but not later than six o'clock. As to the business to-morrow, we will take the Montreal Harbour Commissioners' resolution and one or two Bills and then go into supply with the estimates of the Minister of the Interior.

Motion agreed to, and the House adjourned at 10.30 p.m.

HOUSE OF COMMONS.

THURSDAY, April 18, 1907.

The SPEAKER took the Chair at Eleven o'clock.

PRINTING COMMITTEE.

Mr. C. H. PARMELEE (Shefford) moved that the third report of the joint committee of both Houses on printing of parliament be concurred in. He said: Mr. Speaker, I would like to make an observation or two growing out of a brief discussion of this report which took place some days ago. At that time the hon. member for Montmagny (Mr. Armand Lavergne) moved reconsideration of the report for the purpose of drawing attention to one or two things in connection with it. Some weeks ago when the insurance report was laid on the table of the House, the Finance Minister, on the plea of urgency, moved that it should be printed immediately. That being done, when the Printing Committee met, and had its order paper before it, the committee very naturally did not order that that report be printed, as that order had already been given by the House and was being carried out. But from that circumstance my hon. friend from Montmagny and my hon. friend from Labelle (Mr. Bourassa), expressed the suspicion that the action of the Printing Committee had been prompted by a desire to suppress the translation of the report into French and the printing of it in French. Now, there is no foundation whatever for a supposition of that kind. Any order of this House for the printing of a public document or a parliamentary return of any kind, carries with it the order to translate and print in French. I am not a constitutional authority, but I doubt very much whether this parliament has the right to print any parliamentary paper in one language alone. At any rate, my hon. friend from Labelle pretty nearly stated that the translation of the insurance report had been stopped in consequence of the action of the Printing Committee. He said that the chief translator had ordered those actually engaged in translating the report to stop the work, and that the chief translator in turn had received his order from the Printing Committee. My hon. friend was utterly and entirely misinformed on that point. It is true, for a few moments after the report of the Printing Committee came down the translators were under the misapprehension that the translation would not go on. I was consulted about it, and I told them that they had the order to translate, and that, as the document was one of great importance, which everybody would want, they should get on a hustle and translate it as soon as possible. Now, that was a small thing upon which to base a charge that the Printing Committee, the House of Commons and everybody else were in league to prevent the printing of a document in the French language. While on my feet I might say that ever since I have been in this parliament the translation and printing of public documents in French has been the subject of more or less complaint and grievance. I remember that, when I had the honour of becoming chairman of the Printing Committee in 1901, the complaints were loud and many, and a sub-

committee of the general committee on printing took up the whole question, went into it thoroughly, examined witnesses, and collected all the evidence they possibly could, and as a result of the information they were able to collect, we framed a report which was adopted by this House; and in consequence of that report, the translation and printing in French, while not perfect, are now done very much more promptly and efficiently than was the case some years ago. I might also, because I have the opportunity of knowing, pay a tribute to the efficiency and the devotion to duty of the regular staff of translators. Their task is difficult, and, do what they can, it is a physical impossibility that all the parliamentary documents should be printed in French simultaneously with their printing in English. My hon. friend from Labelle made the further complaint against the committee, that it recommended that a very important public document should not be printed, and coupled with that the insinuation that we had done that for the purpose of preventing it appearing in French. Now, that is utter nonsense, because if it was not printed in English, there could not be much complaint because it was not printed in French. He referred particularly to the order of the House for papers, plans, reports of inspections and other documents with respect to harbour improvements at Quebec. He said that the Transcontinental Railway Commission and the Railway Commission, in answer to the order of the House, had made very important returns, which the Printing Committee had seen fit to turn down. As a matter of fact, two such returns were brought down, and in about ten words each they declared that no documents, plans or papers of any kind were in possession of either the Transcontinental Railway Commission or the Railway Commission. On this point I might say that the committee exercises all the care it possibly can in the discharge of its duty. Every single return is laid before the committee, it is taken up carefully, its importance is considered and if it is in the estimation of the committee of sufficient public interest the Printing Committee orders it to be printed. If not it is relegated to the pigeon holes around this House. I may say for my committee that it is well attended and every member of the committee is at considerable pains to discharge the duties pertaining to his position. With these few remarks I move that the third report be adopted.

Hon. W. S. FIELDING (Minister of Finance). I remember the discussion to which my hon. friend (Mr. Parmelee) has referred, and I ventured then to offer the explanation that the only reason why the committee had advised that the report was not printed was that it had been already printed in one language, and was then in the possession of the House. At that time I remarked in answer to a suggestion by the hon. member for Montmagny (Mr. A. Lavergne) that both the report and the evidence should be printed, that they had then been printed, and the question was practically whether we should have both of these documents printed in both languages. There can be no question that if there is a desire anywhere to have all of this matter printed in both languages it should be printed, but I submit to the House as a practical question, whether it is desirable, whether any good purpose will be served, by translating and printing these large volumes of evidence in another language. I will in that place myself in the hands of my French colleagues, and if they think it desirable that it should be printed, costly though it may be, no one will question it, but I doubt if they themselves will desire that it should be translated. It will be very expensive and I wonder how many people will read it afterwards in all its details. I therefore invite the consideration of the House as to whether any good purpose will be served by the printing of the evidence in both languages. The report, as a matter of course, will be printed in both languages and will form part of the records of the House. I shall not raise any objection to it, if any hon. gentleman, especially any of those who are particularly interested in the French language, think it necessary, but I suggest that there should be an expression of opinion as to whether such printing of the evidence is necessary and I would venture to suggest that it is of doubtful expedience.

Mr. J. G. H. BERGERON (Beauharnois). I appreciate what the Finance Minister has said on this question. I would not take it upon myself to say that I would insist on the translation of all these volumes into French, but I want to say that since the report of the committee has been before parliament I have personally received many letters from different parts of our province asking for a copy of the evidence and the report, and as these requests have come from French Canadian correspondents they would of course desire to have it in French, and this leads me to believe that we would have to think twice before refusing to print the evidence in French. Probably the matter will be discussed later on and in the meantime we will think it over.

Mr. FIELDING. We may leave it in that position and before the close of the session come to an understanding. I did not want to object to the translation of the evidence, but in talking to one or two of my French Canadian friends they said they did not think it necessary; but if it is deemed necessary no one would raise a word of objection.

Mr. DEPUTY SPEAKER. Members representing French constituencies are in this

position that if an elector applies for a French version of this evidence and report, the member finds himself in the very awkward position of having to tell his elector that the matter is not printed in French, although the rule is that all public documents should be printed in both languages. Thus, I think, to save all misunderstanding on the point, it would be advisable that the evidence should be printed in both languages.

Mr. FIELDING. Every one will assent to that at once.

Mr. R. L. BORDEN (Carleton, Ont.). There is another consideration. There is a great deal in what my hon. friend from Bonaventure (Mr. C. Marcil) has said, but in addition to that it would appear that it should be printed in both languages unless there is some very strong and unusual reason why the rule should be departed from. In any question of this kind, which may be regarded somewhat as a matter of sentiment, we should not weigh very much the question of expense in the printing. There is the further consideration that the report refers to the evidence for some explanations that should appear on its face, but for some reason known to the commissioners they have seen fit to give the explanation only by reference to the evidence and if the report is printed in French it seems to me you must also have the evidence printed in French.

Hon. RODOLPHE LEMIEUX (Postmaster General). The questions which were raised before the Insurance Commission were very live issues in our province, because I do not know if you are aware that especially in the French Canadian centres we have many mutual benefit societies, and the investigation which took place into the affairs of the Foresters has aroused quite an interest in our province. For that consideration alone, I think the report should be made as public as possible. We have received several requests for copies of the evidence and report. We have the Catholic Mutual Benefit Society, we have many thousand Foresters in the province: in fact on the death of Dr. Oronyatekha it was supposed that Mr. Morin of Montreal, would be selected as his successor.

Mr. BERGERON. He was next in command.

Mr. LEMIEUX. Yes, he was next in command and our people are very much interested in knowing the result of the investigation.

Mr. FIELDING. I think the best course would then be that my hon. friend (Mr. Parmelee) should withdraw his report and amend it, because it stands on the paper now as a recommendation that the evidence should not be now printed. Of course I understand that recommendation was made because it was already printed in one language.

Mr. PARMELEE. We could get at it in another way. I would point out to the Finance Minister that the direct order of the House was to print the report alone. I could either amend the report and have it come before our committee again or the Finance Minister could move a motion directly.

Mr. FIELDING. I think it would be better if my hon. friend would withdraw the report and bring it forward to-morrow. In raising a question about it, I considered not so much the expense as the labour involved in the translation, which would be very great, so that it will be a very considerable time before the documents are ready, and it was thought that by the time they were translated and printed they would be somewhat old. I would now suggest that my hon. friend (Mr. Parmelee) withdraw the report and so amend it that both the report of the Insurance Commission and the evidence will be printed, like other public documents, in both languages.

Motion withdrawn.

QUESTIONS.

STEEL RAILS FOR TRANSCONTINENTAL RAILWAY.

Mr. A. A. McLEAN asked :

1. Did the commissioners of the Transcontinental Railway call for tenders last year for eighty-pound steel rails ?
2. If so, how many tenders were received, and what were the tender prices ?
3. To whom were the contracts awarded, and at what figures ?
4. Were the contractors bound to deliver 17,600 gross tons before the 15th November, 1906, at Quebec, and 20,000 gross tons before the 15th November at Fort William or Port Arthur ?
5. Has such delivery been made by the contractors ? If not, why not ?
6. Is any penalty to be imposed for non-fulfilment of contract ?

Hon W. S. FIELDING (Minister of Finance) :

1. Yes.

2. Five : two each from Dominion Iron and Steel Co., and Algoma Steel Co., one from the United States Steel Products Export Co., as follows :

Delivered at Quebec, 23,000 gross tons.

Dominion Iron and Steel Co., at $34.50 per ton, to be manufactured in accordance with Dominion Iron and Steel Co.'s specifications.

Dominion Iron and Steel Co., at $34 per ton, to be manufactured in accordance with commissioners' specifications.

Delivered at Port Arthur or Fort William, 42,000 gross tons.

United States Steel Products Export Co., at $36.49.

Algoma Steel Co., 32,000 tons at $34.90, in accordance with commissioners' specifications.

Algoma Steel Co., 32,000 tons at $34, in accordance with Grand Trunk Pacific specifications.

Dominion Iron and Steel Co., 10,000 tons at $34.50 per ton, in accordance with commissioners' specifications.

Dominion Iron and Steel Co., 10,000 tons at $35 per ton, in accordance with Dominion Iron and Steel Co.'s specifications.

3. To Dominion Iron and Steel Co., and Algoma Steel Co., as follows :—

Dominion Iron and Steel Co.

23,000 gross tons, for delivery at Quebec, in accordance with commissioners' specifications, at $34 per gross ton.

10,000 gross tons, for delivery at Fort William or Port Arthur, in accordance with commissioners' specifications at $34.50 per gross ton.

The Algoma Steel Co.

32,000 gross tons, for delivery at Fort William or Port Arthur, in accordance with Grand Trunk Pacific specifications, at $34 per gross ton.

4. No. 15,600 gross tons at Quebec and 20,000 gross tons at Fort William or Port Arthur, before date mentioned.

5. No. The quantity called for in contracts was not required and commissioners arranged to defer balance of shipments until opening of navigation in 1907.

6. No.

INTERCOLONIAL RAILWAY CARS IN USE BY RAILWAYS OF THE UNITED STATES.

Mr. AMES asked :

1. How many Intercolonial Railway cars are at present in use by the railways of the United States ?

2. What steps are being taken to secure the return of these cars to Canada ?

Hon. W. S. FIELDING (Acting Minister of Railways and Canals). The information is being obtained from Moncton and will be given later. The hon. gentleman (Mr. Ames) may either let the question stand or renew it, at his convenience.

Mr. AMES. Let it stand.

Mr. SPEAKER. Stand.

TIMBER REGULATIONS OF 1897—PERMITS UNDER CLAUSE 17.

Mr. BURROWS—by Mr. E. M. Macdonald—asked :

1. How many permits to cut timber were granted under clause 17 of the regulation of 1897 ?

2. What is the name of each permittee, and the total amount of dues paid by him to the Department of the Interior, to December 31, 1906 ?

3. What amounts were collected on different products of timber permit No. 827 ?

Mr. FIELDING.

Hon. FRANK OLIVER (Minister of the Interior) :

1. Fifteen.

2 and 3,

Schedule of timber berths granted under section 17 of the timber regulations, 1897.

Dues on lumber at the rate of $1 per thousand B.M.

No.	Name of grantee.	Total amount paid to December, 31, 1906.
816	W. C. Wells	$ 483 17
827	T. A. Burrows	21,027 49
830	Wm. Robinson	13,648 15
833	M. McKinley	138 55
835	K. Finnsson	765 58
836	H. B. Mitchell	595 12
840	L. E. Benz	100 25
841	Walter & Humbertson	673 77
844	Wm. Robinson	2,132 13
847	W. Peden	482 11
850	H. B. Mitchell	594 37
851	J. A. Christie	94 18
852	J. A. Christie	897 61
866	J. Caverly	2,844 11
1043	John Fraser	476 28

Memorandum showing amount of fees and dues paid T. A. Burrows on timber berth No. 827, from 1899 to 1906.

Sawn lumber, 16,367,125 feet at $1 per M	$16,367 32
Railway ties, 98,372 at 3 cents each	2,951 16
Cordwood, 5,362½ cords at 25 cents	1,340 62
Telegraph poles, 2,318 at 8 cents each	185 44
Shingles, 400,000 at 20 cents per M	80 00
Piling, 4,786 feet at 1 cent per foot	47 86
Laths, 251,650	37 75
Fence posts, 1,533 at 1 cent	15 33
Permit fees	2 00
	$21,027 49

DEBATES COMMITTEE.

Mr. J. G. H. BERGERON (Beauharnois). Mr. Speaker, before the Orders of the Day are called I desire to call the attention of the House to the fact that the Debates Committee, in effect, has not reported for the last two sessions. The committee met last year to elect a chairman and met afterwards, I believe, to do business. That business was reported to the House but no motion was made to give effect to the report that was made. This year, again, the committee held a meeting to elect a chairman, and, at a subsequent meeting, put through some business, but of that no report has been made. I desire merely to call this to the attention of the House. Probably, before the session is over I shall bring it up again. In the meantime, the chairman of the committee will be aware of what I intend to do.

BUSINESS OF THE HOUSE—QUEBEC BRIDGE AND RAILWAY COMPANY.

Mr. R. L. BORDEN (Carleton, Ont.) I would ask the Minister of Finance (Mr. Fielding) when he intends to take up order 35, relating to the proposed loan to the Quebec Bridge and Railway Company ? The rea-

son I ask is that some hon. gentlemen on this side of the House who are to be absent for a day or two soon, would like to be present when the matter is taken up.

Hon. W. S. FIELDING (Minister of Finance). I will endeavour to include it in the programme for tomorrow, without fixing a particular order.

INTERCOLONIAL RAILWAY—RENTAL FOR GRAND TRUNK RAILWAY BETTERMENTS.

Mr. R. L. BORDEN. May I ask whether the government have any information to give to the House as to what will be the effect, on the rental paid by the Intercolonial Railway to the Grand Trunk Railway, of the additional betterments that are about to be made by the Grand Trunk Railway. I have not the terms of the contract before me, but as I recollect them, one provision is that the Intercolonial Railway has the option of making use of the betterments, but if it does make use of them it must pay a certain percentage on one-half the cost. It will be a very important matter to the Intercolonial Railway whether or not it will use these betterments, and how much it will pay for them. I do not expect my hon. friend the Minister of Finance to be able to answer to-day, as possibly he has not had his attention directed to the matter. But if he will be good enough to look into it, he might be able to give me an answer tomorrow or Monday.

Hon. W. S. FIELDING (Acting Minister of Railways and Canals). I will.

APPOINTMENTS TO THE NOVA SCOTIA BENCH.

Mr. R. L. BORDEN. Before the Orders of the Day are called I desire to direct the attention of the Minister of Justice (Mr. Aylesworth) to a telegram which I received a day or two ago and which I should have brought to his attention earlier :

> Judge Savary's resignation was accepted to take effect March 31 last, County Court should sit in Clare tomorrow, it being the regular annual sitting for Clare, but no appointment has been made and court will not be held.

May I also inquire whether or not the vacancy on the bench of the Supreme Court of Nova Scotia has been filled ?

Hon. A. B. AYLESWORTH (Minister of Justice). The recommendation for the appointment of a successor to Judge Savary was made some days ago. I am not aware—I have not inquired—whether or not it has received His Excellency's approbation. With reference to the other vacancy, the matter is under consideration. That there may not be any apprehension on the part of any hon. member that the public service will suffer, I may say that I have received letters not merely from members of the bench of Nova Scotia themselves, but from other persons of high standing in that province, assuring me that the sessions of the court having terminated and terminated without there being any difficulty in the transaction of business, there is now nothing in the nature of court work which requires the presence of all the judges provided by statute for the court until the spring circuit for the trial of cases beginning six weeks or two months hence.

REPORT OF THE TRANSCONTINENTAL RAILWAY COMMISSION.

Mr. D. HENDERSON (Halton). I beg to ask the Acting Minister of Railways whether any recent report of the commissioners of the Trancontinental Railway has been brought down, or when we may expect such a report. My impression is that we have not had any report for some two years.

Mr. FIELDING. That is a mistake. A report from the Transcontinental Railway Commissioners was brought down some time ago, and is now among the records of the House, among the papers I think that were ordered by the commission to be printed in the usual way. I think it is not yet printed.

ROUTE OF THE TRANSCONTINENTAL RAILWAY THROUGH NEW BRUNSWICK.

Mr. O. S. CROCKET (York, N.B.). I wish to ask the Acting Minister of Railways if it is the intention to bring down and lay upon the table of the House the report of the commissioners which was presented to the government, recommending the back route though the province of New Brunswick. I called the attention of the Prime Minister to this matter some weeks ago, and I understood from him that he was disposed to order the report to be laid upon the table. He certainly stated that he would inform the House in a very short time as to whether that would be done, that is, whether he would lay the report upon the table before the government reached a decision as to the selection of the route through that province. I asked the Prime Minister on two or three occasions subsequently, and he stated each time that he would inform the House very shortly. There has been no intimation since that time, and I would like to know now whether the Acting Minister of Railways will bring down the report before the consideration of the vote which is proposed in the estimates for the Transcontinental Railway during the coming year. It seems to me that the House is surely entitled to this information before being called upon to vote this appropriation.

Mr. FIELDING. I think the matter has been determined. There seems to be no reason why the report should not be

brought down ; I see no objection to it at the moment. Unless there is some reason that I cannot see in advance, I will be glad to bring down the report before proceeding with the item.

APPOINTMENT OF SENATOR FOR THE DISTRICT OF ROUGEMONT.

Mr. H. B. AMES (Montreal, St. Antoine). In answer to an order of the House on my motion, a return was presented yesterday with reference to the correspondence, memorials and petitions regarding the nomination of a senator for the district of Rougemont. This return simply gives the order in council, and it is the only document produced. I desire to ask whether that is a courteous way of intimating to me and to the House that the government does not desire, or does not intend, to produce the other documents in connection with the case. I am credibly informed that there was a number of petitions circulated and sent into the government, that there was a considerable correspondence in connection with this nomination. I desire to know whether, under circumstances such as these, the House is not to be given access to the documents in the case.

Mr. FIELDING. I can only say that the return was sent to me by the Secretary of State in the usual way, and I laid it on the table, as I do all others. With regard to all appointments to public offices there is likely to be more or less correspondence which is of a private and confidential character, and which certainly would not be brought down in a public return. I have no knowledge of the facts referred to. I fancy that whatever was official on the records was included in the return. I will make further inquiry.

Mr. AMES. Does the minister contend that all the petitions, memorials and public documents that were passed around in the city of Montreal, containing the signatures of a large number of people, should be regarded as private and confidential documents?

Mr. FIELDING. But I do not know what the documents are, and would not like to answer the question. I can only state in general terms that in relation to all public appointments there are likely to be confidential communications between the parties who desire the places and the ministers who may have the advising as to the giving of them. I am speaking of the general principle. There may be documents which are legitimate public documents, and I shall make inquiry with a view to what the hon. gentleman has said.

Mr. R. L. BORDEN. It is only necessary to remind the hon. Minister of Finance that private letters between ministers were not regarded of such a public nature by this government, and that after they came into power they published a blue-book containing such correspondence between members of the late Conservative government.

Mr. AMES. I retain the right to interpolate the government with regard to this matter next week, and to ask the minister whether he considers all documents in this case as confidential, or whether he is prepared to differentiate between those of a private nature and those of a public nature, and to give the House those of the latter class.

Mr. FIELDING. If there are documents which are ordinarly regarded as public information, they should certainly be brought down. I agree with the general principle, but the hon. gentleman must be aware that in connection with all these matters there are many letters of a private and confidential character which would not be brought down, and should not be brought down.

RAILWAY ACT, 1903—AMENDMENT.

Hon. W. S. FIELDING (Minister of Finance). There are one or two Bills which have come from the Senate which are not disposed of, and which I think it would be a pity to lose from the mere fact that they are not on the government orders. I beg to call up from Public Orders item (No. 40): Consideration of amendments made by the Senate to Bill (No. 3), An Act in amendment of the Railway Act, 1903, which stands in the name of the hon. member for Lincoln and Niagara (Mr. Lancaster). The hon. member is not present, but he informed me that the amendment made by the Senate is a change in the wording only, that while in the original Bill reference was made to the revised statutes as they formerly existed, the new revised statutes having been brought into operation in the interim, the Senate say that the reference shall be to the revised statutes as they now are. With a view of accepting that amendment, if it is approved by the House, I will move that item 40 be called.

Motion agreed to, and amendments read a first and second time and agreed to.

GOLD AND SILVER MARKING ACT AMENDMENT.

Hon. W. S. FIELDING (Minister of Finance). I would also ask that item No. 38 on Public Bills and Orders : Bill (No. 137) to amend the Gold and Silver Marking Act, be called.

Motion agreed to, and House went into committee on the Bill.

Mr. FIELDING. This Bill stands in the name of the hon. member for Vancouver (Mr. Macpherson). Application was made for an amendment to the Gold and Silver Marking Act last session with the view of admitting into Canada certain grades of jewellery which, by the law as it stands,

would be forbidden. After thorough discussion before the Committee on Banking and Commerce the conclusion reached was, not to change the form of the Act, but to postpone the time when it should come into operation. The committee I think unanimously reported to amend this Bill so as to provide that the Gold and Silver Marking Act, which would come into operation on the 13th of July, shall be postponed, and shall only come into force on the 13th of March, 1908. The idea is that in the meantime the various sections of the jewellery trade will get together and by that time it is hoped that they will be able to agree upon some arrangement that will meet the wishes of all concerned.

Mr. FOSTER. May I inquire whether there is very great disagreement ? Are the number of persons who are objecting to the Act a very large proportion of the total number who would be interested in the question ?

Mr. FIELDING. Several gentlemen interested in the trade appeared before the committee to object to it and they stated that they were in a position to assure the committee that the Bill, in its present form, was objectionable to a large part of the trade of Canada. That is a matter more or less of dispute. However, all of the interests agreed to a postponement of the operation of the Bill for a few months in the hope that they may be able to come to a better understanding rather than to attempt to change the form of the Bill.

Mr. KEMP. I presume that the government, having adopted this Bill as a government measure last session and having reference to it in the speech of His Excellency on the occasion of prorogation, ought to take the matter up now as a government measure. It is a matter that is very intimately connected with the tariff. The question involved in this measure will be affected to a great extent by the tariff. I think it would be a wise policy for the government to take this measure up.

Mr. FIELDING. That is correct and the government will ultimately have to deal with it. I would point out, however, that while the Bill became a government measure it was a measure which was adopted upon the representation that the jewellery trade were practically agreed upon it. It is a very technical matter. The committees of the Senate and House of Commons which examined it felt that they were dependent to a large extent upon the judgment of experts in the jewellery trade and they felt that to the best of their judgment the Bill would be satisfactory to the trade. There is a dispute between the manufacturers and importers and before next session the government will have to look into that and determine whether they will let the Bill stand in its present shape or propose to the House an amendment to it.

Mr. R. L. BORDEN. Of course, the Bill was regarded as extremely satisfactory at the time it was passed. Perhaps it had not received that consideration to which it was entitled. The hon. Minister of Finance (Mr. Fielding) will no doubt recall that the government were so satisfied with it at the time that they referred to its passage in the speech from the Throne at the close of the session——

Mr. FIELDING. The Bill was regarded as satisfactory.

Mr. R. L. BORDEN—and commended to parliament and the country the fact that the Bill had been passed.

Mr. FIELDING. That is true, but the government will have to deal with it next session.

Bill reported, read the third time, and passed.

RESIDENTIAL FIRE INSURANCE COMPANY.

House in committee on Bill (No. 161) to amend the Act of the present session incorporating the Residential Fire Insurance Company.—Mr. Fielding.

Mr. BERGERON. Is this to amend a Bill passed this session ?

Mr. FIELDING. This is to correct a clerical error in a private Bill which, I think, was in the hands of the hon. member for South Toronto (Mr. A. C. Macdonell). It is only a clerical error in the Act which occurred while the Bill was passing through the House and this is a Bill to amend it and to make the Act as the House intended it.

Bill reported, read the third time, and passed.

CRIMINAL CODE AMENDMENT.

On the order :

Third reading of Bill (No. 145) to amend the Criminal Code—Mr. Aylesworth.

Hon. A. B. AYLESWORTH (Minister of Justice). Mr. Speaker, this Bill is entered upon the order paper for the third reading. I felt a little surprised when I saw it so entered as my memory of what took place upon the second reading agrees entirely with what appears in 'Hansard' at the beginning of the proceedings on the 4th April. It is stated that the Bill was read a second time and that the House went into committee, whereupon the hon. member for Beauharnois (Mr. Bergeron) mentioned, that, the Bill not being yet distributed, there was difficulty in following the explanations in regard to it and the committee rose re-

porting progress. I suppose it would be more convenient if the matter were now to be considered in committee than taken up on the third reading. I therefore move that the order for the third reading of the Bill be discharged and that the Bill be referred back to the Committee of the Whole for further consideration.

Motion agreed to, and House went into committee on the Bill.

On section 2,

Mr. R. L. BORDEN. If the minister will state just in the briefest possible way what the change in the law is and what the object of it is, as we go along, it would facilitate the consideration of the Bill.

Mr. AYLESWORTH. The second section amends one of the subsections of the interpretation clause by inserting into the definition of the word 'indictment' and the word 'count' the following words: 'Any formal charge under section 873a' which is by virtue of this amendment made to be included within the meaning of 'indictment' or 'count.' In Saskatchewan and Alberta, no grand juries have yet been established, and the provincial authorities are going on with a criminal procedure lacking the grand jury system. This amendment is necessary in order to have a formal charge which can be made under that method of proceeding, included in the legislation of the Criminal Code, relating to indictments and counts.

On section 26,

By striking out the fourth line thereof beginning with the word 'party' and ending with the word 'to.'

Mr. AYLESWORTH. By a printer's error, a line is found in section 26 of the Criminal Code, as printed, which is absolutely meaningless. The section deals with the execution of an erroneous sentence or process of the court, and by some slip in printing the words appear: 'Party to any association or conspiracy, being a party to.'

Mr. R. L. BORDEN. Are you satisfied it is not slipped in from some other part of the statute.

Mr. AYLESWORTH. I have not personally searched; it evidently belongs to some other section, but it may be repeated.

On section 225.

Section 225.—By repealing it and substituting therefor the following section:

225. A common bawdy house is a house, room, set of rooms or place of any kind kept for purposes of prostitution or occupied or resorted to by one or more women for such purposes.

Mr. AYLESWORTH. This is an important amendment. A number of amendments have been suggested to the Criminal Code, but it was thought better not to present them for consideration at this advanced stage of the session. This section, however, deals with a condition of things with regard to which very strong representations have been made by associations of clergymen and others, especially from the city of Winnipeg. The present law defines any bawdy house to be: 'A house, room, set of rooms, or place of any kind kept for purposes of prostitution.' Under that form of words, the court in Manitoba held, following an English decision, that a room in which only one woman lives did not fall within this definition; it was not a room kept for purposes of prostitution. The holding of the court seems fine, but it has the support of English authority. Inasmuch as the condition of things said to exist in Winnipeg calls for action in this regard, the custom there being for women of this class to live singly, it seemed necessary to make this amendment as asked by the ministerial association. The amendment is, by inserting the words: 'One or more women' after the words 'resorted to.'

Mr. FOSTER. What reason is there that you should not substitute the word 'person' for 'women'?

Mr AYLESWORTH. If I apprehend my hon. friend's meaning it is that if there was a place where men resorted for that purpose it would be a common bawdy house. The word 'prostitution' is active in its sense; it is prostituting of one's self; I can hardly see the force of the suggestion.

Mr. FOSTER. I would take it that it was as much prostitution in the one case as in the other. I do not know whether there is any generic term, but I see no reason in the world why the whole onus of what is considered a world wide vice should be thrown on the woman. I think it is just as vile and degrading in the other case; both are human creatures. I think the term should apply to one as well as to the other. Does not the minister think it is rather an unjust assumption against one half of the human race, as though what would be a great wrong in the one would be no wrong in the other?

Mr. AYLESWORTH. That is not the idea at all. It is said: A person resorts to a place for the purpose of prostitution; the meaning of that phrase is: The person resorts there for the purpose of prostituting the body of that individual, not of some one else. There is no case I have ever heard of, where men resort to any room or house for the purpose of being there prostituted, if I may use the expression. If men lived together in any common place for such purpose they would be liable to be prohibited by legislation, but such a thing is unknown. The evil, which is struck at by this legislation, does not exist in the case of the male sex.

Mr. R. L. BORDEN. I do not know that I absolutely follow the argument of either

side with regard to this; but suppose a room were occupied by a man, and women were brought there by that man for the purpose of prostitution, I doubt if this section would cover it.

Mr. AYLESWORTH. I think that would be struck at by another section which deals with 'procuring.'

Mr. R. L. BORDEN. I do not know whether that would be procuring or not. It seems to me that if you make the change indicated by my hon. friend (Mr. Foster) you would cover the case of the occupancy of a room by a man for the purpose of bringing women there, in order that prostitution might be carried on.

Mr. AYLESWORTH. Section 228 provides, that every one is guilty of an indictable offence who occupies any disorderly house, that is to say, any common bawdy house. The case has been put of a man keeping a room or rooms to which women came for purposes of prostitution, and which under this new definition would come within the term, 'common bawdy house,' and the man who kept it would be liable under section 238.

Mr. R. L. BORDEN. It seems to me, with all deference to the Minister of Justice, that the same fine distinctions which have been made by the English courts and the court to which he alluded a little while ago, might lead to a contrary conclusion, whereas if the word 'persons' were inserted in stead of the word 'women' there could be no possible doubt.

Mr. AYLESWORTH. I have no objection to the change, though I do not think it necessary.

Mr. BERGERON. Judging by what we read in the papers from the west the other day, my hon. friend cannot take too many precautions in framing that clause.

Mr. AYLESWORTH. It would apply to other places besides Winnipeg.

The word 'women' struck out and the word 'persons' inserted in lieu thereof.

On sections 586 and 587,

Mr. AYLESWORTH. These two sections are those to which I referred when introducing the Bill. Offences which are committed in the unorganized parts of Canada have been under the present law tried in those parts of the country before such officials or tribunals as are there constituted. An instance has recently come to departmental knowledge where a case of homicide, which perhaps is murder, took place on board a ship wintering in the ice somewhere northward of the inhabited portions of Canada, and the practical course for the trial of that offence, that would seem natural if the law permitted it, would be for the offender to be tried in such province of Canada as might be most convenient. None of the witnesses are locally identified with the place where the tragedy happened, and this amendment of the law is designed to permit that to be done in cases where it would be convenient to do so. For instance, in this case the offender might be tried at any port in Canada where the ship might call.

Sections agreed to.

On section 823,

Mr. AYLESWORTH. This is an amendment asked for by the government of the province of Quebec, and the effect of it is to give jurisdiction throughout the whole province to the judges of the sessions of the peace. There are judges of the sessions of the peace at Montreal and also at Quebec. Under the existing law the judge who has the right to exercise the jurisdiction of speedy trial in indictable offences in any district where there is a judge of sessions, he is such judge; if there is no judge of sessions nor a magistrate, then the district magistrate; if there is neither judge of sessions not a magistrate in the district, then the sheriff. The amendment provides that in each and every part of the province a judge of the sessions of the peace may have jurisdiction.

Mr. BERGERON. A judge of sessions might be sent from the district where he lives to the district where he is wanted.

Mr. AYLESWORTH. He might.

Mr. BERGERON. Does the sheriff remain?

Mr. AYLESWORTH. There is no change as to the sheriff. The sheriff has jurisdiction in a district where there is neither a judge of sessions nor a magistrate.

Mr. BERGERON. If a sheriff is a doctor, how can he act in a legal capacity?

Mr. AYLESWORTH. This Bill will meet that difficulty, because a judge of the sessions could go to that district.

Mr. BERGERON. Then it seems to me the word 'sheriff' should be struck out, because sometimes the sheriff is a doctor or a notary or even a non-professional man.

Mr. AYLESWORTH. It will do no harm to leave it in. I had not thought of what my hon. friend suggests. This clause was drafted by the Attorney General's Department in Quebec, and I suppose it was thought wise not to make any greater change in the law than was necessary to accomplish the desired purpose.

On section 873a,

Mr. FOSTER. Might I ask the minister if it is possible in any other province than Saskatchewan and Alberta to commence a

charge in the way provided here and ignore the grand jury?

Mr. AYLESWORTH. I think not.

Mr. FOSTER. Then I suppose the minister does not know whether these provinces propose to do away with the grand jury system? If they do not, what happens? Should not this clause say that until the grand jury system is arranged for in the province such will take place, or would this clash with any legislation by which they might provide for the grand jury system?

Mr. AYLESWORTH. I do not think there would be any clash. If they did at any future time establish the grand jury system, this parliament could repeal this clause if that were necessary.

Mr. FOSTER. There might be a time when they would both be on the statute-book.

Mr. R. L. BORDEN. What change is made by this section?

Mr. AYLESWORTH. This is the old section, but leaving out Saskatchewan and Alberta, which now become provinces and fall within that category.

Bill reported, read the third time, and passed.

WINDING-UP ACT AMENDMENT.

Bill (No. 147) to amend the Winding-up Act—Mr. Aylesworth—read the second time, and House went into committee thereon.

On section 1,

1. The Winding-up Act, chapter 144 of the Revised Statutes, 1906, is amended by adding the following section immediately after section 131 of the said Act:

131a. The court may, if satisfied that, with respect to the whole or any portion of the proceedings, the interests of creditors, claimants, or shareholders can be classified, nominate and appoint a solicitor and counsel to represent each or any class for the purpose of the proceedings, and all the persons composing any such class shall be bound by the acts of the solicitor and counsel so appointed, and service upon such solicitor of notices, orders, or other procedings of which service is required, shall for all purposes be, and be deemed to be, good and sufficient service thereof upon all the persons composing the class represented by him; and the court may, by the order appointing a solicitor and counsel for any class, or by subsequent order, provide for the payment of the costs of such solicitor and counsel by the liquidator of the company out of the assets of the company, or out of such portion thereof as to the court seems just and proper.

Hon. A. B. AYLESWORTH (Minister of Justice): The object of this amendment is manifest. Under the present law there is no provision for other than personal service on every person interested in the winding-up of the company. I am advised that there is now in course of winding up a company—the York County Loan and Savings Company—in which there are over one hundred thousand shareholders. To serve every shareholder personally would cost at least $1 for each person, and there would be literally a waste of a very large sum of money out of the already depleted assets of the company. In dealing with a matter of insolvency in cases in which the creditors will never be paid in full—or very rarely—it is desirable to save expense as far as possible.

Mr. BERGERON. This provision we already have in the province of Quebec.

Mr. FOSTER. This only goes as far as the service?

Mr. AYLESWORTH. Representation throughout.

Mr. R. L. BORDEN. Persons would be bound as if they had been served. But in that respect this only follows the course of the Judicature Act in force in Great Britain and in nearly every province of Canada. I have had some experience in winding-up cases; and where we have to serve even five or six hundred persons, it was found expensive, arduous, and often unnecessary. I should think this a very good provision.

Bill reported, read the third time, and passed.

POST OFFICE ACT AMENDMENT.

Bill (No. 113) to amend the Post Office Act—Mr. Lemieux—read the second time, and House went into committee thereon.

On section 1—repealing paragraph (d) of section 26, of the Post Office Act,

Hon. RODOLPHE LEMIEUX (Postmaster General). This section is to change the statute in relation to the duties of the controller under the direction of the head of the department. The subsection here referred to provides that the controller shall have control of all delayed or missent mails or mail matter. We find it more practical that the post office inspectors themselves should attend to this branch of the work. In fact they already do it. The public always refer these questions to the post office inspector.

On section 2,

Section 30 of the said Act is amended by leaving out the words 'except for British Columbia' in the first line, and by substituting the word 'five' for the word 'ten' in the third and fourth lines.

Mr. LEMIEUX. This section provides that, except for British Columbia, no person shall be eligible to be appointed as a superintendent unless he has been at least ten years in the railway mail service and has served as railway mail clerk during at least half of the said ten years.

This law was passed at the time when British Columbia came into confederation, and it was not thought well to demand ten years of service from these men in British Columbia before they could be made superintendents of railway mail service. But now that the railway facilities in British Columbia are so great, we think it well to place that province on the same level as the others. Further, we reduce the number of years within which a man may become a superintendent of railway mail service. Formerly it was ten years. Now when he has served five years he can become an efficient railway mail superintendent.

Mr. FOSTER. Served in what capacity?

Mr. LEMIEUX. As a railway mail clerk, because the promotions take place from that class only. We do not go outside the railway mail clerks to appoint a superintendent.

Mr. FOSTER. Is that by statute?

Mr. LEMIEUX. By statute.

On section 4—additional dead letter offices.

Mr. LEMIEUX. Here I will ask the committee to add the city of Edmonton as one of the places where a branch dead letter office should be established.

Mr. BERGERON. Will that increase the number of employees?

Mr. LEMIEUX. There will be a few employees to look after the dead letters.

Mr. BERGERON. Will the post office be enlarged?

Mr. LEMIEUX. It is being enlarged.

Mr. BERGERON. I know that last summer they were so cramped that they had not sufficient room for the present staff and some people were obliged to wait ten or twelve days for their mail.

Mr. LEMIEUX. My hon. friend (Mr. Bergeron) is right in saying that the condition was deplorable in Edmonton but that was not through our fault; it was owing to the rapid influx of population in the west. We sent our inspector, Mr. Ross, of Toronto, and we are securing a new building, and reorganizing the service completely. I may say that I intend during this summer with two or three officials of the Post Office Department to make a business trip throughout the Canadian west and investigate the postal facilities there.

Mr. FOSTER. It is going to be a business trip?

Mr. LEMIEUX. A business trip.

Mr. FOSTER. Be careful you do not ask about investments in land.

Mr. BERGERON. That would be very difficult as my hon. friend will not be three days on the streets in Edmonton, before he is offered lands for sale.

Section, as amended, agreed to.

On section 5—free transportation of officials of department.

Mr. LEMIEUX. By law, our railway mail clerks are given free transportation on the railways. In the Post Office and Customs Departments in every country in the world the accredited officers of the departments, who have inspections to make, are given free transportation. During my recent visit to Washington I obtained all information as regards the United States Post office Department, and there the officers who have inspections to make, not only on the cars but elsewhere, are given free transportation. I may say for the information of the House that since this Bill was introduced I have seen the railway people and they agree to it.

Mr. FOSTER. I would suggest that instead of the words 'accredited agent' you use the words 'accredited official.'

Mr. LEMIEUX. I would move accordingly that 'official' be substituted for 'agent.'

Section, as amended, agreed to.

On the preamble,

Mr. R. L. BORDEN. Does the minister intend to do anything in regard to the demands of the postmasters throughout the country for a fairer scale of remuneration? There has been a good deal of discussion on this point and representations have been made, I think, by the Postmasters' Association. It seems to me that the remuneration in a great many cases is very inadequate and that the government might do justice to these officers without adding anything to the public burdens if they would exercise a little more care in the purchase of goods, for example, purchasing at first cost instead of paying a very large percentage to some person to buy for them, and if they would be a little more careful about the appropriation of public funds for unnecessary purposes. I do not intend to discuss this at present but simply to inquire what consideration has been given to this matter and what conclusion, if any, has been arrived at?

Mr. E. M. MACDONALD. It seems to me important to consider whether or not it would not be more in the public interest to utilize the surplus which now exists in the Post Office Department in increasing the mail service in various parts of the country. I would not say that there are not instances where the postmasters are entitled to increased remuneration, but it is a serious question whether or not the first claim on the Post Office Department is not rather in the direction of increased services, the con-

version of bi-weekly services in country districts into tri-weekly or daily services and the extension of the system.

Mr. FOSTER. That is an important consideration, but I hope the claims of the postmasters will not be laid aside on that account, and that the Postmaster General will not refuse to do what is fair towards that very faithful and widespread class of men who are really the inside management of the post office all through the country. The cost of living and various other things have undoubtedly increased and are increasing and probably will increase in this country and the man with the small salary is the man who feels that to a large extent. Not only the postmasters but the officials of the Post Office Department are a very faithful class of men upon whose honesty and care and diligence the working of the machine is really dependent, notwithstanding the wisest regulations that you may adopt in this parliament or in the department. Those men I think ought to be considered. Whilst of course greater and more frequent mail accommodations, especially in the newer parts of the country, ought to be looked after, it ought not to be at the expense of this worthy and deserving class of men who are very poorly paid for the services that they give.

Mr. BENNETT. Since the subject is under discussion, I wish to say that from different parts of the riding of East Simcoe I have requests that the salaries or postmasters should be increased, and I have no doubt other hon. gentlemen are receiving similar requests. Hon. gentlemen who are at all conversant with the country post office will acknowledge that $25 a year is a mere pittance, and altogether inadequate to the service rendered. I have in my mind an office about eight miles from the town of Midland. The postmaster, a farmer, practically gives up the best room in his house as a post office. Children tramp in there in all kinds of weather with their muddy boots after they arrive from school. At all hours of the day, and even into the night, the neighbours drop in to see if there are any letters for them, and every one knows that the custom of farmers is to retire at an early hour after the labours of the day. And yet these postmasters only receive a remuneration of $25 per year. I think that should be changed, and the minimum raised to $50 at least, and that forthwith. I have in mind one postmaster in particular who, on the last occasion I was home, said to me, I am going to close up this post office and throw up the position if the salary is not increased. And I doubt very much if he should give up the position whether any other person in the neighbourhood would take it. I think that the salaries in these cases should be changed instanter from $25 to $50.

Mr. MACDONALD.

Mr. HENDERSON. I simply wish to emphasize what has been so well said by my hon. friend from Simcoe (Mr. Bennett). A short time ago I forwarded a letter to the Postmaster General along this very line, that letter disclosed to me a certain condition which I think should not exist in this country. The postmaster was a farmer who had accepted the office, I believe solely to prevent its being closed up. He had no time himself to give to the work of the office, and another person had to be paid for receiving and delivering the mail. They were unable to get a person for the small consideration that was allowed by the department, and the result was that the farmers in the neighbourhood were obliged to subscribe 50 cents to $1 a piece in order to make up sufficient remuneration to pay a woman to receive and deliver the mail that came to that post office. I think that with the large surplus we have, no one should be called upon to put his hands in his pocket and pay for a service which this country is abundantly able to pay for. I drew the minister's attention to that case, and I know it is not an individual case. I trust the minister will remember his former promises and be liberal in these matters, and treat these deserving people fairly.

Mr. BLAIN. I would like to read for the Postmaster General an extract from a reply which he gave to a delegation that waited on him on the 7th of November, 1906 :

> I am very much pleased to have met you, and I may say I congratulate you on having brought my friend Mr. Zimmerman with you. You could not have brought a better man. I do not know what the other ministers will do, but I intend to act immediately. Go back to your homes and tell your confreres, high and low, that they can trust the minister, that I intend to do something during the coming session. Gentlemen give me a free hand. I expect loyalty from you, I know that I have your loyalty, and your support, too. I speak as a friend.

He tells them to go back home and tell their confreres what they may expect. He congratulates them on bringing with them the member for Hamilton (Mr. Zimmerman), saying they could not find a better man, that they had a splendid case, and so forth. Surely in face of these promises——

Mr. LEMIEUX. Was that an answer to a delegation of postmasters or a delegation from the outside service, letter carriers ?

Mr. BLAIN. I am not quite sure, I will hand it over to the minister. But has my hon. friend supplemented his answer to the other class to which he refers, by introducing legislation to meet their case ?

Mr. LEMIEUX. I remember that the hon. member for Hamilton accompanied a delegation which came to my office some

months ago. So far as I can remember at the present moment, this delegation was composed of members of the outside service of the Post Office Department, not rural postmasters. I did use the words which my hon. friend has just read. The other day when this question was brought up in the House I think the Finance Minister, the leader of the House, said that probably an announcement would be made as regards the whole civil service. That announcement has not yet been made, but will probably be made in a day or so. Now, with regard to the postmasters, I have already expressed my views and I need not express them again. There is one point, however, which must not be lost sight of. Out of the 12,000 or 13,000 post offices throughout the country, there are 5,000 or 6,000 where the total annual revenue does not yield as much as the salaries paid to the postmasters. I do not say that to minimize them in the eyes of the community, or to minimize the importance of the request which is made to the Postmaster General. But I mention this to remind my hon. friends that with many of those postmasters the task is indeed very light.

Mr. BENNETT. Are these little offices allowed to sell stamps?

Mr. LEMIEUX. Yes, they receive a commission on the stamps sold. However, the question is an acute one just now, and I expect to have an announcement to make some day.

Mr. LALOR. Upon what system are the country postmasters paid? Do they get their revenue entirely from the commission on stamps?

Mr. LEMIEUX. The minimum salary fixed by law is $25, after that they get a commission.

Mr. ARMSTRONG. I sincerely hope that the minister will provide a better remuneration for the country postmasters. At the lowest salary, they are receiving only 8 cents a day for keeping a room in order, heating and lighting it, and affording the other facilities required. I am satisfied the minister will not think it is unreasonable that we should ask him to increase the salary to 16 cents a day. I might also state while this matter is up, that I would like to urge upon the minister the necessity of investigating further the rural free delivery system as it exists in the United States. I have had the returns which have been placed upon the table of the House with reference to the commission which went to the United States in regard to this matter, and I want to say that the report of the commission is a most unfair and unreasonable one. I sincerely hope that the minister will make a thorough examination of the rural free delivery system of the United States, and if he does he will not then regard the request which is being made for the establishment of a rural free delivery system in this country as an unreasonable one. He says that it is not likely to come into effect until we have 20 millions of people, but I believe that he will realize within the next few years that he will be compelled to take it into his serious consideration and to give the people in the rural districts some relief from the present state of affairs.

Mr. LEMIEUX. While I was in Washington recently I studied with some of the post office officials there the question of rural delivery, and, unfortunately for my hon. friend, I found that if it was a boon to the public it was a great deficit producer to the department. In fact, to-day at Washington, among the officials, the question is seriously considered whether they shall not have to restrict the rural mail delivery instead of expanding it. My hon. friend will admit that we are not ready to spend many millions to establish all over Canada a rural mail delivery system. But we are doing the next best thing. During this session and within a few hours probably hon. members will see in the supplementary estimates a sum of money to be applied to the establishment of the free delivery system in cities and towns whose population shall justify it; that is to say, in towns having a population of 12,000 and a revenue of $20,000 a year. This is a move in the right direction. In the United States the rural mail delivery system has caused a deficit in the Post Office Department of something like $17,000,000 or $18,000,000 a year.

Mr. ARMSTRONG. May I ask the hon. minister if he has made an estimate of the number of millions of deficit that would likely be caused in the Post Office Department of Canada if we were to establish a rural free delivery system the same as they have in the United States?

Mr. LEMIEUX. I have never made that calculation, but I know it would cost a great deal of money and that the surplus of the Post Office Department would very quickly melt away.

Mr. ARMSTRONG. The hon. gentleman says that it would extend to the millions and yet he has not prepared an estimate showing what it will be. If he investigates the reports in the library he will find that the deficit caused by the rural free delivery system in the United States only amounted to $8,000,000 last year and that with a population of nearly 90 millions of people. Even if we had a deficit of a few hundred thousand dollars for the first few years it is a question which is worthy of consideration and it is highly desirable that the hon. minister should investigate the subject and have an estimate made.

Mr. TURGEON. Mr. Chairman, I agree with the Postmaster General (Mr. Lemieux) that our country is not yet prepared to adopt the system of rural free delivery. I partially though not wholly agree with the hon. member for Pictou (Mr. Macdonald) that the surplus of the department should be employed in increasing and improving the postal service throughout the country. I agree with him that our rural districts should be better served than they are to-day, and I believe that, with good discretion, the surplus could be very well devoted to increasing the salaries of the rural postmasters and increasing the number of post offices in the rural districts. If we do not increase the salaries of these post offices we will not be able to get any decent honest people to take care of these post offices. The Postmaster General knows that only a few weeks ago I tendered him the resignation of one of our best postmasters in Lower Caraquet because the salary was too low and I had to look for two or three weeks before I could get a good man to take his place. I believe that some consideration should be given to these postmasters in order that we may be able to secure efficient and honourable men in the rural districts to take charge of the post offices there.

Mr. S. J. JACKSON. The conditions are different in the east from what they are in the west. I have in my constituency a number of post offices that I expect will have to be closed up unless increases of salaries are granted to the postmasters. There is a large population of Galicians and the farmers who keep these post offices say that they cannot stand the run that there is made upon their houses at the present time. A Galician comes in and he stays in the house if he has nowhere to go. I had to close up last year the old historic post office of Kildonan because we could not get a man to take it at $25 a year. I expect that we will have to close up the historic post office of St. Andrews on the Red river as I cannot get a postmaster there. I have three or four different applications from men now who want to get some one to take their places and I think that in view of the fact that the hon. Postmaster General has had this matter under his consideration for the last two years the least the government can do is to come down during the present session with a Bill providing for an increase in the salaries of country postmasters.

Mr. R. L. BORDEN. I had a more striking case than any that have been referred to. About two years ago a postmaster wrote to me in a plaintive tone telling me that he had resigned four months previously and that he could not get the government to accept his resignation. He had to continue to perform the duties of postmaster for $25 a year and he earnestly asked that I should bring the matter up in parliament and see if there were not some constitutional mode by which he could be relieved of his duties. However, I think that some arrangement was made and that he was relieved.

Mr. PERLEY. I am sure from what I have heard that it is the desire of the Postmaster General to increase the salaries of country postmasters. During the discussion that we had here the other day both sides of the House expressed themselves as in favour of it. I trust that the council is not going to prevent the minister from carrying out his own wishes in the matter. As far as my views go I would like to strengthen the hands of the minister in giving an increase of salary to the country postmasters.

Mr. COCKSHUTT. I have taken the opportunity on two or three occasions to speak on this subject. I have received a number of letters from various postmasters requesting me to urge upon the minister the necessity for making this change during the present session. Surely this House should not prorogue before this very just claim of the country postmasters receives consideration. It is not a small question. It is a very large question. I am not sure whether the minister will bring it under the operation of his new Act if they strike. This is certainly one of the great public utilities and my hon. friend the leader of the opposition (Mr. R. L. Borden) has just pointed out where one postmaster was not allowed to resign and I suppose therefore they are not allowed to strike. I do not know how that may be. But certainly the minister must see that both sides of the House are very urgent that this demand be met and I think we should not undertake any new expenditures until such a claim as this is met. I do not say that I do not sympathize with my hon. friend from East Lambton (Mr. Armstrong) with respect to rural mail delivery, but until the postmasters that we have are a great deal better paid than they are, I do not think we are justified in adopting a system of rural delivery. I, for one, think that the men we have now should certainly be paid a fair living wage for the services they render. The minimum salary paid to a country postmaster should be $50 a year regardless of whether the office pays or not. In such a case that question should not be taken into consideration at all.

Mr. TAYLOR. I fully endorse what has been said by my hon. friend (Mr. Cockshutt) and I want to read a letter to the Postmaster General and to ask him to do what a friend of mine asked me to do. This letter is from Frankville, which is quite a large village in the northern part of my constituency, and it says:

Frankville, April 15, 1907.

Dear Sir,—I think if some of you gentlemen would write a few lines to the postmaster at

Frankville he would perhaps stay in the office half the time. Last week I had to go around to try and find him. One traveller had to go down to the saw-mills through the mud to find him.

I have had several complaints about this post office, but this letter is so pointed that I hope the minister will call the attention of the Frankville postmaster to it and ask him to attend to his duty or give up the job to somebody else who will.

Mr. LOUIS LAVERGNE (Translation). Mr. Speaker, before this Bill comes up for its third reading, I beg to draw the attention of the hon. Postmaster General to an unsatisfactory condition of things as regards country postmasters. On Monday last, I referred to the subject in this House, and I take this opportunity of bringing it up once more. The work which postmasters have to perform, for a remuneration which is at best trifling, takes up more time than people are apt to think. In the province of Quebec, they have to keep the post office open from day to day, for the benefit of the people, even on Sundays and holidays. They have to keep the post office open and answer inquiries between mass and vespers. They have, besides, to supply the office, and see that it is heated and kept in proper condition. Notwithstanding which, it has been considered proper to do away with the small rental of five dollars granted to some of them, on the ground that the earnings from these offices were not sufficient to warrant keeping up such expenditure. I appeal once more to the hon. Postmaster General, and trust that he will see his way clear to granting a reasonable salary to country postmasters. Twenty-five dollars is a ridiculously low salary, and quite inadequate in view of the work required to be done. I think the minimum salary should not be less than $50 per annum.

Mr. MARSHALL. I would direct the attention of the Postmaster General to the fact that in my constituency we have one post office where the neighbours themselves have to contribute to keep the post office open.

Mr. LEMIEUX. Where is that?

Mr. MARSHALL. It is at Groves End.

An hon. MEMBER. It is a jumping off place.

Mr. MARSHALL. It is not a jumping off place at all; it is a good thriving village, and I regret to say that it is a Liberal stronghold, but however that may be, the condition of things with regard to the post office there is not creditable to the government. I hope the minister will see his way to increase the salaries of the postmasters in East Elgin. I may point out that we have a postmaster at Aylmer who puts in about fifteen hours a day in the post office and he is insufficiently paid for the amount of work he does. The minister is in possession of the returns from this office and they show that quite a large business is done there and that business is constantly increasing. I hope the Postmaster General will not forget East Elgin.

Mr. LEMIEUX. I will not.

Bill reported, read the third time, and passed.

At one o'clock, House took recess.

House resumed at three o'clock.

INSPECTION OF ELECTRICITY.

Bill (No. 111) respecting the inspection of electricity—Mr. Templeman—read the second time, and House went into committee thereon.

Hon. WM. TEMPLEMAN (Minister of Inland Revenue). This Bill, although rather lengthy, does not contain very many amendments to the present Act respecting the inspection of electricity; we have repeated the entire Act, so that all the provisions will be together. In the greater number of the clauses there are no amendments whatever. The whole object and purport of the amendments is to enable the officials of the department to inspect meters that measure electricity used for power. The law as at present empowers the inspectors to inspect meters of electric energy only where it is used for lighting purposes; but as meters are now being used very largely for the measurement of electric power, it is proposed to extend the inspection to them. The Bill is largely technical. The proposed amendments have been carefully considered by the experts of the department, and have been submitted to electric power companies, and have been approved by their representatives. I may say that they almost unanimously agree that the proposed amendments are in the right direction.

Mr. BLAIN. Will there be any new inspectors?

Mr. TEMPLEMAN. No; the present inspectors will do the work.

Mr. DUNCAN ROSS. I would like to ask the minister if the department has power to see whether the electric companies are supplying the amount of power they say they are; for instance, whether they are giving 16-candle power for a 16-candle light?

Mr. TEMPLEMAN. I understand that one of the duties of the inspectors is to see that the voltage is up to the proper standard, as the quality of the light necessarily depends on the voltage.

Mr. BERGERON. What would be the remedy for a person who thinks he does not get 16-candle power in a 16-candle light?

Mr. TEMPLEMAN. He can call in the inspector at any time to make an inspection.

Mr. BERGERON. Who is the inspector in the city of Montreal?

Mr. TEMPLEMAN. Mr. Aubin, who has three assistants.

Mr. BERGERON. He would be called upon to inspect the power leased to a private citizen in a town or city?

Mr. TEMPLEMAN. Any meter.

Mr. BERGERON. Who would pay his expenses? What would be the procedure?

Mr. TEMPLEMAN. The officials of the department inspect the meters every month; but if, in the meantime, a consumer requires an inspection, he has to pay for it.

Mr. BERGERON. The inspector at Montreal is supposed to inspect at Valleyfield, thirty-five or forty miles above. Is he to make his inspections in Valleyfield every month ?

Mr. TEMPLEMAN. The chief inspector advises me that the inspection in the outlying districts will not be made as frequently as in the cities. They will make the other inspection when they inspect the meters.

Mr. BERGERON. There are some places where meters are not used. In the smaller places they make a contract with the electric light company to furnish light of a certain power—sixteen candles, or whatever it may be—so many lights for so much. How are they to know that they are getting the light they pay for ? If they think they are not getting it, must they tell the inspector ?

Mr. DUNCAN ROSS. The reason why I brought this up was because in the smaller municipalities they make contracts with the electric light companies for the delivery of light of a certain standard at so much a month. I have had communications from various municipalities that the light furnished is not up to standard. What I want to know is whether the Inland Revenue Department take advantage of the authority which they, no doubt, have to check up these contracts, outside the large cities and see that the light furnished, in volume of light or voltage, is up to the agreement. My hon. friend behind me (Mr. Cash) suggests the question whether the Inland Revenue Department had authority to check up acetylene gas plants which exist in many places in the Northwest ?

Mr. TEMPLEMAN. In answer to the hon. member for Beauharnois I may say that where meters are not used there is an inspection of the voltage once a year, or more frequently if the inspector is asked to make it.

Mr. BERGERON. And the consumer has to pay ?

Mr. TEMPLEMAN. I am afraid we do not collect much from the consumer at any time or in any way. I understand that the inspection of gas does not include the inspection of acetylene gas.

Mr. LALOR. If the municipality or a private individual wants an inspection must he call upon the inspector ?

Mr. TEMPLEMAN. I am advised that the Act gives us the authority to inspect at any time, whether at the request of any person or not. It must be understood that what we inspect is the meter and also the voltage which is responsible for the character of the light.

Mr. BERGERON. But if the person who undertakes to provide light of a certain quality does not carry out his contract, he should be fined. I understand that the consumer may call upon the inspector to make an inspection. But will the expense be borne by the government ? That might be done with safety, if a fine were imposed where the contractor was at fault, because if the contractor was not furnishing light up to the standard agreed upon, he would soon understand that he could not keep on doing business that way.

Mr. BARR. I understand that there is to be an inspector for each district. If the consumer can call for an inspection at any time, upon whom does he call ? And who pays for the inspection ?

Mr. TEMPLEMAN. As I said a moment ago, the inspection is made once a year by the inspector ; and, if, at any time, the consumer of electricity thinks that his candlepower is not sufficient or that there is anything wrong, he calls upon the inspector of the district, who is well known, to make an inspection. And I was advised a moment ago, that in such a case the inspection is paid for by the consumer—the person applying for the new inspection.

Mr. BARR. Is the inspector a government officer ?

Mr. TEMPLEMAN. Certainly, they are all government officers.

Mr. BARR. The inspection of gas and electricity is under one direction ?

Mr. SPROULE. And the government inspection of weights and measures as well.

Mr. TEMPLEMAN. Not necessarily by the same person. It may be in some cases, that the same individual will inspect both.

Mr. BARR. Who pays for the inspection, the consumer or the government ?

Mr. TEMPLEMAN. If it is a special inspection the consumer pays ?

Mr. BARR. Would it not be fair to say that the consumer pays if his light is up to the agreement. If it is not, certainly the government or the person supplying the electricity should pay.

Mr. TEMPLEMAN. I am advised that the point made by my hon. friend is covered by this Act. Where the inspection shows that the light is up to the standard of quality the person asking for the new inspection pays the cost of the inspection; otherwise—

Mr. LALOR. Who are the inspectors? Where are they located? How many are there?

Mr. TEMPLEMAN. That is a rather large order. I think I will have to refer my hon. friend to the blue-book. The chief inspector is in the city of Ottawa.

Mr. BARR. Is each county a district?

Mr. TEMPLEMAN. There are a number of counties in one district.

Mr. BENNETT. I think the minister will find that in most cases, as, in Barrie, the officer of the Inland Revenue also performs the duty of electric light inspector.

Mr. TEMPLEMAN. Of course, the officials of this department are officials of the Inland Revenue Department. There are thirty-three inspectors——

Mr. DEPUTY SPEAKER. It would be better to read the sections and proceed in that way.

On section 1,

Mr. HAGGART. The minister said that this only extended the Act for testing meters for electric power to cases where it was supplied in large quantities.

Mr. TEMPLEMAN. I did not say that. It is for the purpose of inspecting meters used for measuring electric power in large or in small quantities. The law as it stands empowers the department to inspect meters used for measuring electricity for lighting purposes only; this Act enables us to inspect meters used for both light and power in large or small quantities.

Mr. ARMSTRONG. The 'Canadian Electrical News' has taken up this Bill, and has received many letters to the effect that the minister, in the administration of the electric lighting inspection, has a profit of $25,000 accruing to the department and suggesting that the fees should be reduced 50 per cent.

Mr. TEMPLEMAN. There is a small excess of revenue, but $15,000, cost of administration, which ought to be charged to the inspection of electricity, is now charged against the inspection of gas.

Mr. ARMSTRONG. It says that the fees for the inspection of meters come to $29,000, and for the registration of companies, to $5,000, making a total of $35,000; the expense of inspection comes to only $8,000 and standard instruments to $1,700, leaving a balance of some $25,000.

Mr. TEMPLEMAN. That statement is a little misleading as the officials administers the inspection of both gas and electricity is paid on gas account and consequently the surplus in the inspection of electricity account appears larger than it otherwise would.

Mr. HAGGART. This Bill supplants the existing Bill; I understood it was simply extending it.

Mr. TEMPLEMAN. It re-enacts the old Act and makes several amendments.

Mr. BARR. This seems to me to be direct taxation. The government is making a very large revenue out of electric light, and as gas is not used largely except in some cities, it does not seem to me fair or necessary that the mass of the people should pay so much more than is necessary for the inspection of electricity. They are paying $25,000 above the cost of administration and if the government cover the expenses it will be quite enough.

Mr. ARMSTRONG. I have here the gas and electric light revenue and expenditure for 1905-6. The revenue was $76,000 and the expenditure $38,000, leaving a balance of profit of $37,000. I cannot help thinking that the suggested reduction is a wise one.

Mr. TEMPLEMAN. I would rather have a surplus than a deficit. The fees for inspection are fixed by regulation. Meters for lighting purposes are inspected once in five years and the fees run from 75 cents for a range of ten lights to $3.50 for 100 lights. The fees for inspecting the pressure run from 75 cents to $1.50 and that inspection is made once a year or oftener as people may require. These fees are not high and our having a surplus is rather to the credit of the department than otherwise. We do not pay very high salaries for this serivce and one of the provisions of the new Act provides for a certain examination for those who are engaged in this work. If a certain electrical qualification is required of the inspectors, we will probably have to pay them more and would expect to secure a more, a better qualified lot of inspectors. If, when the change has been made, it is found that there is a surplus possibly the regulations which are subject to revision, might be so amended as to reduce the fees.

Mr. LALOR. Do the electric light companies pay the fee?

Mr. TEMPLEMAN. I assume it is the owners of the meters.

Mr. LALOR. I think the Bill is a very good one. We cannot have too rigid an inspection, and I think more competent

men should be employed to make the inspection in future.

Mr. LENNOX. I would like to know from the minister whether it is by virtue of this clause that he gets the extended power that he seeks to take by this Bill? The minister has said that by this Act he intends to extend the power of the government as to inspection and so forth to electrical energy for power purposes as well as to electrical energy for lighting purposes. He says, 'For lighting and for other purposes,' and the definition of 'purchasers' means 'persons to whom electricity is furnished' instead of saying to whom electrical power is furnished. Is there any other clause in the statute which gives power beyond this?

Mr. TEMPLEMAN. In the first clause of the title the word 'light' is omitted from the statute, which is one case, and the case my hon. friend refers to is the other.

Mr. LENNOX. Has the government had any inspection of electricity for power purposes up to this time?

Mr. TEMPLEMAN. I understand that the officers of the department, at the request of companies at various times, have made an inspection to accommodate the companies' consumers. But they have no power to do so, and no charge is made.

Mr. LENNOX. Then under the old statute there was power to collect a fee for the registers of the company. That would not apply to any companies furnishing electrical energy.

Mr. TEMPLEMAN. Not for power.

Mr. LENNOX. So there will be a large additional revenue by reason of this Act?

Mr. TEMPLEMAN. There will probably be an increase of a few hundred dollars in the revenue. I beg to move the following definition of 'frequency' in subsection (h):

Frequency means number of complete periods or cycles per second of the alternating current.

Motion agreed to.

On section 4—pressure to be declared.

Mr. TEMPLEMAN. I propose to introduce an amendment in subsection 1, to add after the word 'pressure' the following words:

Before commencing to give a supply of electrical energy to any purchaser for lighting purposes under this section, the contractor shall declare in writing under his hand to such purchaser the constant pressure, and if from an alternating current source, the frequency at which he proposes to supply energy at the purchasers' terminals.

Then in subsection 2, where percentage of variation is allowed, I wish to change the percentage of variation allowed from the standard voltage, from three per cent to four per cent. We are doing this on the representation of many companies who are engaged in furnishing electrical energy.

Mr. HAGGART. Does not the minister oblige every power company to have a self registering meter which registers the pressure every day?

Mr. TEMPLEMAN. No.

Mr. HAGGART. In that case, all that would be required by the department would be to send forward and see that the meters are all right. The self registering meter would give the pressure every day during the year.

Mr. SPROULE. What do you mean by the words 'for lighting purposes' under this section?

Mr. HAGGART. Is the minister aware that there are such meters for registering?

Mr. TEMPLEMAN. Yes, I understand there are such meters as my hon. friend refers to.

Mr. HAGGART. They should be compelled to have them.

Mr. TEMPLEMAN. The inspector advises me that that is one of the questions he is going to interest himself in as soon as this Bill becomes law.

Mr. FOSTER. When the machinery is in operation and is fairly regulated and the conditions are normal what is the practical variation? You place a limit here of 4 per cent.

Mr. TEMPLEMAN. It may run to 3 or 4 per cent. It is very hard to get above 3 per cent; if it goes beyond 4 per cent the quality of the light is very seriously affected.

Mr. FOSTER. In the case of a dispute arising, the purchaser saying that there is a variation of more than 4 per cent at such a time, and the contractor contending that there is not, how do you arrive at a decision? Is there any method of registering the pressure?

Mr. TEMPLEMAN. The inspector would have to be called in and he would have to report.

Mr. FOSTER. There might be a very low pressure, the variation might exceed 4 per cent at a particular time and before you could get the inspector there it might be back to normal. I can see that it will not be very effective if you have nothing else to depend upon than the occasional visit of the inspector unless there is some method of registering.

Mr. TEMPLEMAN. There is no method of registering the percentage of deviation. If the percentage is too great and the qual-

ity of the light is thereby affected the consumer will explain to the company or he will call in the inspector and the inspector will call the attention of the company to it. It is the interest of the company to rectify it.

Mr. A. A. WRIGHT. Perhaps I can explain it to the hon. gentleman (Mr. Foster). At the central station where the current is generated there is a volt meter which registers the voltage at the station when the current leaves the station. You may have a lighting plant and a power plant utilizing the same line. We will say that you have a 50 horse-power motor at work in a certain place and you may have the very best Lombard governor you can find on your water wheel, when that 50 horse-power motor is turned off the voltage will go up at once and when the motor is turned on the voltage will go down at once. But it is only instantaneous; it does not last very long. This clause allowing a variation of 4 per cent above or below was suggested by the Canadian Electrical Association, so that they would have something to fall back upon in case there was any dispute. This variation is only instantaneous, it does not last long and there is no way of registering it in the same way as a thermograph on ship board would register the variations in temperature.

Mr. BARR. I am very much afraid that this Bill is made for the electrical companies more than for the consumers who are the great public. It seems to me that it gives the companies great latitude. Subsection 3 says:

> The contractor shall not be liable for any variation of pressure caused by unavoidable accident to the generating plant or apparatus, or by the uncontrollable conditions of the elements.

Having this latitude you may call in the inspector and he will say that it is due to the elements. The result is that the consumer will get the worst of it every time.

Mr. BERGERON. With respect to subsection 3 of section 4, I might state that I know of a case where electricity struck some of the poles in a town and the people were for two months without electric light. When they asked the company about it they were told that the poles had been struck by electricity and there was nobody to whom the suffering people could aply for relief. They had to pay their accounts all the same. It is an outrage and if we are going to pass this Bill I call upon the hon. gentleman to make it as complete as possible so that everybody may be responsible for his share of whatever trouble occurs, and if it is due to the contractor some one should see that he is responsible and pay for it.

Mr. A. A. WRIGHT. It is impossible for a man to pay for light on a meter system if he does not get his current.

Mr. BERGERON. It looks like it, but I happen to know all about that.

Mr. A. A. WRIGHT. Well, you will have to tell all that to the sailors, because the marines will not believe it.

Mr. BERGERON. The whole town can testify to it. There is no meter. The rates are paid by the month.

Mr. TEMPLEMAN. As this is probably the most important amendment that is proposed, I would like to read the explanation of this clause as prepared by the chief inspector:

> Clause 4. The amendment proposes to increase the permissible variation in the electrical pressure for lighting purposes from 3 per cent to 4 per cent. The original draft of the Bill had it 4 per cent, but it was inadvertently changed in the Senate to 3 per cent. Electric companies find it next to impossible to work within such narrow limits especially with hydro-electric plants where the regulation is not so close as with steam plants. In Great Britain where the generation of electrical energy is almost entirely by steam the Board of Trade regulations allow a variation of 4 per cent. Canadian companies ask for the same allowance and the department sees no objection to their getting it.
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> The amendment also brings the frequency of the alternating current within the same regulation. A reduction of the number of alternations by the slowing down of the speed of the dynamo would have the effect of reducing the brake effect on the rotating disc of the meter and thus allow the meter to speed up and register more energy than the purchaser would receive. If the frequency is increased on the other hand, the meter will be inclined to run slow; it becomes necessary, therefore, to regulate the frequency.
>
> The frequency means the number of complete periods or cycles per second. Each period or cycle contains 2 alternations or reversals of the polarity of the current. The alternating current in Ottawa shows 60 cycles per second or 7,200 alternations per minute.

That is the technical explanation and I am sure it is quite clear to my hon. friends.

Mr. SPROULE. I would like to return to the question I asked some time ago. The section reads:

> Before commencing to give a supply of electrical energy to any purchaser for lighting purposes under this section, the contractor shall declare to such purchaser the constant pressure at which he proposes to supply energy at the purchaser's terminals.

In some cases you have a flat rate, but the pressure and energy are the same whether it is under the flat rate or meter system. In one house you may have a meter and in the next house a flat rate. Why should not the users in every instance know that there is a supply adequate to furnish the current which they contract for? If you leave these words in I am inclined to think that it would not be so.

Mr. TEMPLEMAN. This section applies to lighting only and not to power.

Mr. SPROULE. It is lighting I speak of. You should have it apply to all electric power whether for heating or lighting.

Mr. TEMPLEMAN. I do not think it would affect the meaning of the clause.

Mr. SPROULE. It would very materially.

Mr. LENNOX. I think it would be a great deal better to have the words 'in this section' struck out, and I therefore move to that effect.

Mr. TEMPLEMAN. I have no objection to striking them out.

Motion (Mr. Lennox) agreed to.

Mr. LENNOX. This section declares that before supplying electric energy the contractor shall declare the constant pressure, &c. It should read that he shall declare 'in writing under his hand,' and I move that the words 'in writing under his hand' be added.

Mr. TEMPLEMAN. I have no objection.

Motion agreed to.

Mr. BERGERON. This section seems to be drafted in favour of the contractor for supplying the electric light, and it provides no protection for the consumer. It says the contractor is not responsible in case of unavoidable accident or the uncontrollable condition of the elements, but who is to be the judge of that? Why should there not be a provision stating that the contractor must do his utmost to keep his plant in proper condition and carry out his contract to supply light? My hon. friend from Renfrew (Mr. Wright) is a contractor and his interests are not the interests of the consumers, but I can tell the House that in the little towns these electric light contractors are perfect tryants. They supply the light just as they like; they contract to give 16 candle power and they supply only 8 candle power, and they send in their bills just the same. There should be a provision to make an electric contractor stand by his contract, and to do what he is paid for. You should say that a contractor could not collect his bill until he has done everything possible to carry out his contract.

Mr. A. A. WRIGHT. The contractor is just as much interested as the consumer, for if he does not furnish any current he does not get any pay.

Mr. BERGERON. I am speaking of places where they have no meter and where the electric light is furnished at a flat rate of so much per month. You may have people at dinner and your light goes out and you are left in darkness, and unless you have a barrel of oil in the barn or a supply of candles in the house you are never sure of having light. That may occur frequently, but, nevertheless, the contractor does not forget to send in his bill and make you pay it.

Mr. A. A. WRIGHT. No man should pay for what he does not get. It has got to be a strange community that will stand a contractor sending in his bill for light when he does not supply it.

Mr. BARR. The contractors for supplying electric light are human like all others, and I know that people have frequently got to pay when they are not supplied with light. I think the member for Beauharnois is right.

Mr. TEMPLEMAN. In the next clause the responsiblity of contractors is defined, and there is a penalty clause when they make default in complying with the requirements.

Mr. BERGERON. If any such accident happens as is provided for in subsection 3, why should not the inspector make a note of the date when it happened, and the nature of the accident and how long it will take to repair it, so as to see that the contractor loses no time in putting the apparatus into proper shape?

Mr. TEMPLEMAN. That is part of the inspector's duty now.

Mr. BERGERON. Then I would suggest that in every town where electricity is used a notice be put up in the post office giving the name and address of the inspector, so that consumers will know where to address him. If the contractors knew that these notices were up, that fact would go a good way to prevent abuses.

Mr. A. A. WRIGHT. If the hon. gentleman were a contractor selling light, and there were 500 people with their lights out all telephoning to him, he would be sure to get a move on and get the lights put on as quickly as possible.

Mr. BERGERON. The contractor in the town I refer to has no telephone, and will not allow it to be put in.

Mr. LOUIS LAVERGNE. I understand that the inspector for Victoriaville and Arthabaskaville resides at St. Hyacinthe, forty miles distant. I think there should be an inspector for the two towns.

Mr. TEMPLEMAN. It would be impossible to appoint an inspector for every town and village in Canada where electricity is used. In some towns he would not have more than three or four hours' work in the year.

Mr. BERGERON. I thought my hon. friend said that in some places the officers of the Department of Inland Revenue could do that work?

Mr. TEMPLEMAN. They are under the jurisdiction of the Minister of Inland Revenue.

Mr. BARR. It seems to me that an inspector should be appointed for every electoral county.

Mr. LOUIS LAVERGNE. The two towns I am speaking of are large towns. I only suggest that in the meantime the Inland Revenue officer should be the inspector of electric light meters.

Mr. LALOR. I do not agree with the hon. member for Drummond and Arthabaska (Mr. Louis Lavergne) when he thinks that a local inspector should be appointed for each town. I think we need some one more competent than a local inspector. If we had an inspector for a district, a man amply qualified, and the clerk of each town had his address so that he could be corresponded with, I think that would be sufficient. We want a government official in a central location where he can be reached.

Mr. LOUIS LAVERGNE. If we cannot have an inspector for these towns, the inspector at St. Haycinthe ought to come to inspect the meters more often than every five years. He should come at least every three years.

Mr. BARR. I quite agree with the last speaker, that five years is too long, as these meters get out of order very much more frequently, and the consumer is not aware of that fact.

On section 9—entry of purchaser's premises—repair of damages.

Mr. TEMPLEMAN. There is a slight amendment to be made in subsection (c) of this section to make the wording conform to subsection (a). Subsection (c) provides for the removal of lines, &c. It should read :

(c) Removing any electric wires, meters, accumulators, fittings, works and apparatus belonging to the contractors, in cases, where a supply of electricity is no longer required or the contractors are authorized to take away and cut off the supply of electricity from any premises.

Mr. SPROULE. This section provides that any officer of the contractors authorized in writing by the inspector may enter premises at reasonable times to inspect or remove apparatus, and it provides :

Such officers shall repair all damage caused by such entry, inspection or removal.

There ought to be a further provision—that the work shall be done causing as little damage as may be. It is true that the officer must repair the damage, but this very fact may make him less careful than he ought to be. Suppose, for instance, he must take out wires from between floors. He may cut the floor in a place which will be very awkward. And his idea of repairing it may not be the idea of the owner.

Mr. TEMPLEMAN. I suppose that it will be a question between the consumer and the contractor. The consumer ought to compel the contractor to repair damages. It seems to me that you cannot go further than to place the liability.

Mr. A. A. WRIGHT. Perhaps the hon. member for East Grey (Mr. Sproule) is not aware that the wiring of a house is not usually done by those who are designated as contractors in this Bill—those who furnish the current. The wiring is done by other parties, under the direction of the owner.

Mr. SPROULE. In the case of a new house, where it is intended to use electricity, that may be quite true. But where a house already built is to be wired and there is not more than one case in fifty where this is not the situation and this wiring is done usually at the instance of the person supplying the current and by his employees. All that I ask is that there should be the same provision here, as we have in the case, for instance, of cutting trees to facilitate the stringing of telegraph or telephone wires. The law provides that this may be done, but it is to be done with as little damage as may be. To save himself trouble, the workman taking out wires from between floors may cut the floor in a place where it would be impossible to restore it to its former appearance—practically destroy the floor. But he says he cannot conveniently do the work by cutting in a less conspicuous place—and besides he claims to repair the damage. He repairs it acording to his own idea, which may or may not be satisfactory to the owner.

Mr. A. A. WRIGHT. The hon. gentleman (Mr. Sproule) does not understand what I said. The contractor under this Bill is the one who furnishes the current, but he does not do the wiring——

Mr. SPROULE. His men do it.

Mr. A. A. WRIGHT. No, not usually. For instance, here in Ottawa there are men who engage in the work of wiring houses who have nothing whatever to do with the company who furnish the current.

Mr. SPROULE. The hon. gentleman is the owner of an electric plant; let me ask him a question: Is it not true that, when that plant was established he sent round the town and made contracts with as many people as possible, and then sent men to wire the houses? Is not that the way it is done?

Mr. A. A. WRIGHT. Not always. There are contractors who do that work, and we have nothing to do with it. The owner of the house comes and tells us that his house is wired, and all we have to do is to connect it up, and turn on the current—we know nothing about how the wiring is done.

Mr. SPROULE. In the smaller places are not the two classes of men, but the man who has the plant puts in the wires.

Mr. LENNOX. The hon. member for South Renfrew (Mr. A. A. Wright) does not meet the point raised by the hon. member for East Grey (Mr. Sproule). This simply applies to the contractors, whoever they may be; and if they do not own the wires, &c., in the house, they cannot remove them.

Mr. A. A. WRIGHT. But this refers to the wires which takes the current to the house, we do not touch the wires in the house.

Mr. LENNOX. I understand perfectly what I am talking about. If the contractor has not put these works in, he has no right to remove them. But, to whomever this right of removal is given, it is only reasonable that he should be put under proper obligation to do his work with as little damage to the owner's property as may be. This is quite usual in such cases.

Mr. FOSTER. Does not subsection 2, providing for damages, cover that?

Mr. LENNOX. In a way, but not in the way pointed out by the hon. member for East Grey. It is one thing to provide that damages must be repaired. But the workman repairs it in his own way. It would be perfectly right to add that, in doing the work he shall cause as little damage as may be, and also that he shall repair whatever damage he does.

Mr. A. A. WRIGHT. The hon. gentleman (Mr. Lennox) is entirely wrong. We put in our service wires that convey the current to the house, but everything inside the house—wires, fixtures, lamps, and so on—belongs to the owner of the house.

Mr. SPROULE. Then, why do you want the right to take them out, if they do not belong to you?

Mr. A. A. WRIGHT. This refers to the service wires that go from the street into the house. These wires carry the current to the wires in the house, and these inside wires belong to the proprietor and are left in the house.

Mr. TEMPLEMAN. Do I understand my hon. friend (Mr. Sproule) to suggest that subclause (c) should be amended by inserting the words 'doing as little damage as may be'? Will that satisfy him.

Mr. SPROULE. That is all.

Mr. TEMPLEMAN. I think that subsection is sufficient, and that, if these added words have any effect, it will only be to weaken the provision as a whole. But I have no objection to inserting the words. I think they will do no good and very little harm.

On section 10—fees,

Mr. LENNOX. Where a municipality is supplying electric light to its own citizens at probably as near cost as can be gauged, it does not seem to me fair that a license fee should be charged. They now pay $25 a year. This was originally intended to cover the case where a speculator is dealing in electric light, but where the municipality is supplying it, particularly having regard to the fact that the department has a surplus of $25,000 a year, I do not think this fee should be collected. Under this Act the government is putting a tax on the supply of electricity for power purposes throughout the country. The question of provincial rights might come up there, but I shall not discuss that now. I hope that the minister will himself move an amendment that this section shall not apply to municipalities supplying their own electric light.

Mr. TEMPLEMAN. The fee varies from $5 to $25, according to the number of lights, so that in small villages the license fee would not be more than $5, a very small fee for a municipality or corporation to pay. These fees are not levied for revenue purpose, and there may have to be a change in the regulations, as we have no desire to pile up a surplus. The fees may be reduced in the near future, not only for registration, but for inspection; or, as we are raising the qualification of inspectors, we may have to increase the expenditure, but we would then be giving a better service.

Mr. FOSTER. You will not appoint tailors as inspectors any more?

Mr. TEMPLEMAN. We will try not; we will try to get qualified men. I do not know that my friend's point is very strong. If we are to have a system of registration of companies supplying electricity, it would hardly seem wise not to have registration in the case of a town supplying electricity simply to avoid the payment of the small tax.

Mr. LENNOX. In the case I have in mind the fee is $25; it is a considerable town. There would be no difficulty in having registration without the fee. I feel that this is a direct tax by this government, and is not logical. Having regard to these circumstances, whether the fee is $5 or $25, it should not be imposed on municipalities.

On section 11—examination of inspectors,

Mr. FOSTER. The aim of the clause is excellent, and I am glad that this is being done, but I would like to ask whether you are allowing outsiders a chance to pass the qualifying examination, whether you will follow the civil service rule and make it open to any one to apply for examination, or confine it to the employees already in the office. Will it be thrown wide open, or will you confine it to the employees of the department?

Mr. TEMPLEMAN. It is not intended to insist on an examination of those at present in the service, nor is it the intention to apply the civil service examination.

Mr. FOSTER. The examination, to be any good, would have to be a special examination; the papers would have to be prepared by the inspector or the chief of the department, or some one who understood the electric business; but it is arguable, if you want the best inspectors you can get, whether you should not throw it open to all Canada, to young engineers and those who are devoting their lives to the study of electricity, let them all have an opportunity of passing the examination, and then, when the department wants to appoint a man, they would have a wider choice.

Mr. TEMPLEMAN. That may come in time, but what is now proposed is to have a board of three examiners, of whom the chief inspector shall be one, for the examination of applicants for positions as inspectors or assistant inspectors. I do not suppose there will be any special time for examinations, but that will be a detail to be worked out in the future. There are not many appointments required, a new inspector may be needed in the west occasionally, where electricity is being used in every new town or village; but to adpot the method of the civil service, and have examinations at stated intervals for positions is something not exactly contemplated by this paragraph. We thought we were making a distinct step in advance, and I think we would have some difficulty if we were to attempt to enforce the conditions suggested by the hon. gentleman. In course of time there might be such an examination as my hon. friend refers to.

Mr. FOSTER. You do not propose to establish any test for those who are at present in the service. The very fact that you are proposing this section to-day shows that you have been driven to provide for qualified inspectors, and to get them by virtue of finding out whether they have the requisite knowledge, and the means by which you find that out is a proper examination. That presupposes the idea that you have found it necessary to have a better class of officials. Underlying that is the fact, I suppose, that you have had many men pressed upon you who had no qualification for the work, but who have been appointed. That is what you want to avoid in future. If the quality of the service is to be looked at, I should think that some test should be applied to those men who are already doing the work, a test which will show that the man is able to do the work for which you are paying him.

Mr. TEMPLEMAN. I realize what my hon. friend says. But he will recognize our difficulty. We have now a good many assistant inspectors of lights, many of whom could pass such an examination and many of them could not. I presume we would have to find a great many new assistant inspectors if we enforce a rigid examination.

Mr. FOSTER. If that is so, it is the worst condemnation I have heard passed on the department for some time. You have a number of assistant inspectors, and you fear that if you tested them by a proper examination and questions they would not pass the test. Now, an intelligent man who is qualified and who has been at the work for some time, ought to be able to pass a practical examination. If he is not, then some other place ought to be found for him.

Mr. TEMPLEMAN. I should have stated that I have some amendments to propose to this section. I propose that the whole section be struck out and the following be substituted:

1. The Governor in Council may appoint, for the purpose of this Act, an electrical expert to be known as the chief electrical engineer, together with such assistants as the head of the department may from time to time deem necessary, which electrical engineer shall, under the directions of the Minister of Inland Revenue, have the custody of the standards and the electric measures, and shall conduct all comparisons, verifications and other operations in respect of such measures and other electrical instruments, and shall have general supervision and direction of the work of electrical inspection throughout Canada.

I may say that although the chief electrical engineer has been in the business for a number of years, he has no legal status under the old Act. We propose giving him that by this clause.

2. No person shall be appointed to act as inspector or assistant inspector until he has passed a qualifying examination in electricity, such examination to be held by a board of three examiners, composed of the chief electrical engineer of the department, who shall preside, and two electrical experts to be appointed by the Governor in Council. Nothing herein contained shall affect the position or status of any person appointed prior to the passing of this Act.

3. Graduates in electrical engineering of any university in Canada may be appointed without passing the qualifying examination.

4. No inspector shall be a seller of electricity or electrical meters, or be employed by any person supplying electricity or meters.

Mr. FOSTER. The only change that is made is in giving a status to the electrical inspector, which is all right. At the same time, I have not got an answer yet, in that substituted subsection, as to whether you intend to put any pressure upon existing officials that they shall become thoroughly acquainted with their duties or else be dismissed.

Mr. TEMPLEMAN. The officials are becoming more competent from day to day

and are rapidly qualifying themselves for their work. My hon. friend will see that this will put a stop, at all events in future, to the appointment of any inferior men. We have not a large number of officials doing this work. Many of them are well qualified, the majority are fairly qualified, though they might not pass a severe examination. I think it would be a hardship to some of these officials if we insisted upon their passing this examination. They are doing their duty fairly well.

Mr. FOSTER. This is a new institution, you know. You cannot have very many persons in connection with it. I should like to see a provision that those who are at present employed, within a fair length of time, should be obliged to qualify themselves by a practical examination. I have no faith in what you may call a literary examination. But a man who is inspecting electricity ought to be qualified for that purpose. If these men knew that at the end of a certain time they will be obliged to pass an examination of that kind, it would be a spur to them, and would bring up the service.

Mr. TEMPLEMAN. The chief inspector advises me that he will be disposed to encourage the present officials qualifying themselves and he would give them a reasonable time for that purpose, a year or two. It is entirely a departmental matter, and it is not necessary to put it in the Act.

Mr. FOSTER. I do not press that it should go into the Act.

Mr. TEMPLEMAN. As long as that is the view of the chief inspector I would certainly fall in with my hon. friend's suggestion.

Mr. FOSTER. The officials of the government have to come in contact and mingle with the officers of electrical companies and men who know these subjects well, and the department does not want to be at a disadvantage and have its men compared unfavourably with other men doing similar work for electrical companies. The best way to discredit the service is to have competent men meet its officers and find that these officers are not what they ought to be—up-to-date.

On section 12—meters to be certified.

Mr. TEMPLEMAN. There is no change in that section.

Mr. FOSTER. Does the department have any special meter which it favours in the way of merit and which it recommends or does it simply take every meter and judge it on its merits ?

Mr. TEMPLEMAN. The department has no meter whatever that it recommends.

Mr. BERGERON. Is the public aware of all these regulations ? Is there any way of letting the public know, because I do not believe that a great many people avail themselves of these rules ?

Mr. TEMPLEMAN. All our officials and all companies have the law. I do not know if even consumers of electricity would bother reading the Act.

Mr. BERGERON. Does my hon. friend know or can he ascertain whether all those who are using electricity in the city of Montreal, either contractors or consumers have conformed with these rules ?

Mr. TEMPLEMAN. I do not suppose they have. The statutes are printed, they are put through the House, discussion takes place upon them and the individual has to inform himself.

Mr. SPROULE. The individual has to pay for a meter if he gets it. It involves quite a cost, in many cases it prevents him from availing himself of the privilege and he therefore contracts at a flat rate for so many lights.

Mr. A. A. WRIGHT. If there is a flat rate there is no meter.

Mr. SPROULE. That is what I say. The reason why there are so few meters is that they cost so much. The contractor does not supply the meter.

Mr. A. A. WRIGHT. The contractor supplies the meter.

Mr. SPROULE. If he does he charges for it.

Mr. BERGERON. He charges twenty times over the cost of the meter.

Mr. HENDERSON. My reading of this clause is that the purchaser may use a meter if he desires. I would like to ask the minister if under this law the purchaser of electrical current can be compelled to put in a meter. The reason I ask this question is that in the village in which I live the municipal corporation supply the current with their own plant. They are insisting that every man shall put in a meter who takes current. From my reading of this Act I should judge that the purchaser is only obliged to do it if he so desires. Will that be the law that will govern ? Will that override any municipal by-law ?

Mr. TEMPLEMAN. The purchaser, if he wants a meter to regulate the supply of electricity, can call for it.

Mr. HENDERSON. That is not the point. Suppose the purchaser says : I am not going to the expense of putting in a meter ; I am neither going to buy one nor rent one ; I will take my current at a flat rate. But the municipality says : You must put in a meter and have your current registered in that way. This clause does

not compel the purchaser to put in a meter. The words are 'if the purchaser so desires.' It seems to me that the purchaser has the choice but in the case which I cite the municipality endeavours to force every man to put in a meter.

Mr. TEMPLEMAN. I am afraid that is a question of law. I am not prepared to say if the municipality is entitled to force a man to accept a meter. But, if that were the only condition under which they would supply electric light he would have to put in a meter or not get light. It is a matter of contract. If a company or municipality supplied to all their other customers through a meter and not at a flat rate and one man wanted to buy his current at a flat rate and it was contrary to the way of doing business I imagine that the individual would have to put in a meter or go without electric light.

Mr. HENDERSON. Could he not say, under the Act passed by the Dominion parliament: I am only obliged to take my current by meter if I so desire? It seems to me that this Act is in conflict with the municipal by-law. From the answer which the minister has given—and he has given a very reasonable one—the municipality might say: We will not supply current at all.

Mr. BRODER. Suppose a municipality passes a by-law, puts in a plant and states the conditions upon which light shall be supplied, would this Act override a by-law voted on by the people of the municipality or town?

Mr. TEMPLEMAN. This Act does not in any way infringe upon any municipal or provincial jurisdiction. We have nothing to do with companies putting in plants, wiring, poles, or anything else. We are simply providing a law for measuring the quantity of electrical energy furnished for power or light. There we have jurisdiction. But we have no jurisdiction over what would be a matter of contract which comes within provincial or municipal jurisdiction.

Mr. ARMAND LAVERGNE. The purchaser is obliged to accept a meter because with a flat rate the contractor sells his energy at four times what it is worth sometimes. We are obliged to have a meter and a good inspection of the meter. That is the only way we can procure light at a reasonable rate. By the flat rate they charge more than by the meter rate.

On section 13—meters to be verified and stamped.

Mr. TEMPLEMAN moved to amend the section to read as follows:

No electricity meter shall be admitted to verification in Canada until it has received the approval of the department.

Section, as amended, agreed to.

On section 17—inspection of meters.

Mr. LOUIS LAVERGNE. An interval of five years for the inspection of a meter is too long; I move that the time be reduced to three years.

Mr. A. A. WRIGHT. That is not necessary, and further the adoption of the amendment would largely increase the expense. If an inspector comes to our town to inspect meters we have to arrange a place for him in our office; we have to get an expert to take down the meter and to put it up again, and a man with a horse and rig to carry it backwards and forwards. The inspection of 100 meters will cost you $50 or $75, in addition to the expenses connected with their taking down and putting up. The latest meters are perfectly good for five years unless some accident happens, and why we should be burdened with this unnecessary extra expense is more than I can see.

Mr. TAYLOR. It is a tax on the consumer.

Mr. A. A. WRIGHT. Certainly, it eventually must come out of him, and it is absolutely unnecesary.

Mr. BERGERON. I suppose the meter always works to the advantage of the electric light contractor.

Mr. CONMEE. The consumer always gets the worst of it.

Mr. A. A. WRIGHT. That is not so. There is an old story that you never can find an honest miller unless there is a tuft of hair growing on the palm of his hand, but those days are passed. If the least dust gets on the disc of the meter, it retards the motion and the meter continually goes slower.

Mr. TAYLOR. And the consumer has the benefit?

Mr. A. A. WRIGHT. Yes. I can assure hon. gentlemen that where one meter goes fast you will get 150 that go slow and do not record as much as they should. You may believe that or not as you like, but it is a fact.

Mr. CARVELL. My experience has been that the older the meter is the slower it goes.

Mr. BERGERON. Then, make the inspection every ten years instead of five.

Mr. CARVELL. There is no reason for imposing this additional expense of having the meters inspected every three years instead of five years. My hon. friend (Mr. Wright) is very modest in the estimate of the cost of having 100 meters inspected; I believe it would cost $100 rather than $25.

Mr. TEMPLEMAN. And section 18 provides that the purchaser or contractor may

at any time, at the cost of the party at fault, require verification of the meter.

Mr. FOSTER. That ought to be sufficient.

Mr. HENDERSON. Suppose I buy a meter from a responsible house, am I to have it inspected by the government inspector ?

Mr. A. A. WRIGHT. Unless it is inspected by the government inspector you are fined.

Mr. CARVELL. Every meter has to be inspected by the government inspector before it is placed in service.

Mr. HENDERSON. Is it legal for a man in the business to sell a meter that has not been inspected?

Mr. A. A. WRIGHT. Yes.

Mr. HENDERSON. Then it should be made illegal. I purchased a meter last year from a reputable firm in Toronto, I had it put in by our own electrician and it has never been verified so far as I know by the government inspector.

Mr. A. A. WRIGHT. If a man wants to buy a meter for his own use he can do what he likes about it.

Mr. CARVELL. A meter in perfect order might be bought in say Toronto, but if it has to be shipped to any great distance, the jolting might affect the machinery and on its arrival at destination it might be entirely unfit for use. The inspection of a meter is more a readjustment than anything else. There is nothing to be gained by inspecting a meter at the factory where it is made, because it has to be adjusted when it is put in place for use. It is not a proper meter unless it has been inspected at that time.

Amendment (Mr. Louis Lavergne) withdrawn.

On section 18,

Mr. FOSTER. The minister will have to settle the matter with the hon. member for Carleton (Mr. Carvell), who says that a meter which may be perfectly correct at one place may not be a proper meter at all when it comes to be put up, owing to the jolting that it receives in transmission ; but under this section you allow a man to take a meter that has been verified at Cape Breton, and jolt it all over the Canadian Pacific Railway to Vancouver, and use it there.

Mr. TEMPLEMAN. I have an amendment to overcome that difficulty.

On section 24,

Mr. FOSTER. How much would that fee be ?

Mr. TEMPLEMAN. From 75 cents to $1.50.

Mr. HENDERSON. If I, living 35 miles west of Toronto, wanted to have a meter inspected, where would I find an inspector?

Mr. TEMPLEMAN. The inspector at Toronto would advise any person where the nearest inspector resided, or would send a man immediately to any place where an inspection was desired.

Mr. HENDERSON. That might be a very costly affair. One might have to pay his railway fare.

Mr. TEMPLEMAN. The department pays that.

On section 34—penalty for fixing unstamped meter.

Mr. HENDERSON. This section, it seems to me, is very stringent. I suggest, instead of providing the penalty here proposed apply to 'every person who fixes for use, or causes to be fixed for use any meter, before it has been verified and stamped' should provide that 'every person who knowingly fixes for use,' and so on. The penalty should not apply to the person who acts in ignorance of the law.

Mr. TEMPLEMAN. I have no objection to that amendment.

Amendment agreed to.

On section 39—recovery of penalty.

Mr. TAYLOR. In the second line of subsection 2, the words 'justice or' should be inserted. The section provides that penalties may be levied by warrant under the hand and seal of 'the convicting justices.' Certain of these trials may take place before one justice. Therefore, this should read : 'under the hand and seal of the convicting justice or justices.'

Mr. TEMPLEMAN. Yes, there might be but one.

Amendment agreed to.

On section 42,

The Electric Light Inspection Act, chapter 88 of the Revised Statutes, 1906, is hereby repealed.

Mr. HENDERSON. Has the minister been careful to see that he has the right number of the chapter, according to the new Revised Statutes ? We had to correct a mistake of that kind this morning.

Mr. TEMPLEMAN. Yes—the Revised Statutes of 1906.

Bill reported.

SUBSIDIES TO PROVINCES.

Hon. W. S. FIELDING (Minister of Finance). With the consent of the House, I desire to make a motion without notice. It will be remembered that the House passed an address to His Majesty on the question of provincial subsidies. The question has

been raised whether the language of the address adequately expresses all that was desired, particularly in relation to the provinces of Manitoba, Saskatchewan and Alberta, in respect of which there are particular arrangements for the taking of a census which do not apply to the other provinces. There is a general saving clause in the address, which we thought, covered the ground ; but, as doubt has arisen, we desire to be on the safe side. The Senate has not yet dealt with the address. Therefore, I move :

Resolved, that a message be sent to the Senate requesting that their honours will be pleased to return to this House for further consideration the address to His Most Excellent Majesty the King, which was adopted by the House of Commons on the twenty-fifth day of March last, and which was transmitted to the Senate on the fourth day of April instant, for their honours' concurrence.

Ordered, that the clerk of the House do carry the said message to the Senate.

The object will be to make such amendment as I have indicated.

Mr. HAUGHTON LENNOX (South Simcoe). When the return of that motion is made, as requested, there will be an opportunity to refer to the motion.

Mr. FIELDING. The matter will come up. and we shall have to propose an amendment such as we think will have the desired affect, so as to make assurance doubly sure.

Mr. BERGERON. Will the Speaker allow it to be made ?

Mr. FIELDING. If it comes back and is recommitted.

Mr. FOSTER. I understand that the address has not been discussed in the Upper Chamber ?

Mr. FIELDING. It has not been dealt with in the Senate yet.

Mr. FOSTER. But, I understand that the question has been raised whether it is inclusive of the basis agreed upon at the time of the interprovincial conference so as to give proper consideration to every one of the provinces.

Mr. FIELDING. Yes it turned entirely on the question of taking the census. Whereas in the case of the Dominion generally there is a decennial census, my hon. friend is aware that special provision has been made in the case of the western provinces owing to their very rapid growth ; it is provided that there should be a quinquennial census and further that between the two five-year periods there should be an official estimate of population, on which subsidies shall be calculated. That is a special provision in regard to the western provinces in view of the fact that they are in a period of rapid growth and if they had to wait for the ten years they might suffer disadvantage. Parliament has taken that into consideration and made special provision for it, and the fear is that the words of the address as it now stands have not covered that important fact. I may say that there is a saving clause which was intended to cover all special provisions for the benefit of any province, but a doubt has been raised as to whether it is broad enough for that.

Mr. HAGGART. Why not amend the address in the Senate.

Mr. FIELDING. It could properly be contended I think that although this is not a direct appropriation it is a money Bill and as such cannot be amended in the Senate.

Mr. FOSTER. There was no doubt at all that this House in passing the address meant to take cognizance of the censuses between the decade censuses.

Mr. FIELDING. Surely.

Mr. FOSTER. And the object is to clear this of any doubt that will be conveyed to the British Throne.

Mr. FIELDING. That is the exact fact.

Mr. SPROULE. I am glad that the minister has found it out at last because twice I drew his attention to it in the House and he said it was covered.

Mr. FIELDING. I have no recollection of my friend speaking of it, but I have already mentioned that there is a saving clause in the address which is supposed to cover that ; legal gentlemen however have raised a doubt as to whether it is broad enough and if there is a doubt my hon. friend will agree that we will have to make it absolutely clear.

Mr. SPROULE. I called attention to it.

Mr. FIELDING. My hon. friend may be right ; he sometimes is.

MONTREAL HARBOUR COMMISSIONERS' LOAN.

House in committee to consider the following proposed resolution :

Resolved, that it is expedient to provide as follows:

1. The Governor in Council may from time to time advance and pay to the corporation of the Harbour Commissioners of Montreal, hereinafter called 'the corporation,' in addition to the moneys authorized to be advanced to the corporation by the Governor in Council by chapter 36 of the statutes of 1903 such sums of money, not exceeding in the whole the sum of three million dollars, as are required to enable the corporation to complete the terminal facilities of the port of Montreal now under construction, and to construct such further terminal facilities as are necessary to properly equip said port.

2. No such advances shall be made unless the plans, specifications and estimates for the works to be performed by the corporation, and

on which the money so to be advanced is to be expended, have been first submitted to and approved by the Governor in Council.

3. The corporation shall, upon any advance being made, deposit with the Minister of Finance and Receiver General, debentures of the corporation equal in par value to the advance so made (which debentures the corporation are hereby authorized to issue), and such debentures so issued shall be of such amounts as the Minister of Finance and Receiver General determines, and shall bear date on the day when such advance is made, and shall be repayable within twenty-five years from the date of their issue, and in the meantime shall bear interest at the rate of three per cent per annum, such interest to be payable half-yearly, on the first day of July and the first day of January in each year.

4. The principal and interest of the sums advenced under the authority of this Act to the corporation shall be paid by the corporation out of its revenue mentioned in section 8 of chapter 10 of the statutes of 1896 (first session), and shall be a charge upon the said revenue in the same manner and to the same extent as if the sums so advanced had been borrowed by the corporation under the said chapter 10.—Mr. Fielding.

Mr. FIELDING. It has been the policy of the government and parliament of Canada for many years to grant aid to the Harbour Commissioners of Montreal, in regard to the important work which they have in charge, in the form of loans. Beginning in the year 1896, a loan was made to the harbour commissioners of $2,000,000 at 3½ per cent. The loans made to the harbour commissioners have been as follows :

Year.	Amount.	Rate, per cent.
1896..	$2,000,000	3½
1898..	2,000,000	3
1901..	1,000,000	3
1903..	3,000,000	3
1906..	250,000	3

It will be observed that on the second loan in 1898 the rate of interest charged was reduced by a half per cent.

There have thus been authorized loans to the Board of Commissioners of the Montreal Harbour, during the period which I have mentioned, to the extent of $8,250,000. Up to date the amount of advances actually made under that authority is, in round numbers, $7,250,000, leaving about $1,000,000 of the authorized sum still available. But the Montreal Harbour Commissioners have large works now in hand and will require for the completion of these works, and for other works which are required in the very near future, very considerable sums of money beyond this $1,000,000 which is still in the hands of the government. It is therefore proposed to loan them the further sum of $3,000,000 as proposed in the resolution which is now before the chairman. It is only fair that we should say as respects the Montreal Harbour Commission that all these large sums which have been loaned have been interest-bearing assets and that the interest upon them has been regularly and promptly paid.

Mr. HENDERSON. Out of capital ?

Mr. FIELDING. No, out of the traffic of the country. Sometimes our friends in Montreal like to present the view that they particularly pay the interest on that capital, but what really happens is that the trade of the Dominion very largely passes over the Montreal docks, and that trade, as it fairly should, has paid the interest on the harbour facilities. At all events the harbour commissioners have always paid the interest very promptly so that in reality all we can charge against the Montreal harbour in the matter is the reduced rate of interest at which we have loaned them the money. In the present instance, for example, we are loaning it to them at 3 per cent, whereas the position of the money market would justify a higher rate. However, I think the committee generally will feel that Montreal harbour bears such an important relation to the trade of the whole Dominion that we will be only too ready to assist the commissioners in the work they have in hand by loaning the money at that rate, even though it involves some little loss to the treasury.

Mr. FOSTER. Is there any sinking fund attaching to any of these loans ?

Mr. FIELDING. Speaking from memory I should say not, but I shall ascertain. There has been recently a reorganization of the Board of Commissioners. The new commission, Messrs. Stephens, Ballantyne and Geoffrion have prepared details of improvements which they desire to carry on, and have submitted them to the government as the basis for the application for this loan. The acting Minister of Public Works (Mr. Fisher) is more familiar with the details of that than I am, and I have no doubt he will be very glad to furnish any additional information required.

Mr. FOSTER. Does this loan run for any length of time ?

Mr. FIELDING. I think for 25 years.

Mr. BERGERON. It is a fiction, this loaning of money to a body that will never pay it back ?

Mr. FIELDING. They pay the interest.

Mr. BERGERON. As a matter of fact if the Department of Public Works would administer the harbour themselves without any commission it would be more regular, it would be taking money from the public treasury to spend in a certain part of the country. We have heard of the loaning of money in this way before. A lot of money has been loaned to the Quebec Harbour Commissioners on which they have never paid a cent of interest. Money was loaned also to the Harbour Commission of Three Rivers. This loaning of money to a

corporation created by the government of Canada is a fiction.

Mr. FIELDING. It is not a fiction in the case of Montreal.

Mr. BERGERON. We talked about having a national harbour, a free harbour, and bringing the trade of the world through the channel of our river. This of course is not the proper time to discuss this, but I think it would be a great deal better to abolish the Harbour Commission. The present commission is probably an improvement on what we had before, but the old commission was really almost a scandal in Montreal. There was open fighting among the commissioners, bad trade arrangements have been made for which, after all, we are responsible because we vote the money, it is public money. There has been fighting between contractors and the old harbour board. As a matter of fact the board has always been the loser. They have been making bargains with contractors who made deposits, the contractors did not complete their work and yet the deposits were given back to them. The whole arrangement was the laughing stock of Montreal. The new commissioners, all three of them, are respectable men, but whether they are entirely the men to do justice to the harbour of Montreal I do not know. The way they will act will prove their capacity. But I say again we are loaning money to a body which we have created ourselves, and which will never pay this money back. It is our money, but instead of spending it ourselves, we hand it over to some other gentlemen to spend for us.

Mr. FOSTER. Before the resolution is carried we ought to know generally what this money is going to be expended upon. There is a good deal in what my hon. friend from Beauharnois (Mr. Bergeron) has said as to the probability of this money never being returned, so far as the capital is concerned. What the Finance Minister says is admitted. The harbour of Montreal has always paid interest upon the loans which have been put into its hands. But what I object to is that this is another example of doing things by piecemeal. Here is now $3,000,000 more, which will run up to $11,250,000 of money of the country in the shape of a loan, outside of all we have expended upon the channel of the St. Lawrence river, at a very low rate of interest, expecially at the present time. Now whilst we all look upon Montreal as being easily the first port—and if any port has a right to be called the national port it is the port of Montreal—yet we have other seaports of very great importance. I complain that the government will not take up the subject of the other great ports of the Dominion and deal with them in a comprehensive way and upon some general plan. The one that is most insistent, the one that is nearest by, the one that can make the strongest claim, gets the ear of the government, and the public moneys run that way. We are not objecting to the improvement of the harbour of Montreal so long as the money goes to the objective point. I do not know what this commission will do, I hope it will do better than the other commission, and I believe it will. But if it does not do better, it will not command the confidence of the people of this country. Although the government has had plenty of time, it has had its experts, its commissions, and a large amount of money, yet we have the great ports of our Dominion neglected, outside of Quebec and Montreal, with a loan to the harbour of Three Rivers. We have had no consecutive, uniform or comprehensive action with reference to what is to be done. Take the port of St. John. The people of that city have done more than the people of any other city in Canada towards the equipment of their port, and the Dominion has done probably less than it had done for any other large city of the Dominion. It is a very important port, and as the transport system enlarges, and the volume of outgo and income increases through the harbour of St. John, an immense traffic is finding its way in and out. It is not equipped as it ought to be, and it seems something like an injustice that three or four millions should be poured into the port of Montreal, and that comparatively nothing at all should be done for other ports. With reference to the city of Quebec, we have loaned them money, they have not paid even the interest upon it, and we are to-day loaning money, and we are putting work of our own into that harbour at the same time. The whole thing is as bad as it can be with regard to the confusion of authorities in the city of Quebec. Surely it is time for this government, after it has been in power for ten years and has made all its investigations, to come down to this parliament with a comprehensive scheme for the improvement of our national ports, on some wise system, some well thought out plan; then there would not be this feeling of inequality, I do not say of favouritism, but a feeling of opportunism, doing just what you have to do at the time and doing it by piecemeal. I am not going to object to loaning this money. I imagine it will turn out just as my hon. friend says, that some time in the future, in the equipment of our national ports this will be taken into account as an equipment for the port of Montreal. I do not say that you should bestow just as much money on St. John or Halifax, or Vancouver as you do on Montreal. They are proportionately to be considered in the degree of their importance and their interest. But I do say it is really a shame that the government will not take this matter up in a business like way and come to a conclusion, well reasoned out, wisely taken, and then going to work and doing what is one of the most essential

things to be done at this time, that is, the equipment of terminal facilities at our ocean ports. We are going ahead with the development of our inland transport system. Our railroads are being increased by hundreds and thousands of miles each year, our productive capacity, especially in the west, is increasing by leaps and bounds. Every hundred thousand people who go in there and begin to produce, send a volume of ever increasing exports and call for a volume of ever increasing imports, and all this has to find its way in and out, so far as foreign markets are concerned, through half a dozen or less ports. And what are we doing for the future? Some day we will be caught between wind and water, and we will find that the trouble will occur, not in the inland facilities for transport, but in having proper terminal facilities for getting out goods that the internal transport brings, and the call for taking goods into the interior. I cannot too strongly impress this necessity upon the government. I believe it is the feeling of this country that they have been dawdling too long altogether over this question of equipping a number of our national ports, with fairness and justice to all the different ports of the country. I think they should come to a conclusion as soon as possible, so that the country may not labour under the inequality of having a large amount of money put in one place and comparatively nothing done for another. Take Victoria, Vancouver, St. John, Halifax and Quebec, and you have ports that you can well call national ports.

Mr. LEMIEUX. And Gaspé.

Mr. FOSTER. Gaspé does not amount to anything yet, it has got size but not much else. We can hardly count Gaspé yet as an ocean port.

Mr. FISHER. I quite agree with the hon. member for North Toronto (Mr. Foster), that it is important that all our large ports, which handle our enormous export and import trade, should be properly equipped for that trade. I am not prepared to go so far as he implies, without saying so, that until we have formed a complete scheme for the equipment of all these ports we should not do any work like this in one or more of those ports which must necessarily handle our trade. If we were to wait until a plan of that kind was to be elaborated and until we had a complete scheme of harbour equipment, of wharfs, the necessary depth of water, appliances for the handling of traffic, warehouses, sheds and railway terminals and communications, we would have to wait a long time, and in the meantime the trade of the country would suffer. We can, however, work towards that end as the necessities of the trade most urgently require, and we can do that by various means which at the moment seem best. It may be that as time goes on, as our trade develops and as we find out more about the necessities of each individual port, we may have, to a certain extent, to modify the work which is being done. This is a young and growing country, a country in which everything is advancing, and, as circumstances and conditions change, it may be that plans and schemes which were drafted five years ago are to-day antiquated and entirely inadquate to the trade of the country. If we were to-day to elaborate a scheme for the five or six ports that my hon. friend mentions and in each of these ports to lay down a complete plan for their development and improvement, before that plan could be half completed it would have to be modified and changed in many respects. That is a necessity in a rapidly growing country. We have had this question up on various occasions. We have had the Transportation Commission's report brought before the House and quoted, but there are to-day conditions different from those which existed when the Transportation Commission reported and we have already demands on the part of transportation companies and of trade that different things be done from those which the Transportation Commission considered to be necessary and adequate. We are here proposing to do things in the port of Montreal which are to a large extent the carrying to completion of a plan which, with some slight modifications, was adopted and well understood some years ago. We are carrying out that plan with such modifications as have been found advantageous by the experts employed in carrying it out since the original contracts were let.

Mr. HAGGART. Are the plans approved by the government?

Mr. FISHER. Yes, all of them. The harbour commissioners' plans are submitted and approved by order in council on the recommendation, now of the Department of Marine and Fisheries, formerly of the Department of Public Works. The change in the commission, in Montreal, I think, has been beneficial. The old commission, not from any remissness on the part of the members of it, but because of its cumbrous composition and its unwieldly methods of doing business—methods not controlled by itself—was inefficient, and I am glad to know that the hon. member for Montreal, St. Antoine (Mr. Ames) has expressed exactly the same view. I believe that the whole of the city of Montreal and particularly those interested in the import and export trade there, have approved of the change and the personnel of the commission as to-day constituted. These gentlemen took hold of the work last fall and they have since devoted themselves to it in an energetic way, in a way which has already accomplished a great deal. The plan which they have submitted and which requires

this loan has met with the approval of those whom they have consulted. They took the step of consulting with the transportation and commercial interests of Montreal. They heard their views, they tried to harmonize these views and they have put before us a deliberate scheme showing how they intend to use this money. I have before me a statement from the commission which was sent to my hon. colleague, the Minister of Marine and Fisheries (Mr. Brodeur) and which he left with me. The sum amounts to about $3,500,000. There is required for the completion of the sheds nearly $2,250,000, elevated roadways to the sheds, $400,000, harbour dredging, $300,000; Dominion Coal Company's wharf at Hochelaga, $250,000.

Mr. BERGERON. Is that part of the harbour under the control of the commissioners?

Mr. FISHER. Yes.

Mr. HAGGART. Did I hear the hon. gentleman rightly that they require $2,250,000 for sheds?

Mr. FISHER. They require $2,217,500, paving the wharfs, $125,000, railway tracks and their management, $75,000, raising Jacques Cartier pier, $35,000, completing Bickerdike pier, $25,000, latrines, fire protection, &c., $10,000, overhead bridge, Victoria pier, $8,500, fire tug and movable derrick, $150,000, making a total of $3,446,000. The harbour commissioners have at the present time a little over $950,000, so that instead of $3,500,000 in round figures they would only need $2,500,000. But, as my hon. friend said a few minutes ago we do not wish to do this piecemeal, and we expect that there will be additional works required before the expiration of two years during which they expect to carry out this work. We therefore ask for authority to loan them $3,000,000. This work is expected to be carried out in about two years' time. I perhaps should state that there were delays which were incidental to the earlier part of this work and which were due to accidents over which the members of the government had no control and over which, I think, that perhaps the commissioners did not altogether have control. I hope that further delays will be obviated and that we will be able to see this work carried out to completion in about two years' time.

Mr. BERGERON. Are the plans for the sheds adopted now and is there going to be any change?

Mr. FISHER. No. Changes have been made, the plans as changed have been approved, arrangements have been made with the contractor to complete these sheds under the new plans, every dispute has been settled and regulated and the harbour commissioners have now reached a complete agreement with the contractor by which they have disposed of his claims for damages and delays and his necessary claims for changes in the plans. He has now his arrangements completed and perfected for the carrying out of the rest of the work without delay or change.

Mr. BERGERON. Who is the contractor there?

Mr. FISHER. Messrs. Peter Lyall & Sons.

Mr. BERGERON. What was the amount of the contract with Messrs. Peter Lyall & Sons at first?

Mr. FISHER. I do not know. I have not the contract here.

Mr. BERGERON. What about the amount of money which was to be forfeited if the contract was not carried out? There has been considerable discussion between the contractor and the harbour commissioners.

Mr. FISHER. The contractor made a claim against the commission of some $600,000 in consequence of the changes in the plans and various things that were not dealt with as promptly as he thought they should be. He claimed compensation for delays and loss in consequence of the increase in cost of materials. That claim was submitted to a board composed of the engineer of the harbour commissioners, the engineer of the Marine Department, and, I think, Mr. Audette of the Exchequer Court, who finally gave an award of $350,000 in round figures instead of some $650,000 which the contractor was claiming. That award was accepted by the contractor and by the harbour commission.

Mr. BERGERON. That amount is in addition to the contract price?

Mr. FISHER. That is over the original contract price. The original contract however was somewhat modified in the plan, and as a consequence the harbour commissioners were obliged to pay to the contractors a difference which was reached on the basis of so much per shed, and which came to, I think, something over $200,000 on the 14 sheds.

Mr. FOSTER. What is the total cost of all the sheds?

Mr. FISHER. The original contract was $2,305,000 for 14 sheds.

Mr. FOSTER. Who got in the way of the contractor to cause the delay?

Mr. FISHER. After the plans of the sheds were adopted, the shipping people pointed out that it would be impossible for them to handle their freight properly if the sheds were so constructed, and after a great deal of discussion and delay there was a report by the harbour engineer, as well as by the outside engineer, that a

change in the plan was necessary. While the discussion was going on, the contractor was stopped in his work and the price of the material having increased in the meantime he made a claim which was dealt with in the way I have outlined.

Mr. BERGERON. The fact remains that in all questions of this kind the country is ever the loser. Some years ago a contractor named Connors from Buffalo put up a deposit of $50,000 to do some work, but having failed in his contract he got the $50,000 back. The present arrangement under which the Montreal harbour is managed is unbusinesslike and detrimental to the interests of the country. The people pay the money, but they are not the masters of the expenditure. Formerly they were in the hands of gentlemen on the Montreal Harbour Commission whom the government were glad to get rid of, and now we have this new commission which I admit is composed of honest and respectable men.

Mr. FISHER. And capable men.

Mr. BERGERON. I will not go so far as to say that. I say they are respectable and honest men, but I cannot see what special qualifications Mr. Stephens has to put at the head of a work of that importance. Mr. Ballantyne is a commercial traveller, or a business man, and Mr. Geoffrion is a wholesale grocer. They are respectable men and good business men in their own line of business, but I am not sure that that qualifies them to be at the head of such a work as this.

Mr. LEMIEUX. I believe they are the best qualified men for that work.

Mr. BERGERON. That is a matter of opinion, and when the Minister of Agriculture says the whole city of Montreal approved of their nomination, I may tell him that the citizens of Montreal were not consulted and had no opportunity to express their satisfaction or otherwise. The system in the Montreal harbour is no better now than it was in years gone by; I remember 28 years ago, asking the Minister of Public Works of that day for details of expenditure there, and his answer was that we could not get it because it was in the hands of the Harbour Commission. The Transportation Commission has outlined what should be done with regard to all our harbours, but the minister tells us to-day that conditions have changed so rapidly that the government cannot carry out the report of that commission. If that be so, what was the use of appointing that commission other than for the sake of bestowing patronage. The government should directly control the harbour of Montreal as it controls other harbours in the country. A few years ago we gave $750,000 to the harbour of St. John, and there is no objection to that if the money is properly expended. Recently, some hon. gentlemen on the other side of the House, who visited Halifax, told me they did not understand why the government of Canada had not spent more money in improving the facilities of Halifax harbour. It is the same way with Vancouver and Victoria, and of course the harbour of Quebec. If these are national works they should be controlled by the national government. The present system of delegating the powers of government to outsiders is unbusinesslike. It would be more constitutional and better all round to expend this money under the direction of a department of government, than to expend it through men who are not responsible to the people, and to whom it makes no difference whether the contracts they let are good or not. When Mr. Tarte was Minister of Public Works he was continually and openly quarrelling with the harbour commissioners of Montreal, to the disadvantage of the port. The harbour commissioners of Montreal have one of the very best engineers in the country; the Department of Public Works had another first-class engineer, but these engineers were constantly coming in conflict, and the public were unable to decide which was right. It is in consequence of this kind of thing that the delays and changes of plans have taken place, and that the country has now to pay $350,000 for this bickering. I have my own opinion, that while Mr. Lyall was asking for $650,000 if he had gone before a court of justice he would not have been entitled to the $350,000, and whether he is entitled to it or not, this great expense put upon the country is due to the fact that the Montreal Harbour Commission did not discharge its duties properly. The present system is not a business-like one, and it should be changed as soon as possible.

At six o'clock, the House took recess.

After Recess.

Committee resumed at eight o'clock.

Mr. HONORE GERVAIS (St. James, Montreal) Before this resolution is adopted, I would like to say a few words upon it. The sum of $3,446,000, which is being asked for the improvement of the harbour of Montreal, is quite inadequate for that purpose. Moreover, Canada is merely asked to become the guarantor of the Montreal Harbour Commission for that amount. My fear is that the improvements in that port which have been talked of for some years will not be carried out very speedily. They will not be carried out as speedily as those which were made at the instance of the old merchants of Montreal when the port was under the supervision of the Royal Marine Engineers, like Mr. Bayfield and Mr. John Young. Government interference has to my mind delayed the improvements

in and around the port of Montreal since the time the port was under the charge of Trinity House, and more especially since the Harbour Commission was established in 1874 or thereabouts. We will not say much about the new commission; the people of Montreal will wait and see what it will do for the improvement of the port. I have not been made very fully acquainted, I regret, with the figures which have just been read to the House. But nevertheless, I hold in my hand the memorial of Mr. George W. Stephen, which has been communicated to me by the member for North Toronto (Mr. Foster), and which he had got from the acting Minister of Marine and Fisheries. The chairman of the new harbour board, I find, asked that $3,446,000 from the parliament of Canada for the purpose of improving the port. I say that this sum is not sufficient It is all very well to say that the channel between Quebec and Montreal has been sufficiently deepened. For the requirements of the trade of to-day that channel is deep enough; we are not supposed to deepen it for ships which are not waiting to come into it. However, I wish to point out to the House that for the permanent needs of the port of Montreal we need five improvements. I will merely enumerate them. In the eleven items set out in this memorial of Mr. Stephen, which is dated March 28, 1907, I do not see any item to my mind will very materially improve the port of Montreal. In the first place, we need the paving of all the wharfs and piers of the port. Do you know what is the total length of piers and wharfs in Montreal? It is just 38,000 feet, and for the paving of these the sum of $125,000 is totally insufficient. I may say that after a rainfall the wharfs of Montreal are quite muddy and totally unfit for the proper hauling of heavy goods. In the second place, this parliament should grant the necessary money to provide for proper loading and unloading facilities. We have not at present in Montreal such facilities as are to be found in other great ports both in Europe and America. I may be asked, what do you propose? I propose that a sufficient sum of money should be voted by this parliament for the building of hydraulic steam and electric cranes for the rapid loading and unloading of ships. I do not see any proposal to that effect in the memorial of Mr. Stephen. In the third place, I think we should have an adequate system for the transportation of goods after they have been unloaded from the ships or for the purpose of loading the ships. That system should consist of steam or electric railways which would take the goods after they have been unloaded from the ships and have passed the customs, to the consignee. For example, if Henry Morgan & Co., who have a large wholesale and retail dry goods establishment on St. Catherines street near Phillip's Square, receive a case of goods from Liverpool or London or France, they should be enabled to receive their goods within a few hours after they have been unloaded, if the ship is anchored below Nelson's column or near Longue Point. There is no reason why there should not be a system of street cars for transporting goods from the ship to the consignee.

Mr. FOSTER. You want the government to provide that?

Mr. GERVAIS. It should be an accessory of the port of Montreal. If you look at the reports which have been made to the British parliament in regard to foreign ports, you will find that in every case these transportation facilities are considered as an accessory of a first-class port.

Mr. SPROULE. Suppose the importer happened to live in Kingston or Toronto. what would become of the delivery of his goods?

Mr. GERVAIS. This system of street car facilities should be used only for local deliveries.

Then, in the fourth place, we should have greater customs house facilities. We should have warehouses for customs examination, as well as for the purpose of goods warehousing. I do not find in this memorial of Mr. Stephen anything relating to an expenditure for these facilities which are much needed in Montreal. For example, let us say that three cases of goods arrive for a certain importer; it will be three or four days before these goods are examined at the delivering warehouse and the importer gets delivery of the same. I think that is altogether too long a delay. Within a few hours after the unloading, these goods should be properly examined for customs purposes, and then, if the duties are paid, the goods should be delivered without further delay. I would call attention also to the fact that these customs warehouses should be built opposite St. Mary's current, say three-quarters of a mile below McGill street. As every one knows, all the harbour facilities in and around the port of Montreal are concentrated within three-quarters of a mile, when they should be extended between Longue Pointe church and St. Mary's current, a distance of about six miles, where any depth of water desired can be found, without improvements, dredging or other expenditures.

In the fifth place we should have a dry dock built within the limits of the port of Montreal—that is within this range that I have spoken of between Longue Pointe church and St. Mary's current. I do not find in Mr. Stephen's report anything for that purpose.

These are the various and diverse reasons for which I say that the estimate now asked of this House is quite insufficient, quite inadequate. I think that, instead of making

a request for three millions and a half of dollars, the Harbour Commission of Montreal should have filed before this House a request for ten millions. That is the proper amount that should be asked for to suitably build, equip, maintain and manage what you call the great national port of Montreal.

Mr. LENNOX. May I ask the hon. gentleman (Mr. Gervais) a question?

Mr. GERVAIS. Yes.

Mr. LENNOX. I would ask the hon. gentleman when he expects to have the general elections?

Mr. GERVAIS. I have no official standing before this House to answer such a question. I leave it to the government to decide when the proper time comes.

Mr. BENNETT. May I ask for information, is not that a government-owned elevator that was built a few years ago on the water front at Montreal?

Mr. GERVAIS. Yes.

Mr. BENNETT. What business has been done through that elevator since its construction?

Mr. GERVAIS. I would ask the hon. gentleman (Mr. Bennett) to submit that query to the Minister of Marine and Fisheries. Not much grain has been unloaded into that elevator. What we want in Montreal is not so much what you call permanent or stationary elevators as floating elevators. With twenty-eight or thirty floating elevators, the Montreal Grain Elevating Company of Montreal during the last forty years, under the skilful management of Mr. Alexander MacDougall, has built up a trade of 30,000,000 bushels a year. I fear that not many million bushels of grain have been unloaded into that permanent or stationary elevator. As I have said what we want is floating elevators. Also, we should have a system of premiums for the purpose of compensating ships detained while waiting to load their cargoes for Europe from canal boats coming down from the great lakes. The estimate that I put for the proper and final equipment of the port of Montreal is a fair one. I hold that the request for $3,446,000 does not go far enough, and that the proper request to be made is one for $10,000,000. And I may say that if we do not hurry up, if this new board which has been appointed for the management of the harbour of Montreal does not move quickly, some great injury to the trade of Canada will be the consequence. At any rate, I trust that Mr. Stephens, the able chairman of the Montreal Harbour Board, and his able colleagues will be equal to the task of maintaining Montreal as the great national port of Canada.

Mr. BENNETT. May I ask the minister (Mr. Fisher) what is the cost of the large elevator at Montreal and what quantity of grain went through it last year?

Mr. FISHER. I have not these figures here.

Mr. BENNETT. Cannot the officials give us the idea within a few thousand dollars of what it cost and what amount of trade was done through the elevator last year?

Mr. FISHER. I have not those figures before me. The elevator itself is finished, but the carrier system to connect it with the wharfs or ships is not finished. Part of this loan will go to finishing that system.

Mr. BENNETT. There must have been great dereliction of duty on the part of the department for, unless I am wrong, this elevator was constructed three or four years ago. And what is the government doing with the government-owned elevators at St. John and Halifax? What quantity of grain went through those elevators last year?

Mr. FISHER. I have not those figures here.

Mr. BENNETT. The deputy minister must know if any trade was done through these elevators which are both owned by the Department of Public Works, I believe.

Mr. FIELDING. The elevators at St. John and Halifax come under the control of the Department of Railways and Canals. My impression is that only small quantities of grain have passed through these.

Mr. BENNETT. I think I am within the mark in saying that these three elevators have cost the Dominion of Canada $1,000,000. They stand as monuments of incapacity on the part of the government that constructed them.

Mr. A. A. WRIGHT. As soon as the $10,000,000 is granted they will get into operation.

Mr. FIELDING. As to these elevators being a monument of incapacity or as to whether their construction was wise or unwise, I say nothing now. But, in the case of the St. John and Halifax elevators, these are works to which the people of these communities attached great importance and which they thought of great value in equipping their ports. How well they have served that purpose may be open to debate; but the fact is that they were constructed in response to strong public opinion, and, in the case of Halifax, the citizens of the place contributed largely to the cost of the elevator.

Mr. DANIEL. With regard to the elevator of the Intercolonial Railway in St. John and the warehouses there, these were constructed under the administration of Mr. Blair, who had made an arrangement with the Grand Trunk Railway by which that road was to provide freight for the Inter-

colonial Railway. I believe they were put there in good faith by Mr. Blair, and that, if the Grand Trunk Railway had carried out the arrangement which Mr. Blair made with them, the expenditure would have been amply justified. I do not think that any mistake was made when the elevator was provided and the arrangements made for the shipments by the Intercolonial Railway wharf. I do not think that was misplaced expenditure.

This winter the Intercolonial Railway elevator at St. John has been doing more business. I may say too that some years ago, when I was a member of the common council of the city of St. John, it was a well known and evident fact that the facilities of the Intercolonial Railway at the port of St. John were entirely insufficient to do the business offering at that time, and it was an absolute necessity that the railway should increase its facilities if they wished to even keep up with the business which was offering at that time, so that although the elevator which was put up there remained idle for some years I do not think that that was due to any indiscretion or want of judgment on the part of the Minister of Railways at that time. The expenditure was made in consequence of the arrangement which the Intercolonial Railway made with the Grand Trunk Railway, which arrangement was not carried out by the Grand Trunk people. I think that this year the Intercolonial Railway elevator at St. John has been used to some considerable extent. The berths at the piers have been used and would have been used a great deal more if there had been the proper depth of water, if they had been kept dredged out as the Minister of Railways stated in this House that they were. I hope that the fact that they have not been used this winter to the extent they ought to have been used, on account of not having been properly dredged out, will be taken to heart by the Department of Railways so that the berths will be kept in such a condition that vessels drawing 28 or 29 feet of water will be able to berth there at any stage of the tide. I think it is only right to make this explanation.

Mr. FOSTER. The point which has been raised by my hon. friend from St. John (Mr. Daniel) suggests the question, if the policy of erecting an expensive elevator there was right and the government spent a large sum of money in St. John owing to a bargain made between the government and the Grand Trunk Railway that the Grand Trunk should furnish grain and freight to the elevator, and if the minister of that day induced the country to undertake that expenditure and enter into the arrangement with the Grand Trunk on the representation that the Grand Trunk were to gather this freight and forward it to the Intercolonial Railway at St. John, why does not the government enforce the contract ?

Mr. FIELDING. Does not my hon. friend think we are getting a good distance away from Montreal Harbour ?

Mr. FOSTER. I do not know. We are bringing out what seems to me to be the carelessness or incapacity of the government.

Mr. FIELDING. Even such things as that must come in their proper place.

Mr. FOSTER. The government induced parliament to buy the Drummond County Railway and to make a very expensive contract with the Grand Trunk lasting over 99 years entailing very large expenses upon us from year to year with the possibility of these expenses being increased, owing to our arrangement with the Grand Trunk. This House entered into this agreement on the representation of the government that such an arrangement was made with the Grand Trunk, that it would be the gatherer of freight in all this western country and that it would disembark that freight at Montreal for export via St. John. Then came the building of the elevator. These two went on together as a government expense and now after the expenditure has been incurred we find that the Grand Trunk does not do what the government declared it was bound by the contract to do, and from that time to this we have never heard that there has been any attempt on the part of the government to compel the Grand Trunk to do what was declared to be an essential part of the bargain. Therefore the elevator at St. John lies quiet and dead and does not do the work it was intended to do. The amount of grain that goes through it is a mere bagatelle, and has been from the time it was erected except during the first year when a fair business was done.

Mr. DANIEL. This year it has done more.

Mr. FOSTER. This year it may have done a little more, but as to filling the role in business, to which its capacity entitles it, of course it does not do that. Then we find that out of the $3,000,000, $350,000 is to go to pay a contractor damages because the government got in his way and prevented him doing his work. Not only do we have to give a million dollars to improve the port but one third of that is to be paid to the contractor because of damages which he declares he suffered because somebody got in his way. Who was it got in his way ? Was that when the cabinet were fighting like blazes as, Mr. Tarte tells us ? Was it when the Royal Commission of which the Minister of Finance was a member were fighting like blazes ? Was it then that this contractor wanted to work but was prevented and now wants

$350,000 because somebody got in front of him, and would not let him work ? Where is it going to end ? I think we must know the ins and outs of the $350,000. I think the minister owes a full and complete explanation of that before we give any more money into the hands of a commission in Montreal. The minister said he was going to make a loan of $3,000,000 in order to improve the Harbour of Montreal. I was looking for real improvements in the harbour, and I was astounded when I heard the minister read the items. Very little of it goes to the real improvement of the harbour. We are spending $2,217,000 for the completion of the sheds. Something must have been spent on them already so I suppose the sheds will cost somewhere between $2,000,000 and $3,000,000, probably $2,500,000 at the very least.

Mr. FISHER. More than that, more than $3,000,000.

Mr. FOSTER. I do not know exactly what these sheds mean, but according to my hon. friend (Mr. Gervais) when the sheds are completed you will have no working facilities down at that harbour. You have sheds but are they the most important things ? Was there not something else more important to which at least a part of this money might have been devoted ? Could you not have got some of this loading and unloading machinery and these floating elevators ? Here is an astounding amount of money, $2,500,000 and more, for sheds upon the wharfs. What are these sheds exactly, are they warehouses, or in what way do they become indispensable parts of the harbour equipment that these very large amounts of money must be spent on them ?

Many other vital things, if we take for granted what my hon. friend (Mr. Gervais) has said, remain undone and remain to be done. Then when you have the sheds done, you have to build elevated roadways to these sheds. Now what exactly does this mean? The elevated roadways, I suppose, show that traffic comes up into and goes down from these sheds. Here are $400,000 for these elevated roadways to the sheds. Add that to the other, and you have a sum of fully $3,000,000 which are expended there for sheds, and yet you have not a bit of machinery for loading and unloading, such as a great port like Montreal should have, that is, if we must believe what my hon. friend says, who comes from that vicinity and ought to know. Then there is an old wharf at Hochelaga which is wearing out, the Dominion Coal Company chiefly use it. The Dominion Coal Company give a very large part of the revenue, as I understand, in wharfage from their great business. Then you take $250,000 to make an old wharf into a better one, or a new one. Well, I suppose that is legitimate. The revenue depends on the business that is done, and you must have a wharf in order to do business and collect a legitimate part of the expenditure for the real betterment of the harbour facilities. Does that become the property of the Harbour Commission, or of the government through its Harbour Commission? It looks here as if it is a private wharf owned by the government. Is it now a part of the harbour works and owned by them?

Mr. FISHER. It is built by them, always belonged to the harbour works.

Mr. FOSTER. That looks like a legitimate expenditure. Then paving the wharfs, $125,000. If there are thirty-eight miles of wharf and they have to be paved, it will be a pretty large sum before all that pavement can be done. What do they pave them with?

Mr. FISHER. Granite blocks. That does not mean thirty-eight miles of wharf full width, but only thirty-eight miles of the edge of the wharf all round.

Mr. FOSTER. Then you have $75,000 for railway tracks. These are to be put down on the wharfs by the commission itself. Is any toll collected from the railways as a payment for these facilities?

Mr. FISHER. Yes.

Mr. FOSTER. Then there is the raising of the Jacques Cartier pier. That pier, I imagine, belongs to the commission, and it has to be raised so as to keep its head above water.

Mr. BERGERON. Is that the pier where the Richelieu boats stop?

Mr. FISHER. Yes.

Mr. BERGERON. That is paved already.

Mr. BICKERDIKE. The Jacques Cartier pier is not paved now.

Mr. FOSTER. Then here is another peculiar looking item in which a member of parliament figures. I do not know whether it is perfectly legitimate or not, but there is an item of $25,000 for building a pier for Mr. Bickerdike—or is it put here for building the Bickerdike pier?

Mr. BICKERDIKE. That is the better way to put it.

Mr. FOSTER. But you see how a man might be misrepresented. I would advise my hon. friend to take his name off that pier as quickly as possibly, otherwise there may be some references to it. That is a pier which belongs to the commission, I suppose. Long may the name live, so far as I am concerned, and the pier as well. I hope the pier will last even longer than the name. Then there is an overhead bridge to the Victoria pier. There seems to be a passenger bridge. The question arises whether that is the work of the commission, or whe-

ther it is the work of the commission and the city. Then there is a fire tug and derrick for safety purposes, which I suppose is all right. But out of that, you have $300,000 for harbour dredging. What strikes me is the immense amount, $3,000,000, which go into the sheds; and the roadways that are necessary I suppose for the use of the sheds. I think if the minister would give us explanations of these different items it might help us to understand what is going on, and as to whether the immense amount of money that has been placed there has been well spent. When the minister is speaking of harbour dredging, $300,000, he might intimate how much dredging they work out in a year. But the $300,000, I imagine, is an estimate of all the dredging that will be necessary by the Harbour Commission in three years time.

Mr. FISHER. Speaking first with regard to the sheds, they are necessary in Montreal, as in all great ports, for the handling of freight. Steamship owners absolutely require sheds in which to store their freight as they bring it out of the ships, until it can be loaded on to the cars or taken away in drays. These are splendidly and completely built, steel and cement sheds. Until recently the city of Montreal was provided with wharfs which, in the spring floods, were submerged; the ice went over the wharfs and would have carried away any sheds placed on them. A great expense in improving the harbour has been in raising the wharfs above the high water flood level. Before that was done the steamship companies themselves provided their own sheds; they had to provide them temporarily, and take them down in the fall and cart them away, or pile them up above the reach of the floods, and put them back again in the spring. This was a very heavy expense on the steamship companies. The Harbour Commissioners investigated the difficulties of the port, and in trying to provide against them, decided some years ago to raise the wharfs above flood level. When they did so they were asked to put down permanent sheds, and they are doing that with these votes. Those sheds are very large, permanent structures, fourteen in number on all the wharfs. I think they are about 600 feet long, some 1,000 feet long, but I cannot give the exact dimensions. They are solid structures with cement floors, two stories high, with steel girders and pillars, and with wooden filling in between these steel pillars. These sheds are expensive in their construction but the harbour commissioners are going to charge the users of them a sufficient sum of money to pay the interest on the investment, and it comes to very considerably less than the charge now imposed upon the steamship companies in erecting their own sheds in the spring and removing them in the fall.

Mr. FOSTER. This charge will be made against the steamship companies ?

Mr. FISHER. The steamship companies will be charged so much per foot of floor space in these sheds and the expectation is that the rental from the steamship companies will about pay the interest on the investment. That is sufficient in regard to the sheds. The sheds are an absolute necessity in all ports. At every port that I have visited, and I have been at a great many, I have always found very extensive sheds. If my hon. friend will go to New York and Boston he will find that on the wharfs and piers they have splendid shed accommodation, and I do not give it as my own opinion but the opinion of experts who have examined the plans of the sheds in Montreal and of the sheds at ports in other parts of the world that when these fourteen sheds are finished the harbour of Montreal, in so far as shed accommodation is concerned, will be equipped in a manner superior to any American harbour if not to any harbour in the world.

Mr. BERGERON. When was the contract given for the construction of the sheds ?

Mr. FISHER. The contract was given five years ago.

Mr. BERGERON. Why were they not finished before ?

Mr. FISHER. They were not finished because when the contractor got partially advanced with the work the plans of the sheds became the subject of criticism, and eventually, after a great deal of delay, discussion and animadversion and great differences of opinion it was decided to change the plans of the sheds. That change was decided upon and then the contractor was instructed to go ahead.

Mr. FOSTER. Whose were the first plans of the sheds ?

Mr. FISHER. The plans were the plans of the harbour commissioners of Montreal, approved, if I remember right, by the engineer of the Harbour Commission, Mr. Kennedy. The change was very much discussed, very much opposed as well as very much advocated, and it was in consequence of that great difference of opinion not only among the harbour commissioners and business men but amongst the engineers that delays occurred and until that difference of opinion was composed and a definite decision arrived at the Harbour Commissioners did not feel justified in forcing the contractor to go ahead with what was held by some to be a faulty and imperfect construction. When I say imperfect construction I do not mean as to strength, but as to the facilities which the sheds would afford when completed.

Mr. FOSTER. The view of the harbour commissioners and of the government was proved to be the wrong one and the

view which some one else took was proved to be the right one?

Mr. FISHER. Yes, if the hon. gentleman chooses to put it in that way. The plans as originally prepared and approved by the Department of Public Works were declared to be wrong and faulty and there was a change resulting as I have said. I do not think that I need to say anything more about the sheds.

Mr. FOSTER. When the sheds are all completed they are simply storage places. There is nothing in the shed itself or in its construction or in the machinery which you have in them which helps you to load or unload? You have nothing like cranes or anything of that kind? All the storing has to be done by truck or wagon or whatever it is?

Mr. FISHER. I will come to that in a few minutes. The next item is that of roadways to the sheds. The scheme—I am not sure whether it will be put in practice or not—is a scheme for arriving at the upper storeys of the sheds. My hon. friend may not be familiar with the wharfs at Montreal but the wharfs are not quite as high as the street along the river front and it is intended to have roadways from that street to the upper storeys of the sheds across the railway tracks which are on the level of the wharfs slightly below the street and which pass along the whole river front between the projecting wharfs, the sheds and Commissioner Street.

Mr. FOSTER. What will be the grade of these roads ?

Mr. FISHER. I cannot say offhand. There will have to be a rise of 20 feet or so.

Mr. BERGERON. I think my hon. friend is making a mistake. I think the wharfs are about on the same level as the street.

Mr. FISHER. About the same level.

Mr. BERGERON. And if it is proposed to go to the second storey of the sheds the roads will have to go from the street upwards.

Mr. FOSTER. There would have to be a pretty stiff grade.

Mr. FISHER. They will have to rise 20 or 25 feet in different distances according to the position of the sheds from 100 to 200 and perhaps 300 feet. I am only speaking from memory and from the eye, not from actual measurement. The harbour dredging speaks for itself. I am not familiar with the exact places where this dredging will be but there is dredging going on in the harbour of Montreal all the time increasing the area where the ships can turn and get into the wharfs. It is necessary to enlarge that all the time and to get some place for the proper manoeuvring of the vessels as they come in.

Mr. FOSTER.

Mr. BERGERON. I understand that the harbour commissioners are the owners of dredges.

Mr. FISHER. They are and they use these dredges but they have to pay to run that plant.

Mr. A. A. WRIGHT. I would like to remind the hon. minister that he has forgotten to mention that these sheds are to be utilized to load grain by the use of carriers.

Mr. FISHER. I was going to speak of that too. Reference has been made to the elevator. On the tops of these sheds are carriers running from the elevator so that grain can be distributed all over the harbour from the elevator either into the ships or taken from the ships and into the elevator. This system of carriers it is proposed to complete by means of a part of this money which it is proposed to advance to the harbour commissioners.

Mr. FOSTER. These carriers are simply for grain ?

Mr. FISHER. Yes, in connection with the elevator. I am just informed by the officer that the cost of the elevator was something over $600,000 not including the carriers which still have to be paid for. The next item is the Dominion Coal Company's wharf at Hochelaga. This wharf is situated in the lower part of the harbour and it is used for the great coal shipments received there. As my hon. friend knows the city of Montreal requires constant and very large receipts of coal from the maritime provinces which are used not only for the city of Montreal but for general distribution among the industries of the country which use coal. There has to be a special wharf for that and the receipts which come from that wharf constitute one of the largest sources of revenue that the harbour commissioners have. Harbour dues are collected upon all articles landed on the wharf. The next item is paving the wharfs. The wharfs in the city of Montreal, except perhaps in some small areas, have never been paved. They have been macadamized, but as my hon. friend from St. James, Montreal (Mr. Gervais), says they have been very dirty and in a very bad condition for the traffic. I have myself frequently tried to get across the wharfs at Montreal and have been up to my ankles in mud. Wagons and cabs are plastered all over with mud. It is essential that these wharfs should be paved.

Mr. BERGERON. The incident that my hon. friend has spoken of occurred during construction. It was muddy then but it could not be helped.

Mr. FISHER. I have been there ever since I was a boy and I know that the wharfs in Montreal are in a filthy condition.

Mr. BERGERON. I do not object to it but the condition that my hon. friend speaks of existed during construction.

Mr. FISHER. The railway tracks go all along the level of the street between the sheds and the projecting wharfs and the ramp—and they are the dividing line between the wharfs proper and Commissioner street in the city. When the new wharfs are completed and these sheds are in such shape that they can be used there will be railway tracks going down on the projecting wharfs on each side of the sheds. This will be a large increase to the railway mileage on the wharf. Heretofore the harbour commissioners owned the tracks but the Canadian Pacific Railway and the Grand Trunk shunted the cars ; in future the harbour commissioners will themselves operate all the cars on the wharfs.

Mr. FOSTER. By electricity or steam ?

Mr. FISHER. For the present they will use the Canadian Pacific Railway and the Grand Trunk Railway engines which have been engaged in the work, but just as soon as possible they will establish an electric plant to operate the traffic on the wharf. I was told the other day by one of the commissioners that they propose to equip the new sheds and the railway tracks with the best modern appliances for loading and unloading freight. They have engaged an expert from England who will be in Montreal for several months this year planning how a system of that kind can be best carried out.

Mr. BERGERON. What revenue will be derived from the railway trackage ?

Mr. FISHER. There will be a charge of so much per car for every car shunted on the wharf.

Mr. FOSTER. A charge to the railway companies ?

Mr. FISHER. To any company that sends a car on the wharf. Heretofore the railway companies have done their own shunting and there was constant trouble, so that they are glad the commissioners are taking it over. I am told that the cost to the railway companies will be less in future, and that nevertheless there will be a very handsome revenue to the harbour commission from the work. The harbour commissioners have secured the services of one of the best terminal experts in Canada, who was formerly in the employ of the Canadian Pacific Railway, and I understand he will commence work on the 1st of May. The raising of the Jacques Cartier pier speaks for itself ; the other piers have been raised and this pier has to be. The completion of the Bickerdike pier speaks for itself. It is proposed to erect latrines on the wharfs. Hitherto there has been no adequate fire protection on the wharfs in Montreal and the commissioners will now provide adequate protection from fire.

Mr. FOSTER. Are these sheds supposed to be practically fireproof ?

Mr. FISHER. Yes ; reinforced concrete floors and steel frames. In reference to the overhead bridge to Victoria pier; Victoria pier is opposite the Bonsecours market, and from it the ferry boats ply to the south shore and to St. Helen's island. There have been frequent accidents, and great delays on account of the shunting of cars on the wharfs, and the safety of the people demands that there should be an overhead bridge.

Mr. AMES. And one might add, that it is entirely on the property of the harbour commissioners.

Mr. FISHER. Yes, and the necessity for it is due to the shunting of railway cars on the wharfs.

Mr. FOSTER. Who is the present engineer of the harbour commission.

Mr. FISHER. Mr. John Kennedy has been the engineer for many years, but I understand he has been retired although retained as consulting engineer. I do not think the commissioners have any engineer at the present moment. Mr. Cowie, engineer of the Marine Department has been acting for the last few months. Mr. Cowie's work as engineer of the ship channel is not so arduous in winter and his services have been lent to the harbour commission for the last few months. There is one point which I wish to further insist upon, and that is, that the revenues of the port of Montreal have invariably paid the interest on the advances made by the government, so that there has been absolutely no burden upon the people of Canada in this respect, except possibly that the Dominion will have to pay at the present time a little more than the three per cent they have been charging on the advances made. The revenues of the port of Montreal have been increasing from year to year with the increased facilities for handling the traffic of the country. If the harbour commissioners of Montreal ceased to make progress, the revenues of the port would undoubtedly decrease. If, as we hope, the port of Montreal is going to be the great national port for the export and import trade of this country, as it has been for years past, as it must be more and more in years future, it is absolutely necessary that these works should be undertaken and facilities provided for the handling of that trade. There is every reason to believe that as the facilities at the port of Montreal are improved, the volume of trade in that port will grow larger and larger every year, as it has been for the last ten years.

Mr. FOSTER. The statement made by the minister has been full in most respects, and it has given the House some idea of what is really meant by these different proposals as to which the House, and I myself, have very little information. No one objects to the port of Montreal being put on a thoroughly good basis, but the House when it is voting money must always bear in mind that the most important work, is the work which is being done. It is of course impossible to overtake the whole work, even in a series of years, and when one sees an item of a couple of million dollars for sheds, the question arises as to whether it was wise to make that expenditure when other important works necessary to carrying on the commerce of the port of Montreal seemed to be lacking. With regard to the explanations which have come to us, I not being an expert give just a layman's idea. I have no doubt at all as to the necessity for sheds. They seem to be constructed on an improved plan, and I hope they will be, when fully completed, not only as good as but better than those of any other port, as they ought to be, because they are the last ones constructed. So that with the explanation that half a million or so remains after the expenditure on these different items, and that a large portion of that will be expended for loading and unloading facilities, if we can trust the harbour commissioners and the authorities to have these matters carried out thoroughly and economically, the port of Montreal ought to be placed in a very forward position. As to the paving, there is no doubt about the necessity for that. I have myself travelled over those wharfs, and have found mud enough to justify me in employing a bootblack afterwards to get things cleaned up. If you are going to do business in a modern way, you must keep down the dirt. As to the overhead bridge, the explanation of that makes it, I think all right. It will be a convenience and a safety for passengers who are obliged to cross the property of the commissioners, besides doing away with an interference with traffic by the continual passing of people over the tracks. What I especially wanted to get at was as to whether the commissioners were looking upon all these improvements as in the nature of an investment from which they had determined to obtain a sufficient return to pay the interest and the cost of management, and not simply as a free gift from the government without any hope of a return. The whole thing depends in the end upon the calibre of the commissioners and their advisers and the advisers of the government. The government cannot expect to be an expert in harbour works; but the commissioners themselves should always possess three qualities: first, absolute honesty of administration; second, thoroughness and enterprise in carrying through the work; and third, the capacity to get the best advice, and, when they have got it, to carry it out. I do not know all of the gentlemen who are on the board. Two of them I do know. As to their practical expert knowledge I do not know; but if they take the best of expert advice, and follow that according to their own judgment, they seem to be very well qualified for carrying on the business portion of the work. The minister says that they have always got revenue enough to pay the interest and the expenses of management. That is so, because Canada grows, and the peculiar position of the port of Montreal renders it the highway of the commerce of Canada, particularly for seven months of the year, a very eligible place for revenue. That, however, does not take away a single hair's breadth from the statement that if you are going to make the most of this business, you ought to be prepared for it by modern methods and good management. I think the taking over of the whole work of shunting and transportation on the property of the commissioners is one of the best things, considered in the light of business management. Where you have different railways interfering with each other, each doing the work for itself, you cannot have it done as cheaply or as satisfactorily as the commissioners can do it by taking it into their own hands. I hope they will find it possible to have an electric service in place of the old coal burners. The city of New York is just about entering upon a wonderful phase of its business existence in the fact that in a very short time there will not be a single coal locomotive within the confines of the city or probably within twenty-five or thirty miles of it, but every ounce of freight will be moved in and out of the city by the noiseless and cleanly electric motor instead of by the old puffing steam engine. That is modern and I believe it is also economical, and I believe the same sort of service could be established economically and usefully in Montreal.

Mr. SPROULE. I would like to say a few words with regard to this, because we have had experience from time to time of similar applications to this House to make the port of Montreal what it should be as a great shipping port. I have never objected to any reasonable expenditure in the port of Montreal when it has been wisely made; but our great objection to these expenditures from time to time has been that we thought they were not wisely made. One of the reasons why in my judgment they are not wisely made is that they are not made on any well considered scheme or plan which is followed from year to year until it is fully carried out. When we find that any public work is changed every few months or every year or two, we naturally conclude that there is something radically wrong either in the judgment of the designers or in the parties who have control of the money. It generally turns out that one rea-

son for the change is to enable those who control the money to pay larger amounts to the contractors from year to year, and to have that money come back to the friends of the government either for election purposes or for some other purpose. We naturally suspect that that is done, because we always find that the cost of construction goes up, and the country pays more and more money for the work. That is exactly what is done in Montreal from year to year. This House receives invitations from time to time to vote more money for that port, and we vote it. The scheme is laid before us and the plans outlined. It is desirable that the work should be done, and the House is anxious that it should be done, and the money is voted; but the next year we are told that something is wrong.

What they did last year was wrong, and they were obliged to change it. Take, for example, these sheds. We were told that these were necessary in order to make the port of Montreal one of the best ports in America. The plans and specifications were prepared; parliament granted the money—or gave the borrowing power to the Montreal commission and the commission raised the money,—and the work of construction on these sheds was commenced. Messrs Peter Lyall & Sons took the contract. But the work was hardly under way before some changes were made. Either a mistake had been made in the first place, or changes were desired for some other purpose. The result was that $300,000 was paid for practically nothing. Now we are told that material has been increasing in price and that wages have been going up and more money must be spent. And the money is spent without tender. And to whom is this expenditure left? It is left to the president of the Reform Association of Montreal. Will any one believe that that gentleman, who is of so much importance to the powers that be, would carry on that work economically and wisely, or that he could be held strictly to account for it?

Mr. FOSTER. Did he run an election?

Mr. SPROULE. Ask the people of Montreal whether he did or not? He ran an election, and ran unsuccessfully; and I have no doubt whatever that a large share of the country's money went into that election in the vain effort to elect that gentleman to this House.

Some hon. MEMBERS. No, no.

Mr. MEDERIC MARTIN. We run our elections with our own money.

Mr. SPROULE. That is not what the courts tell us.

Mr. TALBOT. Does the hon. gentleman (Mr. Sproule) mean in the case of St. Antoine?

Mr. MEDERIC MARTIN. The hon. gentleman (Mr. Sproule) relies upon what he has seen in the newspapers. He cannot always trust newspaper statements.

Mr. SPROULE. The history of these election expenditures in the interest of friends of hon. gentlemen opposite is too well known in this House and in this country to need repeating here. But I object to the country's money going in this way. I object to expenditures being entered upon except in pursuance of some well devised plan. The squandering of money has gone on and still we are told that nothing is completed. The hon. gentleman (Mr. Gervais) says we need to have thirty miles of piers paved, and that we want proper machinery for loading and unloading ships. We have already spent several millions for that purpose, and the work is not done. The hon. gentleman said we need proper customs warehouses. I should think that the country should provide such warehouses quite outside of this proposed expenditure. We have been voting money for a quarter of a century, and have been told from time to time that the port of Montreal will be completed, and little substantial progress seems to be made. The hon. gentleman (Mr. Gervais) says also that Montreal should have a dry dock. The government, some time ago, devised the policy intended to provide dry docks for the ports of Canada that needed them. They proposed that wherever a corporation would come forward prepared to build a dry dock, the country should assist up to a certain percentage. Why cannot that be done in the city of Montreal? Why should the country be expected to raise all the money for a dry dock in that port?

Mr. BICKERDIKE. The Dominion government has not given one dollar towards these harbour facilities in Montreal.

Mr. SPROULE. I did not say it had.

Mr. BICKERDIKE. The government has loaned money to the port of Montreal, and, up to this time, Montreal has always paid her interest.

Mr. SPROULE. The hon. gentleman (Mr. Bickerdike) is 'too previous.' I did not say that we had given a dollar towards dry docks for Montreal. I say that a certain scheme for providing dry docks has been carried out in other ports of Canada.

Mr. BICKERDIKE. I want to correct the hon. gentleman (Mr. Sproule) he said that for twenty-five years this House had been voting money for the port of Montreal. I say that you have not voted one single dollar for that purpose. I challenge the hon. gentleman to the proof.

Mr. SPROULE. We have talked this matter before, and it is well known what I

mean. We have been giving powers from time to time to the harbour commissioners of Montreal to borrow money and they have promised to pay the interest. The time will come when they will say : This money was spent to build up a national port and the interest must be thrown off and the debt abandoned. As sure as we are here to-night, that will be the case, and I prophesy that here to-night, and I appeal to the future to verify my judgment. We have had this experience in other cases, and it will be our experience in the port of Montreal. It is our right and our duty to see that the money the borrowing of which we authorize is wisely and economically spent, so that the country may get a good return for every dollar. If we spend so liberally, we should have reasonable assurance that, as a result of that expenditure we shall have a well-equipped port for the purpose of carrying on the trade of the country. As I have said, the hon. gentleman (Mr. Gervais) says that the port of Montreal needs dry docks.

Mr. GERVAIS. We need it badly.

Mr. SPROULE. That may be, but I do not know any reason why the country should pay every dollar necessary for that purpose.

Mr. GERVAIS. May I ask the hon. gentleman (Mr. Sproule) if he knows what is the total value of the port of Montreal ?

Mr. SPROULE. I do not think that makes any difference.

Mr. GERVAIS. May I be allowed to inform the hon. gentleman that that port represents $30,000,000.

Mr. SPROULE. What is the value of the port of Collingwood, where we are asked to give assistance to a dry dock construction.

Mr. GERVAIS. Not one-thirtieth of the value of the port of Montreal. And will the hon. gentleman permit me to tell him that out of this total value of $30,000,000 in the improvements of the port of Montreal and the approaching channel the government of Canada has not contributed more than $5,000,000. The merchants of Montreal since 1816, and especially since 1826, have been spending for the benefit of Canada, without hope of being reimbursed, not less than $25,000,000. That is what these merchants, English-speaking and French-speaking, have been doing for the benefit of upper and lower Canada and afterwards of Canada. We are not beggars in Montreal. Canada is just being asked to-night for its benefit to guarantee a loan to the Montreal Harbour Commission, which they are able to repay.

Mr. SPROULE. I do not know whether you are beggars or not, but you come to us pretty often for money. My point is that every part of Canada, even though it may be smaller than Montreal, is as much and as directly a port of the Dominion of Canada as Montreal is and as much entitled to the expenditure of public money. I have shown that, in other places, dry docks are constructed and only a portion of the expenditures comes out of the Dominion treasury. That being the case, the claim that we should spend in greater proportion for a dry dock in the city of Montreal is not a good claim in my judgment.

Mr. GERVAIS. I would like to have parliament establish a school of marine in Montreal.

Mr. FOSTER. Hold on, you have got enough.

Mr. SPROULE. The modesty of the hon. gentleman's request on behalf of his city is so great that I shall not refer to it any more.

Mr. AYLESWORTH. It would make one wish that he lived in Toronto.

Mr. SPROULE. It would, that is a fact.

Mr. GERVAIS. We could educate Toronto people in Montreal, we could train people for navigation on the great lakes.

Mr. SPROULE. I do not object to a proper and reasonable expenditure for this port, but I do object to the way the money is squandered. A few years ago the great need was an elevator there. Mr. Tarte told us the government had mapped out an extensive plan which was to be carried out, and one of the first requisites was an elevator. They boasted when the site was chosen, the contract awarded and a deposit of $50,000 put up as a forfeit in case the work was not completed by the contractor. The elevator is not yet finished, and what became of the $50,000 forfeit put up by Mr. Connors, of Buffalo ? It was given back to him and the elevator is not finished yet.

Mr. FISHER. Yes, the elevator itself is finished.

Mr. SPROULE. Not altogether ; we are told there is still something to be done so it can be used properly and economically.

Mr. FISHER. The carriers which still have to be built were not part of the contract at all. The contract was finished and the deposit was handed back to the contractor, who had a right to it.

Mr. SPROULE. Who finished the contract ?

Mr. FISHER. The contractor.

Mr. SPROULE. At the same price ?

Mr. FISHER. Yes.

Mr BERGERON. Not Connors ?

Mr. SPROULE. My hon. friend is quite mistaken, my memory is that Connors could not carry out the contract and I can verify that from 'Hansard.'

Mr. FOSTER. Ask the member back of the minister.

Mr. BICKERDIKE. Connors did not commence it.

Mr. GEOFFRION. Connors signed the contract and that was all he did.

Mr. SPROULE. What became of the forfeit ?

Mr. GEOFFRION. It was given back.

Mr. FISHER. I supposed you were talking about the man who built the elevator.

Mr. SPROULE. I read the name of Connors.

Mr. FISHER. I beg the hon. gentleman's pardon, I did not catch the word 'Connors' at all.

Mr. SPROULE. I am not responsible for the minister not hearing. These are some of the reasons why we object to this : In the first place there is no well considered and wisely devised plan as there should be. With such a plan the government or the harbour commissioners or whoever is to do this work should see that each piece of work which is undertaken is completed according to the contract and according to the plan, for these constant changes lead to the suspicion that they are made in order to secure the expenditure of more money. If we have a good board of harbour commissioners now, I say for Heaven's sake give them a free hand and let them do the work right. If they are not suitable for the purpose keep it solely under the government and appoint some competent engineer to go down there and supervise the work. Let them have a plan, and let that plan be carried out and let the money be properly and wisely spent and we shall raise no objection to the expenditure.

Mr. BICKERDIKE. Our good friend always becomes hysterical if anything is proposed for Montreal. I venture to say, and he knows it, that there is no other city or port from Vancouver to Halifax that has not received more benefits from the government than Montreal.

Mr. SPROULE. The hon. member says I become hysterical. Will he mention any occasion except one when I objected to the work being carried on at Montreal, and will he tell me if I objected to the expenditure of money ? Not at all, it was the way the money was spent and the way it was squandered and wasted.

Mr. BICKERDIKE. I might point out one statement. He said we made a mistake and squandered the money when Connors undertook to build the elevator. He never began the work and we gave him back his money. Then how did we squander the money ? There was not a dollar of the country's money invested.

Mr. FOSTER. What was Connors' contract and what did the elevator cost after Connors slipped out ?

Mr. BICKERDIKE. The Connors contract never went on, it was not the same elevator at all, it was not in the same place, but was in another part of the city entirely. The Connors elevator was to be built at Windmill Point, and he put up a deposit that he would complete it in a certain time but found he could not do it, and we gave back his deposit.

Mr. BERGERON. How long did it take him to find out ?

Mr. BICKERDIKE. About a year.

Mr. GEOFFRION. He found the contract so favourable that he would not take it ?

Mr. FOSTER. That he would make too much money ? I would like to have his portrait.

Mr. BICKERDIKE. My hon. friend can easily get it from Buffalo. My hon. friend claims that the contract has been given to the president of the Reform Association of Montreal.

Mr. FOSTER. And the candidate of the Reform party.

Mr. BICKERDIKE. I am surprised at a statement of that kind. It is not according to the facts. Mr. Geoffrion is president of the Reform Association, and Mr. Lyall has the contract.

Mr. SPROULE. I said I was informed he was the president, and if I was incorrect in that, I presume he was at some other time.

Mr. BICKERDIKE. I do not think he ever was.

Mr. AMES. Is it not a fact that Peter Lyall is to-day the honorary president, the highest official, of the St. Antoine Liberal Club ?

Mr. BICKERDIKE. That is a different thing, he may be honorary president or patron.

Mr. SPROULE. Then I am not so far out after all.

Mr. BICKERDIKE. You are a long way out.

Mr. BERGERON. Was not that Mr. Peter Lyall president of the Reform Club ?

Mr. BICKERDIKE. No, never.

Mr. BERGERON. Are you sure about it?

Mr. BICKERDIKE. I am almost sure of it. I do not think he was ever president of the Reform Club.

Mr. SPROULE. He is president over something, is he not ?

Mr. BICKERDIKE. He is president of the Caledonian Society. I think the only fault my hon. friend could have with Mr. Lyall is that he is a good Liberal and a good Scotchman. Now if that is a crime, there are many of us guilty in this country. I want to say further, that I do not know any asset that this government has in this country that will compare with the asset of the harbour of Montreal, and the hon. gentleman's own friends know it ; both the hon. member for St. Antoine (Mr. Ames) and the hon. member for Beauharnois (Mr. Bergeron) will tell him that from Vancouver to Halifax you have not such an asset, such a chance of realizing on the money you have spent, as you have in the port of Montreal. Squandering the money of the country ! I claim that you have spent more money on a little place like Caughnawaga than you ever did in the city of Montreal. Every dollar that the Harbour Commissioners of Montreal have received from this government, they have paid their interest on it regularly.

Mr. TAYLOR. But they don't ever intend to pay the principal.

Mr. BICKERDIKE. Who told you ?

Mr. TAYLOR. You did.

Mr. BICKERDIKE. Even if they never paid the principal, you have an asset there than which there is none better, and nothing in Ontario to compare with it.

Mr. SPROULE. An agitation has been going on for some time to make the harbour of Montreal a free port in the interests of the shipping of the whole country. If that is done, what will become of these loans ?

Mr. BICKERDIKE. The whole country will benefit, and you have the asset. Even Toronto will get some benefit from it.

Mr. BERGERON. Why should not the harbour be administered by the Department of Public Works or the Department of Marine and Fisheries, instead of by a commission ?

Mr. FISHER. I am afraid that if it were administered by the government the revenue would disappear, because it would be very hard for the government to get a revenue.

Mr. MARSHALL. I do not live in Montreal, but I know the difficulties they have to contend with, and I must congratulate the minister on the course he has taken. If I understand it right, he is getting the best skill that money can procure to erect these structures. Now there has been a great scarcity of cars, last fall particularly. When I went to Montreal I found there were miles of cars that could not be unloaded because, as a matter of fact, there was no place to put the goods. I feel it my duty to commend this course of the minister because I happen to be a large shipper of canned goods. While these improvements may cost a lot of money, it is better to do them well while he is about it. Something has been said about the minister not being practical. That is all right, he is getting some one that is practical to lay out the work. I cannot help but admire the minister in the course he has taken, I am quite in sympathy with it. I hope the time will come when he will give us a free port.

Mr. AMES. I wish the government as a whole had as clear cut a programme with reference to the improvements of transportation facilities as the present harbour board have with reference to the port of Montreal. They have a definite and distinct programme of improvements which they intend to carry out, and this money now being voted will probably enable them to carry out practically all their present programme. I believe the board are acceptable to the great bulk of the commercial people of Montreal, I believe they are an honest body of men, and I think the programme which they have now submitted is generally endorsed in the city of Montreal by all the interested parties. While I have not in the past commended the attitude of the harbour commissioners nor of the government, inasmuch as I think they are both largely to blame in the past for vacillating conduct which has caused wastefulness, I believe a new era has now opened with respect to the Montreal harbour, and that with the new board, and their evident intention to do what is right, free from all political influence, we may see what we have so long wanted to see, a thoroughly competent body of men managing the port of Montreal absolutely free from politics.

Mr. BERGERON. Is that a reflection on the old board ?

Mr. FOSTER. An interesting question has been raised by information which has leaked out during this debate. It seems that Mr. Peter Lyall is the contractor for the sheds, if I am rightly informed ; he has a contract for all the sheds which has been running for several years, on which he has received an amount which will go probably up to $3,000,000, and necessarily in the expenditure of an immense amount of money like that he is a large employer of labour. What a peculiarly happy thing it was to take Mr. Peter Lyall, under contract with the government, handling $3,000,000 of government money, employing labour right and left, and make him the government candidate to run an independent election in the city of Montreal. How peculiarly wise and skillful it was that, when it was supposed that the voters were not being sufficiently influenced even by that aggregation of wealth and of influence, an ex-foreman of his should make himself a master of telegraphing, and form his cohorts to deliver votes in the election for the Liberal party. That seems to me to

be a peculiar comment now upon a government which came in pledged to keep itself free from everything devious, and dark and wrong in the conduct of its elections. Take this contractor who handles two or three millions of money, paid out to him each month, with his hundreds and thousands of employees—are those the best influences to secure pure and independent elections ? Then as I am informed, an ex-foreman of his was the man who, thinking that even there was not influence enough yet of the wrong kind, undertook to marshall his band of telegraphers to put in votes in an election, which were entirely illegal and which tended to corrupt results.

Mr. BICKERDIKE. I made a mistake when I said that Mr. Peter Lyall was the contractor. The firm of Peter Lyall & Sons are the contractors and I understand that Mr. Peter Lyall withdrew previously to his becoming a candidate.

Mr. BERGERON. Has he got it now ?

Mr. SPROULE. Perhaps he has a string to his resignation like Hyman.

Mr. BICKERDIKE. No, that is a Toronto trick.

Mr. BERGERON. A London trick, you mean.

Mr. LENNOX. It is supposed to have been done at Ottawa.

Mr. BICKERDIKE. I was shocked when I heard the hon. member for North Toronto refer to Mr. Peter Lyall as he did. If the hon. gentleman knew Mr. Peter Lyall he never would have made the statement on the floor of the House that Peter Lyall was guilty of such conduct.

Mr. FOSTER. Which conduct ?

Mr. BICKERDIKE. About having his foremen attempt to do telegraphing. I think the hon. member for St. Antoine (Mr. Ames) knows that Peter Lyall would not be guilty of anything of the kind. It is not in accordance with the facts.

Mr. FOSTER. The information I went upon in making that statement was that Mr. Peter Lyall, a contractor for the government, was a candidate. The statement has been made half a dozen times during the course of this debate and not denied by the minister or any one else that Peter Lyall was the contractor, and I took that information as being correct. It would have been better if a man who was not a contractor and handling a contract of $2,000,000 or $3,000,000 of the government's money should stand in the government's interests. If Mr. Lyall, before he entered the contest, absolutely withdrew from the partnership and had no longer anything to do with it in the way of a financial interest then Mr. Lyall would have pursued a perfectly honourable and upright course. If he did not do that or if he simply resigned and then went back to it afterwards that does not look so well. Then my information was that this man Bissonnette who got together his band of telegraphers was an ex-foreman of Mr. Peter Lyall. Whether he acted in Mr. Lyall's own ward or not I do not know. I do not have a word to say against Mr. Lyall in any respect if either of these things is not true. But, I did understand from the whole course of the debate that Mr. Peter Lyall was the man who was the contractor. If so, I criticised it as I had a right to do. I also understand that this man was an ex-foreman of his and that he performed in the same ward. If that is untrue of course it will remove that part of the criticism.

Mr. AMES. Just allow me one word inasmuch as I attended the case in court and heard all the evidence. I believe then and I believe now that Mr. Peter Lyall knew absolutely nothing about the impersonation which was attempted in my division, but I believe that persons very closely connected with Mr. Lyall knew all about it.

Mr. GEOFFRION. I would say that Mr. Peter Lyall is probably known as the best contractor we have in the Dominion. I think nobody can dispute that. He has contracts all over the Dominion and I know of one instance where a bank, which is not managed by Liberals, just gave a very important contract to him without any tender and told him to go ahead. They had so much confidence in him that they told him to go ahead with the work and they would pay him just what it cost according to the work done. In regard to the insinuation of the hon. member for East Grey (Mr. Sproule) a few moments ago that the old harbour board might have been sometimes influenced by elections and that these changes were made at times coincident with elections, I would ask is it possible to make such an argument when the old board was composed of gentlemen representing different influential bodies—the Mayor of Montreal, representative of the shipping interests, of the board of trade and almost all the influential bodies in the city of Montreal. How could these men sit around a table and agree that a contract should be changed just simply to help the Liberal party in an election ?

Mr. SPROULE. Had that board absolute control ? The government was in control and they were exercising an influence upon it.

Mr. GEOFFRION. The harbour commissioners have absolute control of their contracts. They have to be approved of but they have to make the changes themselves. They have to discuss the matter

and while they did sometimes take too long to come to a decision, the changes were made by the harbour commissioners themselves. It is an extraordinary argument for the hon. member for East Grey to present when he said these changes were made to influence the elections in the interest of the Liberal party. The mere mention of it is enough to demonstrate its fallacy.

Mr. SPROULE. That is just a little too innocent to go down.

Mr. GEOFFRION. The hon. gentleman still sticks to his argument ?

Mr. SPROULE. I do emphatically.

Mr. GEOFFRION. That the Conservative members of the board would agree to help the Liberals to make changes in a contract ?

Mr. DEPUTY SPEAKER. We are wandering away from the question.

Mr. GEOFFRION. That statement was made by the hon. member for East Grey.

Mr. BERGERON. But my hon. friend forgets that the majority of the members who sat upon that commission were appointed by the government.

Mr. GEOFFRION. Does the hon. gentleman not think it would have come out in the press if anything of that kind had been done ?

Mr. BERGERON. There were complaints all the time that they could not agree amongst themselves, and all this change was in consequence of these disagreements.

Mr. BICKERDIKE. In the past two years the harbour of Montreal was run by the Tories.

Mr. BERGERON. Because members of the board would not go there to vote. They were ashamed to go to the meetings of the board.

Resolution reported, read the second time and agreed to.

Mr. FISHER moved for leave to introduce Bill (No. 166) to provide for further advances to the harbour commissioners of Montreal.

Mr. FOSTER. Is the Bill printed or engrossed ?

Mr. FISHER. Yes.

Mr. FOSTER. Would you be good enough, Mr. Speaker, to read the Bill for us ?

Motion agreed to, and Bill read the first time.

SUPPLY—COAL STRIKES IN THE NORTHWEST.

Hon. W. S. FIELDING (Minister of Finance) moved that the House go into Committee of supply.

Mr. GEOFFRION.

Mr. FOSTER. Before the House goes into supply I want to call the attention of the Minister of Labour (Mr. Lemieux) to a telegram from Blairmore stating that the miners in the Crow's Nest Pass and Western Alberta had gone out on strike, and that the lumber mills and the railway motive power would be completely tied up as a consequence if a cessation from work took place absolutely and continued. I would like to hear from the minister because it threatens a most serious state of things unless something efficacious can be done.

Hon. RODOLPHE LEMIEUX (Minister of Labour.) The news is somewhat exaggerated. No strike has been declared. My hon. friend (Mr. Foster) must have seen in the papers last night that all the miners in that district belong to the American Miners Association, that large association over which Mr. John Mitchell presides. Mr. Mitchell has given a statement to the press that no strike had been declared, and I am pleased to say that he is against any strike in western Canada at the present time. The fact remains that a few of the men have, not gone out on strike, but have ceased to work, and a distinction must be drawn between the two things.

Mr. FOSTER. It is a sort of a passive strike.

Mr. LEMIEUX. The men and the mine owners have each agreed to appoint a representative on the board, and if they do not agree on a third, by Monday next, the government will appoint one. I would ask the House to suspend judgment until then, because the news published in the papers is exaggerated. There is no tying up of the railways; the business is running just as before, and the mines are all working more or less. I shall keep the House informed from day to day as I receive news from the scene.

EDITORIAL IN 'LE CANADA.'

Mr. J. G. H. BERGERON (Beauharnois). Before the House goes into supply, I regret that I shall have to ask its attention to a newspaper article of which I must complain. I believe in the liberty of the press; I believe in its complete freedom, and I must say that generally the press has not been unkind to me, but the article I refer to is apt to create harm in the country, and I feel it necessary that I should comment upon it. 'Le Canada,' the chief Liberal organ in Montreal, has the following article which I translate into English :

The Sam. Hughes incident—An explosion of Tory fanaticism.

With Dr. Sproule and two or three other fanatics, Col. Sam. Hughes forms a group, small it may be, but yet influential in the councils of the Conservative party. The influence at its command may be measured by the considera-

tion shown to his outbursts by men who like Mr. Bergeron, profess to be the only true defenders of the throne and the altar. Still, we must rejoice that the great majority in parliament, the great majority of the population of Canada do not share in the fanatical prejudices of this group, and except in a few instances in which the Conservatives hope to gain party advantage from a political point of view these prejudices but seldom see the light of publicity in parliament, in the press, or on the hustings. And it is moreover a cause of satisfaction that it is in the Tory party alone that these explosions of fanaticism, regrettable but little dangerous, take place, and to which the Liberal party is adverse on principle.

I want to say, Sir, that this article is unfair, unjust, and untrue. The hon. member for Victoria (Mr. Sam. Hughes) represents himself in this House. I take such an insinuation as is contained in this article, all the more to heart, because having no French daily press in Montreal, the Conservatives of Quebec province are not able to defend themselves in the press against such attacks as this. We have three organs in the city of Montreal more or less friendly to the government. 'La Presse,' 'La Patrie' and 'Le Canada,' the latter probably the strongest of the three. I feel, therefore, that it is encumbent on me, to contradict from my place in the House the statements made in this article. I sit here next to my hon. friend from Grey (Mr. Sproule) and we know how the Liberals have used his name in the province of Quebec. Why, they have made such a terror of that name, that they frighten the children at night with it. The hon. gentleman (Mr. Sproule) has his own convictions and I respect him for entertaining these convictions because I believe he entertains them sincerely. With the exception of a few years, I have sat continuously in this House with the hon. gentleman (Mr. Sproule), for twenty-eight years, and I can safely say that I have never known a more respectable, and a more courteous member of the House. He is friendly to every one, kind to the young members, and willing to offer his services to any who may require them. It is a very unfair thing, to try and make people in the province of Quebec believe, that because such a gentleman holds strong convictions on certain subjects, he is a man with whom the members of this House should not associate. As to the hon. gentleman from Victoria (Mr. Sam. Hughes), the unfortunate expressions which he uttered in this House, have been very properly dealt with by his leader and by others. If 'Le Canada' wanted to be fair it would have printed the admirable words which fell from the leader of the opposition on that occasion. So far as I know, the Conservative party is guided by what its leader says, and I know that not one member sitting on this side of the House has ever spoken a syllable approving of the utterance of the member for Victoria (Mr. Hughes). On the contrary, every man I have met has spoken in high praise of the language used by the leader of the opposition. And outside of the House, the 'Star' of Montreal, which is an independent paper——

Some hon. MEMBERS. Oh.

Mr. BERGERON. It will be well that the 'Star' should know that hon. gentlemen opposite do not consider it to be an independent paper. For my part I wish it were not quite so independent, but be that as it may, the 'Star' had a strong article condemning the language used by the member for Victoria (Mr. Sam. Hughes) and praising the language used by the leader of the opposition. Then, in Ontario, the 'Mail and Empire' which is the mouthpiece of the Conservative party in that province had a trenchant editorial approving of the words which fell from the leader of the opposition in reference to that incident. The speech of the leader of the Conservative party on that occasion should have been printed by these newspapers in Quebec which are constantly reiterating the cry that the Conservatives of Quebec were hand in hand with the Orangemen of Ontario, just as if there were not Orangemen supporting the Liberal party. I know myself that most of the Orangemen in the province of Quebec support the Liberals, but we on this side have never made that a reproach to the government. The Conservative party is broad enough to include within its ranks Canadians of diverse views on religious matters, and I would not be the lover of liberty I am, if I did not repect the honest convictions of my brother man. As to Dr. Sproule, I respect his honest convictions; no better friends have ever sat in this House than he and I; I personally know his good qualities, and I am saying this to-night in justice to him. As a matter of fact he did not know that I was going to speak on this question, and I trust therefore that his modesty will not be shocked.

As for trying to make the people of Quebec believe that the English-speaking Tories of Ontario, as they call them, are opposed to the province of Quebec, let me recall an incident. Ten years ago, when we were in a majority on the other side of House, the question of defending what we thought sincerely were the rights and privileges of the Manitoba Catholics came before us, and nearly all the English Protestants from Ontario and the maritime provinces supporting the government, helped us to render justice to those people. I remember that a good Orangeman from Ontario, Mr. Fairbairn, said that he was going to support the resolution because it was his duty to stand by minorities. Who opposed us on that occasion? Not only the right hon. gentleman who leads this House, but the great majority of his followers from Quebec, except seven, and every one of the English-speaking Liberals

from Ontario and the maritime provinces. This is a matter of truth, and I think it important that the people of this country should know it. One word more. We see this kind of thing in the Quebec papers almost every day. This Sam. Hughes incident, is, I believe, going to travel through the province of Quebec the whole of this summer. Does any man believe that this is doing any good to this country? We have a splendid country, probably the finest in the world, and are we going to spend our time in a childish way, talking not sincerely, but trying to make political capital out of incidents of this sort? We are inviting people of all nationalities to come and settle on the immense plains of the Northwest and help us to build up this country. We are giving these people a fine example, by showing them English-speaking Canadians and French-speaking Canadians who have lived side by side for a hundred years, fighting each other on foolish matters of this kind. I hope we shall not hear any more of this, and I hope the press of Quebec will have higher motives and work hand in hand for the best interests of this country.

PERSONAL EXPLANATION.

Mr WM. ROCHE. Mr. Speaker, before you leave the chair, I would like to call attention to a statement on page 6850 of 'Hansard,' as follows:

> Mr. BOYCE. My hon. friend (Mr. W. Roche) knows all about it. Perhaps he can tell where the $10,000 came from that the man swore was in his hands.

I wish to say that my hon. friend is totally mistaken in the statement he made. He has no authority for it whatever. It is not in the evidence which he professed to quote, and I desired at that time to rise and make the explanation, but a number of gentlemen opposite called order, and I having spoken before was not able at that time to denounce the statement, as I do now, as being entirely unfounded in fact. I do not pay much attention to these calumnies in general, but stories of this kind, if undenied, will be used by the press and otherwise, and I do not intend to stand under that imputation when there is no cause whatever for it, and when it has no foundation whatever in the evidence which is printed and on record.

Motion agreed to, and House went into Committee of Supply.

Trade and Commerce, $85,600.

Mr. BERGERON. Does my hon. friend know that last summer a memorial was signed by a great many residents of British Columbia asking the government to allow a certain number of Chinese to come into Canada to work on the construction of the Grand Trunk Pacific under the pledge that they would return as soon as the work was done. I understand that a deposit was asked by the government from certain Chinese residents of Victoria to insure the return of those men after the work was done, and that a deposit of $100,000 was made by those people. Does my hon. friend know anything about that?

Mr. FISHER. No, I have no information on that point at all.

Mr. BERGERON. Perhaps the Minister of Inland Revenue knows something about that?

Mr. TEMPLEMAN. No, I do not know anything of that at all. I never heard that there was any proposition made to the government officially to permit the importation of any number of Chinamen to work on the Grand Trunk Pacific or on any other railway. I am aware that a petition from some of the ladies of the city of Victoria was prepared and sent to the government at Ottawa, asking for the remission of the head tax on Chinamen in order that they might have them for household servants. In some quarters there is an agitation in British Columbia for the removal of the head tax, but it represents only a small minority of the people.

Mr. URIAH WILSON. I want to ask when Mr. Joseph L. Haycock's salary was raised from $1,200 to $1,600. I find that his travelling expenses were $1,298. Then, I would like to know why Mr. W. T. R. Preston, who was turned out of the immigration commissionership in London, has been employed in this department. I would like to know if a man who has so disgraced himself that he is not fit to hold the position of Commissioner of Immigration, is fit to be employed as an agent of this department. The Minister of the Interior went to Europe, as we were told by the Prime Minister, to investigate the immigration business, and he reported when he came back that he had no investigation, but only a conversation with Mr. Preston, and that there was no written report made to Council, but only a verbal report. I think that is altogether wrong. If there is to be an investigation, it should be in such a form that a report of it might be presented to this House. We recollect that, when this matter of dismissing Mr. Preston, was up, the Prime Minister (Sir Wilfrid Laurier) said that it was most unfair to Mr. Preston to dismiss him without giving him an opportunity of bringing in rebuttal evidence,—for, said the Prime Minister, two men were brought from England to give evidence against him, while Mr. Preston had had no opportunity to meet them except with his own evidence. So far as we can learn there has been no rebuttal evidence given and no investigation held. Mr. Preston is now employed in another department with an increase of $600 a

year in his salary. There ought to be an explanation, and we have not heard any explanation. Nor, have we heard anything like a reasonable report on the investigation by the Minister of the Interior.

Mr. FIELDING. The Minister of the Interior (Mr. Oliver) has already stated the facts of the case, and I am afraid that I can not add anything to what he has stated concerning this matter of which he has personal knowledge.

Mr. URIAH WILSON. What did he say?

Mr. FIELDING. My recollection is that he said that he had made an inquiry, though not a formal investigation. The hon. gentleman's (Mr. Uriah Wilson's) first question was with regard to Mr. Haycock. I understand that Mr. Haycock's salary was increased about a year ago, at which time some additional duties were put upon him.

Mr. URIAH WILSON. What were they?

Mr. FIELDING. Legislation was passed with regard to the granting of a bounty on Manilla hemp for certain purposes, and the administration of that was left to Mr. Haycock in addition to his duties as inspector of binder twine. For that reason, and because he was a satisfactory officer, his salary was increased. With regard to Mr. Preston, it is hardly right to state that he was turned out of the Department of Immigration. Nothing was disclosed in the investigation to affect his integrity.

Mr. URIAH WILSON. What about the evidence of Mr. Jury?

Mr. FIELDING. The case was all threshed a year ago, and I do not think I can add anything to what was then said. All that Mr. Jury said concerning Mr. Preston was that he would not believe him. Why, there might be people who would say that they would not believe my hon. friend (Mr. Uriah Wilson)——

Mr. URIAH WILSON. Not anybody who has known me intimately for twenty years.

Mr. FIELDING. There might be such a person who would take a notion into his head to discredit even so fair-minded and excellent a gentleman as my hon. friend. Mr. Preston was not getting along well with the officers of the department. It was thought well that he should cease to occupy his office. He recognized that fact, and resigned and was assigned new duties in the east. He will perform them well, I have no doubt, for no one questions his energy and ability. I believe that he will make a good officer.

Mr. URIAH WILSON. I did not know but that Mr. Haycock's salary had been increased because he took an active part in the general election of 1904. He appeared on the public platform in my own town of Napanee on the 29th of October, 1904, with a member of this government, and spoke against me. The present Minister of Justice (Mr. Aylesworth) was advertised to hold a public meeting in the opera hall on Saturday afternoon, and who should turn up but Mr. Joseph L. Haycock, along with Mr. Aylesworth, now a member of this government. Since then, Mr. Haycock's salary has been increased $300 per year. He is also allowed $1,298 travelling and other expenses.

Mr. BRODER. What does he get altogether?

Mr. URIAH WILSON. He received $2,898.04 last year. Now the Minister of Finance (Mr. Fielding) remembers very well the promise made by the Prime Minister (Sir Wilfrid Laurier)—that any civil servant who took an active part in politics should be given his whole time to attend to politics. I call attention again to that promise and to the action of Mr. Haycock. If the hon. gentleman (Mr. Fielding) wants evidence he can ask the Minister of Justice (Mr. Aylesworth). Or he can turn to the 'Globe' of 31st of October, 1904. If he is not satisfied with that, if he will give me a committee of this House, I will guarantee to bring fifty men who were there and who saw Mr. Haycock there and heard him speak, and heard him denounce me there in pretty round terms.

Mr. CONMEE. What bad things did he say?

Mr. URIAH WILSON. He said a good many. If the hon. gentleman (Mr. Conmee) wants to know what they were, let him turn up the 'Globe' of the date I have mentioned. Mr. Haycock is a man well known in our section of the country. He is better known as a man who would distribute boodle than as anything else. He is charged with having, on a couple of occasions, gone to the rear of the country, carrying money to corrupt the electors. I might say a good many hard things that I know about him. But I am not in the habit of doing that sort of thing, and I do not intend to do it now, though the provocation is great. If the government carried out the policy it has announced, Mr. Haycock, instead of getting an advance would get 'the bounce.'

Mr. BENNETT. He was in West Elgin, with Preston and the machine.

Mr. FIELDING. If the hon. gentleman's (Mr. Uriah Wilson's) statement is correct, I will not justify the conduct of which he complains. A public official of his class, receiving a fairly reasonable salary, should not take an active part in politics. I do not know the facts in this case, but I would not justify the conduct described on the part of any official in Mr. Haycock's position. I will do my utmost to see that this view prevails.

Mr. FOSTER. This case is an illustration. What right in the world, has any gov-

ernment to ask the members of parliament, including members of both political parties, to ask my hon. friend (Mr. Uriah Wilson) for instance, and other representatives on this side of the House, to vote a salary to Mr. Joseph Haycock, ostensibly to pay him for doing the country's business, and have him go down to his own constituency at the time of an election, go upon the platform, and publicly denounce him ? I say that is an outrageous thing. It goes beyond the bounds of reason, beyond the bounds of common decency, to ask a man to vote a salary ostensibly to engage a man for the public service, and have that man go down and actively electioneer and speak against him. The Finance Minister (Mr. Fielding) has met the case fairly and frankly, so far as the principle goes. But will the matter go any further than this disavowal on his part? If the Minister of Finance believes what he has now stated, Mr. Haycock ought to be disciplined—he ought to leave the employ of this government, and the sooner he leaves it the better. I do not believe that the Finance Minister doubts a single word of what my hon. friend (Mr. Uriah Wilson) has told him or doubts that Mr. Haycock did appear as stated and did demean himself as described. Now, that being so, every hour that Mr. Haycock stays in the public employment is a disgraceful thing for this parliament and this government. Surely we must have some rights, and surely there must be some uniformity and some consistency in carrying on public affairs.

Now, I do not think we have been treated fairly in this investigation into the Preston affair, in view of the absolute pledge made by the government on the subject. It will be remembered that the Prime Minister expressed himself strongly, last year, and one hon. gentleman who supports the government stated that he voted for the resolution supporting the government's course only on the pledge given by the government that Mr. Preston's conduct should be inquired into——

Mr. URIAH WILSON. 'Thoroughly investigated.'

Mr. FOSTER. That was the Prime Minister's statement. And there was a vote, and the hon. member for South Wellington (Mr. Guthrie) conditioned his vote absolutely upon the pledge of the government that the matter should be thoroughly investigated. And yet we are simply 'jollied' in this matter. The Minister of the Interior (Mr. Oliver) goes over, and comes back, and, notwithstanding the Prime Minister's statement and the pledge he made to this hon. gentleman (Mr. Guthrie) who voted for him, simply tells us that he had a conversation with Mr. Preston, that the matter was all right and that he did not intend to give the House any information on the subject. That is not what the government pledged, that is not what the member voted on as a pledge by the government and that is not decent treatment by the Minister of the Interior in view of that pledge and in view of what he undertook to do. What is Mr. Preston now doing and what has he been doing for the last five months that he has been under salary-? How long has he been under salary after being shoved out of his old place and what has his salary been ?

Mr. FIELDING. Mr. Preston is under salary.

Mr. FOSTER. When did his last engagement commence ?

Mr. FIELDING. It would probably be from the time of his leaving England ; he was sent to Africa and thence to China.

Mr. FOSTER. About what time was that ?

Mr. FIELDING. It would be last summer or early autumn.

Mr. URIAH WILSON. Since he was put out of the other office ?

Mr. FIELDING. Since he resigned from the other office.

Mr. URIAH WILSON. By and with the consent of the minister?

Mr FIELDING. Yes, the minister consented.

Mr. FOSTER. How large is his salary ?

Mr. FIELDING. $3,000 a year.

Mr. URIAH WILSON. $300 a month, that is the order in council.

Mr. FIELDING. That would be $3,600.

Mr. FOSTER. And travelling expenses ?

Mr. URIAH WILSON. That is $600 more than he was getting before.

Mr. FOSTER. Will the minister inform us what work he is doing ?

Mr FIELDING. He is engaged as an ordinary commercial agent.

Mr. FOSTER. Where ?

Mr. FIELDING. China is his main objective point but on the way he was sent to Africa where there was a vacancy ; another officer retired, and he went there on his way to China.

Mr. FOSTER. What was he doing in South Africa while loitering on the way ?

Mr. FIELDING. He was doing the ordinary work of a commercial agent in South Africa.

Mr. FOSTER. I cannot take that explanation. The usual work of a commercial agent is to go to the place where he is to do his work, to familiarize himself with the conditions and to give the information which he obtains in that way to the department. There is no possible thing that Mr.

Preston could do by running around the globe spending a little time in South Africa and a little time in some other places as I have been informed by the press he has been doing. If he was appointed as a commercial agent for the east it was his duty to go there and familiarize himself with the conditions as quickly as possible and give this country some return for the money. But what Mr. Preston has been doing has been to take a general tour over a portion of South Africa, then he was gone to some other British possession and by and by he will get to his place. But six months have passed by and Mr. Preston has not yet got to the place where his regular duties commence. What has he been doing, what has he given the government during these six months ? He has been writing letters on general subjects to the press of Great Britain, not necessarily in the interests of Canada but that is not surely the duty for which we are paying his $300 per month. It seems to me as though, in some way or other, Mr. Preston has a hold on this government, and he has got them, it seems to me, closer up than by the lapel of the coat and he is hanging on to them because of what he knows and what he has done with the party behind him.

Mr. TAYLOR. He defied them to dispense with his services.

Mr. FOSTER. All the time he was hugging the machine and doing that kind of party work. What were his duties, and what has he been giving to the government during these six months, to justify him in taking the $1,800 salary and travelling expenses as well ?

Mr. A. K. MACLEAN. The hon. member for Jacques Cartier (Mr. Monk) moved his resolution last session, simply asking that the inspector of immigration should be no longer continued in that office. I assume it was the intent of the resolution that Mr. Preston be removed from that office and given some other office.

Mr. FOSTER. Oh I do not think that follows from the resolution.

Mr. A. K. MACLEAN. To make it clear I shall read a few words from the remarks of Mr. Monk, the member for Jacques Cartier accompanying that resolution. At page 6885 of 'Hansard' he says:

> It seems to me that not only on account of the remarkable contradiction given by Lord Strathcona to Mr. Preston's evidence, but on account of the fact that the future relations between our High Commissioner and Preston cannot be favourable to immigration, it is necessary that Mr. Preston should be removed and given some other employment.

The word 'that' could not have been used in any other sense in that resolution than that Mr. Preston should have been removed from that office and given some other, otherwise the word 'that' does not express anything, it was inadequately or incorrectly used. The mover of the resolution, the hon. member for Jacques Cartier (Mr. Monk), expressly stated that that was the intention of his resolution and every hon. gentlemen opposite voted for it. The government in pursuance of that resolution removed him from that office and gave him another.

Mr. BENNETT. That was with the knowledge of the state of affairs that existed between Mr. Preston and the government that the government could not dare dispense with the services of Mr. Preston, and this government dare not.

Mr. A. K. MACLEAN. That is another question, that is an assumption of your own.

Mr. BENNETT. They dare not put him on the road, he would hang the government.

Mr. FOSTER. We have not yet had any answer as to what Mr. Preston's duties have been and what he has given in return for the last six months.

Mr. FIELDING. While the intention was that Mr. Preston was to go east he was instructed to go to Africa on the way. One of the officials had retired, there was a vacancy, and pending the making of a permanent appointment he was sent to that agency. He has fulfilled his duty there, a permanent officer has been appointed and Mr. Preston is on the way to China and Japan.

Mr. FOSTER. What have we from him?

Mr. FIELDING. What can we get from any agent except his best efforts in advertising Canada.

Mr. FOSTER. What advertising has he been doing, has he had any special work ?

Mr. FIELDING. He had no special work other than that which a commercial agent has assigned to him in any part of the world. He has made, I am advised, several reports which appeared in due course in the bulletins along with other reports.

Mr. FOSTER. Have these been published ?

Mr. FIELDING. So I am informed, yes.

Mr. FOSTER. Mr. Guthrie, the member for South Wellington said :

> I do not rise on this occasion with the intention either of upholding or of defending Mr. Preston in his private capacity before he became an officer of this government. I understand from all accounts that, confined within certain limits, his services as Commissioner of Immigration have been efficient, active and satisfactory. But in regard to certain other matters, the conduct or actions of Mr. Preston as Commissioner of Immigration for this country do not commend themselves to my mind, nor to the minds of a great many people in this

country. Unfortunately I have not the honour of being a member of either of the committees before which the evidence was taken in regard to these matters. I have only been able to glean the evidence, and to get it second hand, but from what I have read, from what I have been told, and from what I have heard in the course of this debate, in my own mind I am satisfied that Mr. Preston if not directly, has at least indirectly, contravened his orders so far as his dealings and connection with Leopold and the Labour Bureau are concerned. I feel very strongly inclined on this occasion to vote for the amendment——

That would be against the government.

—and I had fully intended to do so, were it not that the hon. the Minister of the Interior, whose department Mr. Preston serves, has expressly asked the House for time to consider and investigate this matter for himself in order that he may deal with it. I would now ask the Minister of the Interior whether, by his statement in this House to-night, he intended to convey an assurance, not merely an off-hand statement, but an assurance, that he would investigate this matter and deal with it in the near future.

Mr. OLIVER. I think I have already made that statement to the House when the estimates of the Interior Department were under discussion, and I meant to convey the same idea to-night.

Mr. GUTHRIE. Then, Mr. Speaker, taking that as a positive assurance on the part of the responsible minister that this matter will be investigated by him, as it is a matter pertaining to his own department, and he was not even present when it was investigated by the committee, I think the very least we can do is to allow the matter to stand until the minister has had an opportunity of investigating and fairly sifting it. On the evidence, such as we now have before the House, I certainly would vote for such an amendment as has been moved by the hon. member for Jacques Cartier (Mr. Monk). But in the meantime, relying on that assurance, I shall not support the amendment.

I think that is a pretty strong statement. And what information has been laid before this House as a result of the promised investigation? We have nothing more than what amounts to this, that the minister said he had had some conversation over the matter and that he considered Preston all right. But that is not an investigation such as was required, and such as was pledged to Mr. Guthrie. Mr. Guthrie read the evidence against Preston, he wanted now to have a rebuttal of the evidence, and if he did not have it he promised that he could not vote for the government. He was promised evidence the result of an investigation; relying on that, he promised to vote for the government. We have simply to face the fact that there was no investigation. The minister went over to England, he may have made some incidental inquiries, but an investigation such as parliament understood, and the member for South Wellington (Mr. Guthrie) must have understood, there was nothing at all, and no information was given to the House. Now take the Prime Minister's statement in that connection, and it seems as though the government were not treating this House as it ought to be treated. I think we should have had a thorough investigation and the results of it laid before the House, and we should have been able to hear the other side of the story as developed by that investigation.

Mr. BLAIN. I think the member for Lunenburg (Mr. A. K. Maclean) did not do himself justice when he endeavoured to lead the House to believe that the hon. member for Jacques Cartier (Mr. Monk) wished to leave the impression on the House that he simply wanted Mr. Preston removed and put into another office. My hon. friend picked out two or three words, but he did not attempt to look over the whole debate, or he would not have made such a statement. Let me read what Mr. Monk did say, page 6891:

My hon. friend is mistaken, I did not suggest his promotion. I said he should be required to find occupation elsewhere. I am told that I spoke differently, that I conveyed the idea that he should be given another position in the service of the government. That is not my opinion. But in the motion, I have not asked for his dismissal, I have asked for his removal. I consider that it is proper that he should be removed from a position which has brought us into so much difficulty. I have not asked for his dismissal, but I do not suggest that he should be promoted by any means. I do not think a man like that ought to be in the employ of the government at all.

Mr. FIELDING. The hon. gentleman from Jacques Cartier (Mr. Monk)) says, 'I do not ask for his dismissal, but only for his removal,' surely that meant that he was not to be dismissed.

Mr. BLAIN. But he qualified that; he says his opinion is that the man should not be in the employ of the government at all.

Mr. FIELDING. Nevertheless he says he does not ask for his dismissal; there can be nothing more direct than that.

Mr. BLAIN. Surely my hon. friend will not attempt to create an impression like that, particularly in the absence of the hon. gentleman himself. The hon. gentleman was quite careful, when his attention was drawn to the fact that the impression was left by some of his words that he only wanted Mr. Preston to be removed from one position to another, to get up and emphatically state that he thinks Mr. Preston is a man who should not be in the employ of the government at all.

Mr. FIELDING. That conflicts with his other statement.

Mr. A. K. MACLEAN. I did not intend to misrepresent the position of the member for Jacques Cartier (Mr. Monk); I must admit I had not seen that portion of his remarks which has just been read, but I do

not think they make much difference. Let me read again what he said. In citing the reasons for his removal, he closed in the following words :

It is necessary that Mr. Preston should be removed and given some other employment.

Now that can only mean some other employment in the government.

Mr. BLAIN. My hon. friend should take the explanation which the hon. member for Jacques Cartier (Mr. Monk) has given himself.

Mr. A. K. MACLEAN. I presume that during the remarks of the Minister of the Interior the question was raised, and the member for Jacques Cartier modified his previous remarks.

Mr. FOSTER. I find this also. According to the design of the government and of the deputy minister, Mr. Preston had no business to be in South Africa. On September 11, 1906, this letter was written :

W. T. R. Preston, 11 and 12 Charing Cross, London, S.W., England.

Sir,—I have it in command to acquaint you that on the recommedation of the Right Hon. the Minister of Trade and Commerce His Excellency the Governor General in Council has been pleased to appoint you a trade commissioner, or agent of the Dominion government, to visit China, Corea and Japan, with a view to ascertaining from personal investigation, under such instructions as may be given to you by the Minister of Trade and Commerce, to what extent and in what manner an increase of trade between the Dominion of Canada and these countries can be brought about. While employed in this connection you will be paid for such services at the rate of $300 per month, and such reasonable and actual expenses as you may necessarily incur in making such investigation, all chargeable to the vote for commercial agencies.

I have the honour to be,
Your obedient servant,
W. G. PARMELEE,
Deputy Minister.

I have not the order in council, but no doubt that follows the order in council. Now from September, when this appointment was made until now, Mr. Preston has not been carrying out the duties for which the order in council appointed him, and with reference to which the Deputy Minister of Trade and Commerce sent him that letter of instructions. The fact of the matter seems to be that Mr. Preston demanded a holiday, demanded a holiday with high pay, that the government granted it to him, and he has been sailing around in South Africa and other dependencies of the British empire under the guise of a high official of the Dominion of Canada, and duly drawing this salary. That is the thing for which he was appointed, that is the business upon which he should have been employed and he should have paid for doing that work and for nothing else.

Mr. DANIEL. I understand there has been quite a clamour for the Chinese as domestic servants in British Columbia. I would like to know whether the government are taking that view of the admission into British Columbia into consideration. Of course I am well aware that organized labour out there is not disposed to admit Chinese but there is a demand for the Chinese as domestic servants, a class of labour which, I understand, it is very difficult indeed to get in British Columbia. I would like the minister from British Columbia, the acting Minister of Marine and Fisheries (Mr. Templeman), to let us know if the government has received any petition to that effect and whether there is any intention of taking that into its favourable consideration and allowing the Chinese in for that special purpose.

Mr. FIELDING. At all times since restrictions have been placed upon the Chinese there have been representations to the government by parties who would like to have Chinese labour admitted. The need of Chinese for domestic servants has sometimes been represented to us, but we have taken no action in that direction. We do not contemplate at this moment any change in regard to the Chinese.

Mail subsidies and steamship subventions—ocean and mail service between Great Britain and Canada, $500,000.

Mr. FOSTER. Before we take up the mail subsidies and steamship subventions we ought to have from the minister a statement which it was agreed a few years ago the House should always have as to what has been the general results of these different services. We have been voting for a number of years a million or a million and a half of money and we have never had any statement at all vouchsafed to us as to what these different services were doing, whether they were doing good work or bad work, whether they had proved themselves to be useful or otherwise, whether they were necessary or unnecessary, whether the trade and commerce requirements made it proper that they should be voted, or whether there was any foundation in so far as that goes for the voting of the money. So, the right hon. Minister of Trade and Commerce (Sir Richard Cartwright) acceded to my request, I think, about two or three weeks ago, and promised to have a report brought down each year for the use of the committee before these subsidies were called upon to be voted. Last year we did get such a statement. It was necessarily partial but it was full of information and furnished a basis upon which one could form some sort of judgment. But, it was not distributed and I do not think anybody saw it with the exception of one or two, maybe myself and some one else on

this side of the House. The idea was that when we were called upon to vote a million and a half or more we ought to have the fullest information in reference to what had been the actual results of these different steamship operations during the course of the year, as to whether they carried a trade which was at all commensurate with the amount of money we had been expending, whether this trade was increasing or otherwise, whether we were to go on and keep a useless service subsidized or whether we were to have some discrimination between the services, drop those that were of no use and keep those that were proving beneficial and giving some return for the subsidies. This year we run up here, within two or three days of the closing of the House, against a million and a half for these varied services and there is not a scrap of information before the committee as to their necessity or usefulness.

Mr. FIELDING. On each of these items I will be happy to give the committee whatever information is available. My hon. friend is hardly correct in stating that no information has been given in reference to this question. A year ago a very full report was issued by the Department of Trade and Commerce giving the terms of the contract under each item of this service and a reasonably full explanation as to the nature of the work, the steamer performing the service and so forth.

Mr. FOSTER. That was the statement I spoke of last year but that was not put in print.

Mr. FIELDING. It is a blue-book and it was published and distributed amongst those who wished it.

Mr. FOSTER. I do not think it was published at the time. I received it only a short time before the vote was brought on. I had time to look it over. The deputy minister kindly sent it to me and asked me whether that would fill the bill as to the requirements and I think I told him it was quite full and quite satisfactory. The blue-book, I imagine, is the printed record of that paper. We should have a statement of this kind.

Mr. FIELDING. I am advised that this was brought down last year in printed form and distributed at the time the estimates were brought before the House.

Mr. FOSTER. No.

Mr. FIELDING. Well then the deputy minister is mistaken.

Mr. FOSTER. It came afterwards.

Mr. FIELDING. However it will be found that this document contains the contracts, the terms and conditions of these various subsidies and we will be very happy to give any facts that are necessary as to any changes that are made. I do not think this is a document that needs to be reprinted every year and the terms of each contract repeated. But, I can give a statement on each one of these contracts, which, read in connection with the blue-book issued a year ago, will put the committee in possession of what is a reasonable amount of information. Of course, the fact that these subsidies are continued must be taken as a presumption that the government believe they are useful services.

Mr. FOSTER. But the House wants to form its own judgment.

Mr. FIELDING. On each item we will be happy to give all the information we can. The first item is one of long standing being for the mail service between Great Britain and Canada. I do not know that there is anything that can be added this year because the House is familiar with this service.

Mr. DANIEL. This is an increase, is it not ?

Mr. FOSTER. Yes, a large increase.

Mr. URIAH WILSON. It would be well to read the names of the parties who have the contracts.

Mr. FIELDING. The contractors in this instance are well known, being Messrs. H. & A. Allan. This contract was entered into on July 19, 1906, and it will run until May 1, 1912. The service is in the summer from Liverpool to Rimouski or North Sydney, and in the winter from Liverpool to St. John or Halifax, a weekly service of fifty-two trips. In regard to the mention of North Sydney, what is contemplated is that during the early part of the season, before the straits of Belle Isle are opened, and when the vessels go south of Newfoundland the steamers will call at North Sydney, while in the season when the straits of Belle Isle are opened and the vessels pass through the straits, North Sydney would not be on their route and they would then go to Rimouski. It is contemplated that that course will be taken in the season in which they pass south of Newfoundland.

Mr. DANIEL. Is that part of the contract ?

Mr. FIELDING. Yes, we have the option to call for that under the terms of the contract.

Mr. DANIEL. That is on the way up the St. Lawrence ?

Mr. FIELDING. Yes, and down also, for that part of the season when the Belle Isle route is not available. A glance at the map will show that when the steamers

pass through the straits of Belle Isle it would involve a considerable loss of time to call at North Sydney, but in the early season when the Belle Isle route is not open it is proposed to call at North Sydney going and coming, and an effort will be made to make that effective during the coming season.

Mr. KEMP. Instead of Rimouski.

Mr. FIELDING. Just for these trips. The idea is to use the land service which is quicker than the sea service. There is a variation in the subsidy according to the different rates of speed, and there is a higher subsidy given for the winter service as will be noticed from the following figures:

The subsidy for each complete round voyage between Liverpool, Rimouski and North Sydney, performed at the rate of eighteen knots an hour is £2,500; for each complete round voyage between Liverpool, St. John, or Halifax performed at the rate of eighteen knots an hour, £3,000; for each complete round voyage between Liverpool, Rimouski or North Sydney at seventeen knots, £2,000; for each complete round voyage between Liverpool, St. John, or Halifax, at seventeen knots, £2,500; for each complete round voyage performed at the rate of fifteen knots per hour, £1,000. The service is being performed now by a joint arrangement between the Allan line and the Canadian Pacific Railway steamship line. The Allans are the contractors, but arrangements have been made by which two fast vessels of the Canadian Pacific Railway, the 'Empress of England' and the 'Empress of Ireland,' are included in the service. The vessels which now come within the scope of this contract are the Allan steamers. 'Virginian,' 'Victorian,' 'Ionian,' 'Sicilian,' 'Pretorian,' 'Tunisian'; and the Canadian Pacific Railway steamers 'Empress of Britain,' and 'Empress of Ireland.' The 'Virginian' and the 'Victorian' are turbine boats which are comparatively new; the other Allan boats are of less speed and receives a less rate of subsidy.

Mr. KEMP. The Canadian Pacific Railway are subcontractors to the Allan line.

Mr. FIELDING. Yes, they alternate.

Mr. KEMP. They get a certain sum from the Allan people?

Mr. FIELDING. They get the benefit of this contract according to the rate of speed. Of course their boats are the fastest and they get the highest subsidy.

Mr. KEMP. Is it understood in the contract with the Allan line that they should combine with the Canadian Pacific Railway.

Mr. FIELDING. No, the contract with the Allan line contemplated they should build new vessels of similar speed to the 'Virginian' and 'Victorian,' but we were aware that the Canadian Pacific Railway were about launching their vessels and we were always hopeful that a combination would be made in that way. It would be rather unfortunate that the Allans should be obliged to build two expensive steamers while these two very fine Canadian Pacific Railway vessels were available, and we were happy to find that the two companies came to an understanding. The result is that we have got on the whole a remarkably good service, not perhaps all that is desirable, but so much better than any service we have ever had before, that I think it has given a great degree of public satisfaction.

Mr. FOSTER. Does the government pay the Canadian Pacific Railway directly?

Mr. FIELDING. No; we pay the Allans but it amounts to the same thing as the arrangement was made with our full knowledge and approval.

Mr. FOSTER. Does it give the Canadian Pacific Railway the same as if the vessels belonged to the Allans.

Mr. FIELDING. I think so, but that is a matter of arrangement between them.

Mr. DANIEL. When the Canadian Pacific Railway undertook their part of the work as subcontractors under the Allan line, they understood that they could sail between Liverpool and St. John direct. The minister will remember that they made an effort to have the contract carried out in that way, but for some reason it was not allowed. There may have been some good reason why the government did not permit the Canadian Pacific Railway to carry out the contract in a manner which would seem to be best in the interests of the country generally, and if so, I would like to know what it is? As I understand it, both the Allans and the Canadian Pacific Railway people would prefer to have the Canadian Pacific Railway mail steamers sail to and from St. John to Liverpool direct, and that the Allan line steamers sail to and from Liverpool direct to Halifax. There is no doubt that the Canadian Pacific Railway expected they would be able to do that, and they have stated that the service would be more satisfactory and that the mails would get to the Orient with greater expedition if that were done. I cannot understand that any good reason can be given why that should not be done. I have seen it stated in the press that the Minister of Trade and Commerce himself thought that was the very best arrangement that could be made. I quote from the St. John 'Globe' of Saturday, November 17, a despatch from Montreal, dated November 16, and which is as follows:

The facts about the winter arrangement for the transport of the Atlantic mails are briefly these: The government entered into a contract with the Allan Line for the carriage of the

mails ; subsequently when the Canadian Pacific Railway put its two new 'Empresses' into the service they became a party to an arrangement under an agreement made with the Allan Line as sub-contractors. It was quite understood by the parties to this agreement that during the winter months the 'Empress of Britain' and the 'Empress of Ireland' would run between Liverpool and St. John, receiving and delivering the mails at the latter port. Were it not for this understanding the Canadian Pacific Railway would not have participated in the contract, because if these vessels are to be kept on the Atlantic route they must serve ports reached by the Canadian Pacific Railway lines.

Then, this despatch states, that the reason why the steamship companies were not allowed to carry out that arrangement was because of the predominating influence of Halifax, and the article continues :

The Canadian Pacific Railway was quite willing to surrender its share in the mail contract rather than subject its passengers to the delay and to have the Canadian winter route for passengers seriously prejudiced by this roundabout service.

Of course the reason for that is plain because we all know that a steamer coming to St. John and calling first at Halifax has to go very considerably out of her course in order to go into Halifax, and in coming out, she has to steam from 50 to 75 miles out to sea to clear the coast. In addition to the delay, there is of course the increased cost of insurance. So that if speed is considered a necessary element in the delivery of the mails, it is important that the proposition of the Canadian Pacific Railway Company in that regard should be taken into consideration.

But this could not be done unless the Allan line could secure the consent of the government. They failed to do so, and therefore the Canadian Pacific, in order to observe the terms of the contracts with the Allan line, was compelled to accept the situation.

It goes on to state the delay occasioned by the second port of call, and says :

Save for this call at Halifax on their outward and inward voyages, the 'Empresses' would confine themselves to St. John, the winter port of the Canadian Pacific, passengers and freight being shipped and landed there, while the Canadian Pacific Railway overseas limited, carrying the imperial mails to and from China, would also make St. John its winter terminal. While beyond doubt the arrangement is detrimental to the general interests of the rest of the Dominion, the only advantage accruing to Halifax is the sentimental prestige of being made a port of call, and thus receiving the local European mails a few hours earlier than if they were carried to St. John.

As far as the accommodation of the rest of Canada is concerned, it would seem from this statement of the Canadian Pacific Railway people that it would be much better for both lines to have each its direct port of call. It would be safer in every way, more speedy for the delivery of mails and passengers, and more satisfactory to both lines in every respect. I bring this matter to the notice of parliament and the government, and I would like the Minister of Finance to tell us why such an arrangement could not be carried out, especially as both lines would perfer it.

Mr. FIELDING. I do not know what understandings there may have been between the Canadian Pacific and the Allans, but I know that as far as the government is concerned, there has never been any understanding that any of these subsidized mail steamers in the Atlantic service were to set aside the port of Halifax. Halifax from the beginning has been the recognized mail port of Canada for the ocean service. The Post Office Department was satisfied years ago that Halifax was a proper port for that service, and is satisfied with that to-day. The sister city St. John has undoubted advantages for the freight service by reason of its shorter rail haul from western points : but so far as the mail and passenger services are concerned, I think it hardly admits of doubt that Halifax has the advantage. Ever since the beginning of our independent Canadian line, Halifax has been the acknowledged winter mail port. Before the construction of the Intercolonial Railway the mail steamers went to Portland. After the opening of the Intercolonial there was an agitation for those vessels to come to a Canadian port, and thereafter for many years Halifax was the recognized mail port. Another agitation occurred because while the steamers came to Halifax for the mail service they went to Portland for their freight business. It was felt that a subsidized steamer should not go to a foreign port, but should receive and discharge her freight at a Canadian port ; and so the agitation took the form of a demand that the Allan line, being the contractors at that time, should deal with a Canadian port —not any particular one, but that they should be free to come to any port of Canada for the purpose of landing and receiving freight ; and St. John, having undoubted advantages in its connection with the Canadian Pacific Railway, and in its proximity to the centres of traffic in the west, it was chosen as giving a volume of freight which Halifax could not give ; but Halifax continued to be, as it was from the beginning, the mail port. Therefore there is no change. The arrangements now made are precisely the same as they have been for many years. It is unfortunate perhaps that those two cities down by the sea coast have a certain rivalry—I am happy to say it is good matured ; but I think it will be recognized that each has a certain amount of advantage. Undoubtedly St. John, which has shown a great deal of enterprise in equipping its port, has an advantage in handling the heavier freight, while Halifax

has a decided advantage for the mail and passenger service ; and every year will emphasize these two facts. But I can answer my hon. friend that it was never contemplated that the mails should be taken away from Halifax.

Mr. DANIEL. I agree that there has never been any doubt that Halifax has always been the mail and passenger port. I know that it is a good port. The people of St. John have no feeling against Halifax at all. We would be glad to see Halifax grow and increase beyond the dreams of its people ; but this is a matter more in the nature of an experiment, and it places both ports exactly on the same footing, one line going to one port and the other line going to the other, so that there is no discrimination at all. I merely bring it to the attention of the government, because it would appear to be a good way to test the best method of delivering the Canadian mails coming from the old country. It is not that we in St. John are anxious to get a little business that is going somewhere else ; it is merely to get the most rapid and most satisfactory service. If it cannot be done, of course there is an end of it ; but it would seem that the Canadian Pacific Railway Company themselves think that they could give the country a better service by doing that, not only on account of having but one port to call, but by doing away with the risks of a coasting voyage to a certain extent in the winter time, and by doing away with that extra insurance which every vessel has to pay in making two calls instead of one. The Minister knows that the St. John 'Globe' is under the editorship of Senator Ellis, and I think he will regard Senator Ellis as a fair-minded man. The St. John 'Globe' ends its remarks on this subject in this way :

> But the statement of the Canadian Pacific Railway Company lets in important light upon the whole business. That company is able to do its mail carrying work more satisfactorily and more speedily in the winter for the benefit of all Canada and for the benefit of the European senders and receivers of mail matter through the port of St. John than it is through the port of Halifax. That is a condition which the public authorities of this country, the government and the parliament must recognize. It is a condition which must compel attention and consideration from the whole country, and it will fully justify St. John in putting forth every fair and reasonable effort to have the Canadian Pacific steamers come to this port as mail steamers. Further than this, it places a duty upon people here, and a duty upon the government, which cannot be overlooked. The mail service is one of the most important services in which this country is concerned. In some respects it is the most important. The development of the Trans-Pacific part of the business has become a factor in what, in a measure, changes the old situation. If that particular portion of the mail work can be more quickly done through the fine port of St. John than any other port on the Atlantic seaboard, what is left but to do it through St John ?

I take the liberty of bringing this matter to the attention of the hon. gentleman ; and I shall be glad, for one, if the Canadian Pacific Railway are allowed an opportunity for one season to test their views in the matter, and see if a better, quicker and more satisfactory business can be done by having the two lines going to their own respective ports, and thus allow each to give a direct service to the old country.

Mr. FIELDING. I understand that, since that time, the Canadian Pacific Railway have somewhat modified their views on the subject. In saying that, of course, I do not speak by their authority. My impression is that they have found the difficulties which they imagined to exist in the way of their going to Halifax to be largely imaginary, and I think they realize some of the advantages of that route.

Mr. KEMP. There is one point on which I would ask the minister for an explanation. The government made this contract with the Allan line when it had only two fast steamers, but when two other fast steamers were being provided by the Canadian Pacific Railway it would provide four steamers, giving one trip a week. But why was it that the Canadian Pacific Railway was put in the position of being sub-contractor to a rival company ? Does not the minister think it would have done more to encourage the building of fast steamers if such a company as the Canadian Pacific Railway were given a subsidy direct instead of in this way?

Mr. FIELDING. The Allans entered into a contract to supply two steamers of substantially the same class. I may say, frankly, that I think that the Allans, as pioneers of the Atlantic service had a claim upon us above the Canadian Pacific Railway. The Canadian Pacific Railway were engaged in the land service, and they were giving a good service,—for whether the Canadian Pacific Railway gives you a railway, steamer or hotel service, it gives you as far as possible, a good one. Of course, they had their rights, but it seems to me that the Allans, as the pioneers, had claims above them. So we gave the Allans the contract, but at the same time, we said we hoped they would make this arrangement with the Canadian Pacific Railway, because it would be wasteful for the Allans to provide two steamers of their own. I think the proposition is a fair one in view of the circumstance.

Mr. KEMP. There is a great increase in the subsidy for the service.

Mr. FIELDING. But we get a much better service—the two Empresses, the 'Virginian' and the 'Victorian'—a splendid

service as compared with what we had a few years ago.

Mr. KEMP. But the government have set that off with the Canadian Pacific Railway. Had they not been going into the service, the Allans would have been obliged to give us two other boats of about the same size to carry out the contract.

Mr. FIELDING. One reason for making the contract in the way we did was the hope that the two would combine. Another was that the Canadian Pacific Railway control the traffic on land. They could have, as the saying is, 'frozen out' the Allans in the trade, and it was desirable that the two companies should come together and make an arrangement.

Mr. FOSTER. What strikes me as this discussion is going on is this: Even allowing for the merits of the Allan line and its long historic career—one very creditable to themselves and helpful to Canada—does not this arrangement seem like a penalizing of the industry and enterprise of other companies? We must have more steamship lines than the Allans can give us, for the country is growing. The Canadian Pacific Railway were at great expense for steamers superior in every respect to those of the older steamship company, the Allans. It looks like penalizing their enterprise to say: Even though you make the strongest line and have the best ships, you shall not get a single dollar from the country for the carrying of mails, unless you go to one port. The route of the Canadian Pacific Railway steamship line is between Liverpool and St. John, and it does not seem to me to be wholly wise to tell them that for that route they shall not receive any mail subsidy. It seems to me that that does not encourage the energy and enterprise which ought to be encouraged. Many steamship lines are better than one, but it does not seem to be the best way to secure more than one, to say that unless this new line goes into a port which is not one of its direct ports they shall get no subsidy. I am not discussing this from the standpoint of any rivalry between Halifax and St. John. The time will come and it is not very far distant when we will have four or five or six ports to which good vessels will come and where the mails will be handled. In that respect it seems to me from the first of the controversy to be a little unfair, it would be better to have a portion of the subsidy given to the Canadian Pacific Railway.

In regard to speed in the delivery of the mails, what difference in time is there in the passage of the mails, say between Liverpool and Ottawa or Liverpool and Toronto via the Allan line to Halifax and via the 'Empresses' or other vessels to St. John?

Mr. FIELDING. There is a difference.

Mr. FOSTER. How much?

Mr. FIELDING. I cannot give my hon. friend the time, a glance at the map will show.

Mr. FOSTER. I know, but the map does not tell everything, speed tells for something.

Mr. FIELDING. My hon. friend is aware that speed on railways as a rule is greater than at sea; hence for mail purposes you want to reach the nearest port so as to have the greater part of your journey by rail. It is just the opposite of the conditions with dead weight. With that you want to get the shortest land haul and the longest water haul.

Mr. FOSTER. Giving that argument all due weight, and I admit the argument, the question still remains that there is a difference. The Post Office Department should be able to give that difference.

Mr. LEMIEUX. I will be able to give it in the morning, we have kept in the office here the time of the arrivals by the different lines.

Steamship service—Halifax, St. John's, Newfoundland, and Liverpool $20.000.

Mr. FIELDING. That is the Furness-Withy line which has had it for years.

Mr. FOSTER. The contracts on the steamers will be much the same as in the report?

Mr. FIELDING. It has been that for some time.

Steam service—St. John and Glasgow, $15,000.

Mr. FIELDING. That is the same concern as before, the Donaldson line.

Winter service—St. John, Dublin and Belfast, $7,500.

Mr. FIELDING. That is the Ulster Steamship Company, of Belfast, Ireland.

Steamship line—St. John, Halifax and London, $40,000.

Mr. FIELDING. That also is the Furness-Withy Company who have been performing the service for many years.

Steamship service—St. John and Digby, $12,500.

Mr. FIELDING. That is the Dominion Atlantic Railway. We contemplate by a later appropriation adding something to that subsidy in order that we may establish a daily service all the year round. There will be a further vote in the supplementaries to have it all the year around.

Mr. DANIEL. I am very glad to hear the minister make that statement, because there has been a strong demand to have that very thing done. There is plenty of business to warrant it and it would be a great

convenience not only to the New Brunswick side but to the Nova Scotia side as well.

Mr. FIELDING. It is a very important service.

Steamship line or lines—St. John-Halifax, West Indies, and South America, $80,700.

Mr. FOSTER. Is any improvement contemplated in that line ? The general objection to that line is the slow speed of the vessels, and the fact that they are not really up to date. They do not compare with the service from New York to these islands and consequently lose a great deal of trade that might otherwise be secured. Is there any possibility of improving the service with a reasonable subsidy ?

Mr. FIELDING. There has been some improvement, although my hon. friend is right that it is not yet all that it should be. Several years ago we had a rearrangement of this contract which is for the Demerara service. That is a contract in which the Imperial government contribute a portion of the subsidy and the Canadian government the balance, so the contract has to be arranged with the Imperial authorities. We rearranged the contract a couple of years ago with a view to dropping some of the smaller ports. We dropped them regretfully as we would have been glad to have continued their trade too, but having to make so many calls on the way to Demarara made the voyage very long and we dropped some of the ports.

Mr. FOSTER. Both going and coming ?

Mr. FIELDING. Yes, some of the smaller islands. While to call at all these little islands is very delightful for the tourist, by the time you get to Demarara or Barbadoes you have had a long voyage and the New York steamer is there before you. Instead of two trips a month we now get a trip every 12 days and the vessels in the meantime have been somewhat improved, although the service is still far short of what we would like to have it.

Mr. FOSTER. What are the vessels ?

Mr. FIELDING. There is the 'Carabee,' the 'Oruru,' the 'Memnon,' the 'Orinoco,' the 'Ocamo,' and the 'Olenda.' The 'Carabee' is off and her place is taken by the 'Olenda.' Several of these have been in the service under other names, but they have been very much improved. They were taken to the old country, given new engines and made much better ships, and on the whole the service is fairly good although lacking in speed. This service runs to Bermuda, St. Thomas and a number of small islands and then on to Barbadoes, Trindad, and Georgetown, Demarara.

Steam service—Victoria and San Francisco, $3,000.

Mr. FIELDING. This is the Pacific Coast Steamship Company.

Steam service—Halifax and Newfoundland, via Cape Breton ports, $2,000.

Mr. FIELDING. That is the Pickford & Black Company, of Halifax. They have had the service for years.

Mr. FOSTER. Is that developing any trade ?

Mr. DANIELS. Is that the 'Bruce' ?

Mr. FIELDING. No, the 'Bruce' runs between North Sydney and Port au Basque. This is the line going from Halifax to Newfoundland calling at Cape Breton ports, the steamer 'Harlaw.'

Steam service—Mainland and Magdalen Islands, $15,000.

Mr. FIELDING. This is the service performed by the steamer 'Amelia. The service has been running, under one contract and another, for many years.

Steam service—Prince Edward Island and the mainland, $10,000.

Mr. FIELDING. This is the service from Pictou to Charlottetown and from Point Duchene to Summerside.

Steam communication during the year 1907, that is, for not less than fifty-two full round weekly trips, between St. John and Halifax, via Yarmouth and other way ports, $10,000.

Mr. FIELDING. This line is conducted by Messrs. William Thompson & Company of St. John, and runs from St. John along the south shore of Nova Scotia, and terminates at Halifax.

Mr. DANIEL. Are they intending to keep it up? I heard that they thought the subsidy was too small.

Mr. FIELDING. So far as I know they are continuing. The difficulty is that a railway has been constructed along the south shore and comes in competition with the steamers, and I am inclined to think the railway carries the passengers. Whether there will be enough business to enable the steamer to continue is one of the questions which has yet to be tried out.

Steam communication between a port or ports in Prince Edward Island and a port or ports in Great Britain, $7,000.

Mr. FIELDING. This service, which was not performed last year, we are revoting on the chance of something turning up.

Mr. LEFURGEY. Why was it not performed last year?

Mr. FIELDING. We could not find anybody to do it.

Mr. LEFURGEY. You did not offer them enough money.

Mr. FIELDING. Probably not.

Direct fortnightly steam service betwen Montreal, Quebec and Manchester, England, during summer season, and between St. John, Halifax

and Manchester, during the winter season, $35,000.

Mr. FIELDING. That is performed by the Manchester Liners Company, Limited. I think that runs in connection with the Manchested ship canal. It has been a very useful service to us, because we get access for our products to the centre of a large population in Great Britain. Practically they carry no passengers.

Direct monthly steam communication between Canada and South Africa, $146,000.

Mr. FIELDING. That contract was made with the Allans, the Elder-Dempster Company, and the Furness-Withy Company. The Allans have withdrawn, and the contract is now performed jointly by the other two companies. The contract began in 1902 and runs until October of the present year. The service is from Montreal and Quebec to Cape Town and to other South African ports. It is a monthly service fairly satisfactory. Our exports to South Africa are very considerable.

Mr. FOSTER. The imports seem to be small.

Mr. FIELDING. Yes, the trade is one-sided. I think the exports are growing. But South Africa has very little to send us.

Mr. FOSTER. Is there any prospect of this business developing into a trade which would justify the subsidy?

Mr. FIELDING. I think our manufactures generally regard this service as a very desirable one. One of our difficulties with regard to this foreign service is that our manufacturers and producers at home have been pretty busy, and they will not pay as much attention to this foreign trade as is desirable. There is sometimes a complaint that they do not look after trade, that they do not send out their travellers, and are not as particular as they should be in packing their goods. But I think this South African service is valuable, and our manufacturers are looking forward to build up a considerable trade.

Mr. SAM. HUGHES. More than that, since the advent of the Liberal government in England and their policy on Chinese labour in South Africa, times have been pretty bad there.

Mr. FOSTER. Is there nothing that they can send to Canada to help freight these vessels? I see you only brought in 819 tons.

Mr. FIELDING. Practically nothing comes back.

Mr. FOSTER. If they do not produce much that we want it is impossible to build up a trade.

Mr. FIELDING. South Africa produces diamonds and minerals, and they do not make freight. We exported 41,641 tons altogether.

Mr. FOSTER. There is even a falling off of 12,000 tons from the preceding year. What came in last year?

Mr. FIELDING. Practically nothing. Still I do not think our producers would care to give up the service. One of the reasons I think is that our people have been pretty busy, and there is no great inducement for them to push the trade. But if we had a check upon our rapidly growing prosperity that export trade would be more valuable to us.

Mr. SAM. HUGHES. If this line ran from Canada to South Africa and then to Great Britain before coming back to Canada, taking a triangular course, I think they could get better cargoes.

Mr. FIELDING. That would be a matter for the steamship people to settle on commercial principles.

Steam communication during the season of 1907, that is, from the opening to the closing of navigation, between Gaspé Basin and Dalhousie or Campbellton, $15,000.

Mr. FIELDING. That is conducted by the Interprovincial Navigation Company of Canada, Limited, of Campbellton, N.B. The vessel is called the 'Lady Eileen,' a very charming name.

Mr. FOSTER. What amount of freight was carried?

Mr. FIELDING. I do not have any return of that among my papers.

Mr. LEMIEUX. It is a first-class service.

Mr. FOSTER. That does not give the answer.

Mr. LEMIEUX. All the business of the Gaspe peninsula is done by that steamer.

Mr. BERGERON. It is a large passenger business; in fact they could not go there without this service.

Mr. LEMIEUX. No, it is the only line of boats.

Steam communication from April 1, 1907, to March 31, 1908, between Port Mulgrave and Canso, and between Port Mulgrave and Guysborough, and from the opening to the closing of navigation, 1907, between Port Mulgrave, Margaree and Cheticamp, $8,000.

Mr. FIELDING. I propose to strike that out because we will revote it in a better form in the supply estimates. Meanwhile we have voted one-fifth of this already and it has gone into the Supply Bill, but of course it will not be used. When the supplementary estimates come down it will be dealt with so that we can strike out of this.

Mr. DEPUTY SPEAKER. The item is cancelled.

Steam service during the season of 1907 between Sydney and Whycocomagh, $1,000.

Mr. FOSTER. What does that do?

Mr. FIELDING. This is a service conducted by the Bras D'Or steamboat Company of North Sydney and it runs through a section of Cape Breton which is far away from the railway.

Winter steam navigation service during winter of 1907-8 between Quebec and St. Lawrence harbours down to Murray bay and River Ouelle, $12,000.

Mr. FOSTER. What is going on there?

Mr. FIELDING. That is the connection between the Intercolonial Railway and Murray Bay. The service has been paid for during the past year out of the Intercolonial Railway vote and perhaps it will be voted in the same way, but it has been placed in these estimates here and we are retaining it in case of not making provision for it.

Steam service between Canada and Australia, $180,509.

Mr. FOSTER. Are these the same vessels?

Mr. FIELDING. This service is conducted by the Union Steamship Company of New Zealand who are the managing agents of the Canada-Australia Royal Mail line. The contract of March 31, 1904, has been renewed.

Mr. SAM. HUGHES. The same contract?

Mr. FIELDING. Yes. It is a renewal of the old contract.

Mr. SAM. HUGHES. From Vancouver to Australia?

Mr FIELDING. From Vancouver to Sydney, Australia.

Mr. SAM. HUGHES. What are the calling places?

Mr. FIELDING. Calling at Honolulu, the Sandwich Islands, the outer wharf at Victoria, B.C., with the option of calling at Moreton Bay or Brisbane in Queensland.

Mr. SAM. HUGHES. Do they not call at the Fiji Islands?

Mr. FIELDING. They always call at the Fiji Islands.

Mr. SAM. HUGHES. Do they not call at New Zealand?

Mr. FIELDING. No.

Mr. SAM. HUGHES. They used to.

Mr. FOSTER. What is the tonnage?

Mr. FIELDING. Outward, 16,058 tons, inward, 9,760; passengers carried, outward, 1,140, homeward, 2,376.

Mr. SAM. HUGHES. At one time they started to import sugar cane.

Mr. FIELDING. I think they are bringing a considerable quantity of sugar cane from the Fiji islands now.

Mr. SAM. HUGHES. Has the minister considered the question of establishing a steamship freight line from the eastern coast? There are a great many hides that could be imported from Australia, but they cannot stand the rail haul from Vancouver east. If there were a steamship route established from Halifax, Quebec or Montreal, I believe it would pay.

Mr. FIELDING. To what point?

Mr. SAM. HUGHES. To New Zealand and Australia.

Mr. FIELDING. We have not been doing any thing along those lines.

Mr. SAM. HUGHES. It is felt that it would pay if we could reach the eastern part of Canada with such products as hides and wool which could not stand, the long freight haul from Vancouver east. The carriage would be just as cheap as from here to England.

Mr. FIELDING. If any proposition of that kind is made we shall be glad to consider it.

Steamship service between Paspebiac and Gaspé basin during the months of December, 1907, and January, 1908, $3,000.

Mr. FIELDING. I want to ask the committee to strike that out because it is proposed to replace it in better form in the supply estimates. The portion already voted will not be used.

Item dropped.

Steamboat service between Canada and Mexico, $100,000.

Mr. A. A. McLEAN. I understand that there was an arrangement made with Mexico that part of the subsidy should be paid by that country and that they have neglected to pay their share.

Mr. FIELDING. The deputy advises me that they have been paying continuously—somethimes a little delay but they have been paying.

Mr. A. A. McLEAN. Has the Dominion government commercial agents in Cuba?

Mr. FIELDING. No.

Mr. A. A. McLEAN. I have been informed by a Canadian who resides in Cuba that the trade of Canada could be greatly extended if a commercial agent were sent there. They receive oats and produce of that kind from the southern states which are very much inferior to the products which could be sent from Canada. If a commercial agent were sent to Cuba by Canada a great deal of trade from the maritime provinces could be secured. I understand also that recently commercial men

from the maritime provinces have visited the West India Islands, including Cuba, and that they found that in the interest of trade commercial agencies might be established in Cuba and some other of the West India Islands.

Mr. FIELDING. The question is well worthy of being looked into, and I will see that it is borne in mind, but we must not forget that Cuba comes under the protection of the United States, and that there are special tariff arrangements between the United States and Cuba, which would naturally place us at a disadvantage in competition with American ports. If there is any chance of trade there we will look into it. At one time we had a considerable export trade to Cuba.

Mr. A. A. McLEAN. I am told that notwithstanding the tariff conditions, our trade would be greatly increased if a commercial agent were sent there.

Some resolutions reported.

PORT ARTHUR POWER AND DEVELOPMENT COMPANY.

Mr. CONMEE moved first reading of Bill (No. 166) to incorporate the Port Arthur Power and Development Company.

Motion agreed to, and Bill read the first time.

Mr. CONMEE. I move that the Bill be now read a second time.

Some hon. MEMBERS. No, no.

Mr CONMEE. The Bill comes from the Senate, it is in readiness, and no good purpose can be served by delay.

Mr. SPROULE. The introduction of these Bills at this late stage is breaking down every rule of the House, and now you want to dispense with printing and everything else.

Mr. FOSTER. The motion cannot be consented to.

Mr. CONMEE. This Bill comes from the Senate.

Mr. MORIN. Send it back.

Motion withdrawn.

Mr. FIELDING moved the adjournment of the House.

Mr. FOSTER. What will be taken up tomorrow?

Mr. FIELDING. Some of the Bills on the order paper, the Quebec bridge resolutions, and then Supply.

Mr. FOSTER. What about the supplementary estimates?

Mr. FIELDING. I think, although I am not quite sure, they will be brought down before to-morrow's sitting is over.

Motion agreed to, House adjourned at 12.05 a.m., Friday.

HOUSE OF COMMONS.

FRIDAY, April 19, 1907.

The SPEAKER took the Chair at Eleven o'clock.

Mr. C. H. PARMELEE (Shefford) moved that the third report of the joint committee on printing of parliament, presented to the House of Commons on Tuesday, March 19, 1907, be amended as follows :

1. By striking out of the report the recommendation that the report of the Royal Commission on Life Insurance, No. 123a, and the evidence taken before said commission, No. 123b, be not printed, and that the same be printed.

2. That the said report as above amended be concurred in.

Mr. BOURASSA. Are there any documents in English that have not been printed in French ?

Mr. PARMELEE. Every document we recommended to be printed and which afterwards come to this House to be afterwards translated into French.

Mr. HENDERSON. I find among the papers ordered not to be printed, a supplementary report. Is that a second report ? There is no good reason why a supplementary report to the one we have printed should not be printed.

Mr. BOURASSA. I think that is a list of exhibits, and of course it is not very important that it should be printed in French but if it be the exhibits themselves they should be printed in both languages.

Mr. FIELDING. I understand that what is meant by the supplementary report is a trunk full of exhibits. The commissioners have not made a second report.

Mr. PARMELEE. There was a catalogue of those exhibits printed and published.

Mr. LENNOX. That is what is called a supplement to the report.

Mr. FIELDING. That list should be printed.

Mr. FOSTER. The question of printing the exhibits themselves was discussed. I drew attention to the fact that the evidence was printed and that the evidence referred to exhibits which were not printed. Then a conversation arose as to whether it was wise to print those exhibits. In one sense if the evidence refers to exhibits, those should be where they might be easily referred to. But when you come to look at the exhibits, there are bundles and bundles of printed books and it is out of the question having them printed in great part. When you come to look into it it is absolutely useless for a great part of it to be printed so that the Finance Minister and myself came to an agreement for the time being that if a list of the exhibits were

printed then we would have them to refer to and if we wanted a copy of any one exhibit we could send and obtain it from the records of the department. That is the origin of the supplementary list, which is simply a tabulation of the documents and exhibits. I would think it would be a terrible waste of money and time to have the exhibits printed. The great proportion of them would be simply the reprinting of printed documents and great lists of securities and the like of that, which would be of no use.

Mr. BOURASSA. Would it not be still better to have printed those exhibits that are referred to in the evidence and report in such a way that the evidence cannot be properly understood and the report cannot be properly discussed without those exhibits being read at the same time. Of course that would require the work of a sub-committee but I imagine that could be done at the opening of next session.

Mr. FOSTER. That could be done if it were necessary, but I still think that the work of the House would be facilitated by a member who wishes any exhibit sending for it and having a copy made. It would require a very close examination by a subcommittee to decide which motion should be printed.

Motion agreed to.

DOCUMENTS BEFORE PUBLIC ACCOUNTS COMMITTEE.

Mr. R. L. BORDEN moved :

That all documents, accounts, letters and other papers produced, during the present session of parliament, before the Public Accounts Committee (except original documents, letters or other original papers), do remain in the possession of the clerk of the said committee until the close of the next session of parliament; and that all such original documents, letters and other papers (copies having first been prepared and retained), be returned, at the close of the present session, to the department from which received by the said committee, but that on the first day of the next session of parliament they again be sent by said respective departments to the clerk of the committee above named as constituted for that session.

Motion agreed to.

SATURDAY SITTINGS.

Hon. W. S. FIELDING (Minister of Finance) moved :

That hereafter, until the end of the session, the House shall sit on Saturday at eleven o'clock, with the usual intermissions at one o'clock and six o'clock, the order of precedence for Saturday to be the same as the order for Thursday.

Mr. HENDERSON. I understood the minister to say the other day that the House would rise at six o'clock on Saturday.

Mr. FIELDING. The resolution does not cover that according to the usual practice, but it can be an understanding that the House will rise at six o'clock to-morrow.

Motion agreed to.

RAILWAY SUBSIDIES.

Mr. FIELDING moved that the House do to-morrow go into Committee of the Whole to consider the following proposed resolutions :

1. Resolved, that the Governor in Council may grant a subsidy of $3,200 per mile towards the construction of each of the undermentioned lines of railway (not exceeding in any case the number of miles hereinafter respectively stated) which shall not cost more on the average than $15,000 per mile for the mileage subsidized, and towards the construction of each of the said lines of railway, not exceeding the mileage hereinafter stated, which shall cost more on the average than $15,000 per mile for the mileage subsidized, a further subsidy beyond the sum of $3,200 per mile of fifty per cent on so much of the average cost of the mileage subsidized as is in excess of $15,000 per mile, such subsidy not exceeding in the whole the sum of $6,400 per mile :

1. To the Central Ontario Railway for an extension of its railway from a point at or near Bancroft to a point on the Canada Atlantic Railway at or near Whitney, in lieu of the subsidy granted by chapter 57 of 1903, section 2, item 4, not exceeding 40 miles.

2. For a line of railway from Woodstock to the international boundary in lieu of the subsidy granted by chapter 57 of 1903, section 2, item 15, not exceeding 26 miles.

3. For a line of railway from a point on the Canadian Pacific Railway at or near Welsford or Westfield, or between the said two points, to Gagetown, in lieu of the subsidy granted by chapter 57 of 1903, section 2, item 16, not exceeding 30 miles.

4. For a line of railway from Liverpool to Milton, Nova Scotia, in lieu of part of the subsidy granted by chapter 57 of 1903, section 2, item 23d, not exceeding 7 miles.

5. For a line of railway from Milton to Caledonia, Nova Scotia, in lieu of part of the subsidy granted by chapter 57 of 1903, section 2, item 23d, not exceeding 22 miles.

6. To the Inverness Railway and Coal Company for a line of railway from Cheticamp to a point on the line already built between Broad Cove and Point Tupper, in lieu of the subsidy granted by chapter 57 of 1903, section 2, item 24, not exceeding 37 miles.

7. For a line of railway from a point on the Dominion Atlantic Railway to the government pier or wharf at Canning, in lieu of the subsidy granted by chapter 57 of 1903, section 2, item 25, not exceeding 1 mile.

8. To the Nicola, Kamloops and Similkameen Coal and Railway Company for a line of railway from a point at or near Spence's bridge, on the Canadian Pacific Railway, to Nicola lake, in lieu of the subsidy granted by chapter 57 of 1903, section 2, item 26, not exceeding 47 miles.

9. To the Edmonton, Yukon and Pacific Railway Company, for a line of railway from the town of Strathcona to Edmonton and thence westerly towards the Yellowhead Pass, in lieu

of the subsidy granted by chapter 57 of 1903, section 2, item 28, not exceeding 50 miles.

10. For a line of railway from Fredericton to Woodstock, in lieu of the subsidy granted by chapter 57 of 1903, section 2, item 29, not exceeding 59 miles.

11. For a line of railway from Hawkesbury, Ontario, to South Indian, in lieu of the subsidy granted by chapter 57 of 1903, section 2, item 30, not exceeding 35 miles.

12. To the Tilsonburg, Lake Erie and Pacific Railway Company, for a line of railway from Woodstock northerly to a point on the Grand Trunk Railway at Berlin, or from Ingersoll to Stratford, or to any point on the Grand Trunk Railway between these places, in lieu of the subsidy granted by chapter 57 of 1903, section 2, item 31, not exceeding 35 miles.

13. To the Canadian Northern Ontario Railway Company for a line of railway from Toronto, via the east side of Lake Simcoe, to a point at, near or beyond Sudbury through Parry Sound, in lieu of the subsidy granted to the James Bay Railway Company by chapter 57 of 1903, section 2, item 39, not exceeding 265 miles.

14. For a branch line from a point at or near the intersection of the Canadian Pacific Railway and the Canadian Northern Quebec Railway (formerly the Great Northern Railway) between St. Philippe d'Argenteuil and Lachute, thence in a northerly direction passing through the village of Brownsburg, in lieu of the subsidy granted by chapter 57 of 1903, section 2, item 49, not exceeding 4·2 miles.

15. To the Orford Mountain Railway Company for the following lines of railway, namely: from Bolton line to Mansonville, 7·54 miles; from Mansonville to the international boundary, 3·12 miles; from Windsor Mills to Brompton Falls, 8 miles; from Melbourne road crossing to Melbourne village, 3·50 miles; and from a point on its main line of railway to the south of end of Bonella lake, 5 miles; in lieu of the subsidies granted by chapter 57 of 1903, section 2, item 50, but not exceeding in the whole 27 miles.

16. To the Canadian Northern Quebec Railway Company, for a line of railway from a point on its main line at or near L'Epiphanie, passing by way of the parish of St. Jacques de l'Achigan, to the village of Rawdon, in lieu of the subsidy granted to the Chateauguay and Northern Railway Company by chapter 57 of 1903, section 2, item 55, not exceeding 16 miles.

17. To the York and Carleton Railway Company for a line of railway from its present terminus westerly, in lieu of the subsidy granted by chapter 57 of 1903, section 2, item 61, not exceeding 5 miles.

18. To the Midway and Vernon Railway Company for a line of railway from Midway to Vernon, in lieu of the subsidy granted by chapter 57 of 1903, section 2, item 69, not exceeding 150 miles.

19. For a line of railway from a point at or near the north end of Lake Megantic, thence along the said lake to a point on the international boundary at or near Rivière Morte, in lieu of the subsidy granted by chapter 57 of 1903, section 2, item 78, not exceeding 19 miles.

20. For a line of railway from Wellington to or towards Union bay by way of Alberni in lieu of the subsidy granted by chapter 43 of 1906, section 1, item 6, not exceeding 55 miles.

21. For a line of railway from Ste. Rose (or from Chimney Corner Coal Mines to a point at or near Chimney Corner Cove) thence via the east side of Lake Ainslie to or towards a point on the Intercolonial Railway at or near Orangedale, not exceeding 34 miles; and for a line of railway from a point on the Intercolonial Railway between Orangedale and Point Tupper to Caribou Cove, or Inhabitants bay or river, not exceeding 4 miles; in lieu of the subsidies granted by chapter 43 of 1906, section 1, item 34.

22. To the Klondike Mines Railway Company for the following lines of railway, namely:

(a) for a line of railway from Dawson to a point at or near Sulphur Spring, not exceeding 31 miles;

(b) for a line of railway from a point at or near Sulphur Spring to a point at or near the Divide between Dominion and Flat creeks, not exceeding 45 miles;

(c) for a line of railway from a point at or near the said divide to or towards the Stewart river, not exceeding 8 miles;

The whole in lieu of the subsidy granted by chapter 43 of 1906, section 1, item 46.

23. For a line of railway from St. Peter's to Louisbourg, in lieu of the subsidy granted by chapter 57 of 1903, section 2, item 65, not exceeding 50 miles.

24. For a line of railway from Grandique Ferry, to Arichat, Nova Scotia, being a revote of the subsidy granted by chapter 7 of 1901, section 2, item 15, not exceeding 8 miles.

25. For a line of railway from Connors, at the terminus of the Témiscouata Railway, to a point on the boundary line between New Brunswick and Quebec, at the foot of Bean lake, being a revote of part of the subsidy granted by chapter 7 of 1901, section 2, item 2, not exceeding 18 miles.

2. Resolved, that the Governor in Council may grant, towards the construction and completion of a railway bridge and approaches over the Nicolet river at Nicolet, in lieu of the subsidy granted by chapter 57 of 1903, section 3, item 1, a subsidy of $15,000.

3. Resolved, that in these resolutions, unless the context otherwise requires, the expression 'cost' means the actual, necesssary and reasonable cost, and shall include the amount expended upon any bridge, up to and not exceeding $25,000, forming part of the line of railway subsidized not otherwise receiving any bonus, but shall not include the cost of equipping the railway nor the cost of terminals nor the cost of right of way of the railway in any city or incorporated town; and such actual, necessary and reasonable cost shall be determined by the Governor in Council, upon the recommendation of the Minister of Railways and Canals, and upon the report of the chief engineer of the Department of Railways and Canals, certifying that he has made or caused to be made an inspection of the line of railway for which payment of subsidy is asked, and careful inquiry into the cost thereof, and that in his opinion the amount upon which the subsidy is claimed is reasonable, and does not exceed the true, actual and proper cost of the construction of such railway.

4. Resolved, that the subsidies hereby authorized towards the construction of any railway or bridge shall be payable out of the consolidated revenue fund of Canada, and may, unless otherwise expressly provided in these resolutions, at the option of the Governor in Council, on the report of the Minister of Railways and Canals, be paid as follows:

(a) Upon the completion of the work subsidized; or

(b) By instalments, on the completion of each ten-mile section of the railway, in the

proportion which the cost of such completed sections bears to that of the whole work undertaken ; or

(c) Upon the progress estimates on the certificate of the chief engineer of the Department of Railways and Canals that, in his opinion, having regard to the whole work undertaken and the aid granted, the progress made justifies the payment of a sum not less than thirty thousand dollars ; or

(d) With respect to (b) and (c), part one way, part the other.

5. Resolved, that the subsidies hereinbefore authorized to be granted to companies named shall, if granted by the Governor in Council be granted to such companies respectively ; the other subsidies may be granted to such companies as establish to the satisfaction of the Governor in Council their ability to construct and complete the said railways and bridge respectively ; all the lines and the bridge for the construction of which subsidies are granted, unless they are already commenced, shall be commenced within two years from the first day of August, 1907, and completed within a reasonable time, not to exceed four years from the said first day of August, to be fixed by the Governor in Council, and shall also be constructed according to descriptions, conditions and specifications approved by the Governor in Council on the report of the Minister of Railways and Canals, and specified in each case in a contract between the company and the said minister, which contract the minister, with the approval of the Governor in Council, is hereby empowered to make. The location also of such subsidized lines and bridge shall be subject to the approval of the Governor in Council.

6. Resolved, that the granting of such subsidies and the receipt thereof by the respective companies, shall be subject to the condition that the board of railway commissioners of Canada may at all times provide and secure to other companies such running powers, traffic arrangements and other rights as will afford to all railways connecting with the railways and bridge so subsidized reasonable and proper facilities in exercising such running powers, fair and reasonable traffic arrangements with connecting companies and equal mileage rates between all such connecting railways ; and the said board shall have absolute control, at all times, over the rates and tolls to be levied and taken by any of the companies, or upon any of the railways and bridge hereby subsidized : Provided always that any decision of the said board made hereunder may be at any time varied, changed, or rescinded by the Governor in Council, as he deems just and proper.

7. Resolved, that every company receiving a subsidy hereunder, its successors and assigns, and any person or company controlling or operating the railway or portion of railway hereby subsidized, shall each year furnish to the government of Canada transportation for men, supplies, materials and mails over the portion of the lines in respect of which it has received such subsidy, and, whenever required, shall furnish mail cars properly equipped for such mail service; and such transportation and service shall be performed at such rates as are agreed upon between the minister of the department of the government for which such service is being performed, and the company performing it, and, in case of disagreement, then at such rates as are approved by the Board of Railway Commissioners for Canada : and in or towards payment for such charges the government of Canada shall be credited by the company with a sum equal to three per annum on the amount of the subsidy received by the company hereunder.

8. Resolved, that as respects all railways and the bridge for which subsidies are granted hereby, the company at any time owning or operating any of the railways shall, when required, produce and exhibit to the Minister of Railways and Canals, or any person appointed by him, all books, accounts and vouchers showing the cost of constructing the railway or bridge, the cost of operating it, and the earnings thereof.

9. Resolved, that the Governor in Council may make it a condition of the grant of the subsidy herein provided that the company shall lay the railway with new steel rails and fastenings made in Canada and shall purchase all materials and supplies required for the construction of the railway and bridge and the rolling stock for the first equipment of the railway from Canadian producers, if such rails, fastenings, materials, supplies and equipment are procurable in Canada of suitable quality and upon terms as favourable as elsewhere, of which the Minister of Railways and Canals shall be the judge.

10. Resolved, that whenever a contract has been duly entered into with a company for the construction of any line of railway hereby subsidized, the Minister of Railways and Canals, at the request of the company, and upon the report of the chief engineer of the Department of Railways and Canals, and his certificate that he has made careful examination of the surveys, plans and profile of the whole line so contracted for, and has duly considered the physical characteristics of the country to be traversed and the means of transport available for construction, naming the reasonable and probable cost of such construction, may, with the authorization of the Governor in Council, enter into a supplementary agreement, fixing definitely the maximum amount of the subsidy to be paid, based upon the certificate of the chief engineer, and providing that the company shall be entitled to be paid, as the minimum, the ordinary subsidy of $3,200 per mile, together with sixty per cent of the difference between the amount so fixed and the said $3,200 per mile, if any ; and the balance, forty per cent, shall be paid only on completion of the whole work subsidized, and in so far as the actual cost, as finally determined by the Governor in Council upon the recommendation of the Minister of Railways and Canals, and upon the report and certificate of the said chief engineer, entitles the company thereto : Provided always :

(a) that the estimated cost, as certified, is not less on the average than $18,000 per mile for the whole mileage subsidized ;

(b) that no payment shall be made except upon a certificate of the chief engineer that the work done is up to the standard specified in the company's contract ;

(c) that in no case shall the subsidy exceed the sum of $6,400 per mile.

He said : His Excellency the Governor General, having been informed of the subject-matter of this resolution, recommends it to the consideration of the House.

Motion agreed to.

PERSONAL EXPLANATION.

Mr. H. BOURASSA (Labelle). Before the Orders of the Day are called, I beg to give a personal explanation as a matter of privilege. I see that on the 15th of April a paper known as the Sydney 'Daily Post,' printed an article entitled: 'Tainted Politicians,' in which it says :

It must not be forgotten that quite a number of these politicians are growing rich at the public expense. Let us cite a few cases. The Robins Irrigation deal, which gives the public land to some supporters of Laurier at $1 an acre, has netted the recipients $850,000 so far. Mr. Bourassa, M.P., Sifton's brother-in-law, is now wealthy. He owns 478 square miles of timber lands, which he acquired during the reign of his relative in the Department of the Interior.

I need not say that I have neither the honour nor the advantage to be connected in any way with the member for Brandon (Mr. Sifton) nor have I the advantage of possessing 478 square miles or any square miles or square acres of timber lands in the Northwest or in the east. I had a few acres a few years ago, but since I have been in politics, not being connected with a minister of the Crown ,they are all gone.

COAL STRIKES IN THE NORTHWEST.

Mr. D. W. BOLE (Winnipeg). I beg for leave to move the adjournment of the House for the purpose of discussing the following urgent matter of public importance :

The threatened shortage of fuel for the western country during the coal strike, and the serious consequences likely to arise therefrom.

You will no doubt remember, Mr. Speaker, and no doubt all the members of the House will remember the serious consequences that resulted in the western country last winter in consequence of the coal strike which was commenced about a year ago. By a fortunate course of circumstances the calamities which were at one time anticipated did not materialize. There were intense sufferings in those parts of the country but on account of the tremendous efforts of the transportation companies, the cooperation of the various governments and, I may say, the patriotism of the people, the dire calamity which we at one time anticipated did not materialize. We are informed that a strike at present in fact exists, although we are also informed that no strike exists, but we know that the men are going out in very large numbers and that a practical strike is on at the present time. A fear exists that we will experience next winter to even a greater extent the great inconvenience that we experienced last winter. I have just received the following telegram from the Board of Trade of Winnipeg:

Winnipeg, Man., April 18, 1907.

D. W. Bole, M.P.,
Ottawa.

Winnipeg Board of Trade passed following resolution large meeting held to-day :—Resolved, in view of the fuel shortage throughout the west last winter and the very serious consequences that ensued it is imperative that measures be taken at once to avert the danger of a recurrence that now threatens by virtue of the miners' strike in the Alberta and British Columbia mines. That every board of trade and government in the west be requested to take action by urging upon the Dominion government the absolute necessity of taking immediate possession of the mines and operating them under the best available conditions, until such times as a settlement of the existing difference between the owners and strikers can be reached.

(Sgd.) C. N. BELL,
Secretary.

I only received that telegram about an hour ago and I have had no opportunity of giving it any constructive thought, but I desired, in view of the very serious conditions that exist at the present time and which are likely to exist, to bring the matter to the attention of the House with the view of asking the hon. leader of the House (Mr. Fielding) or the hon. Minister of Labour (Mr. Lemieux) or the hon. Minister of the Interior (Mr. Oliver) if they are in possession of any facts or if they have any solution to offer with respect to this very important question. I understand that other members from the west have telegrams which perhaps they desire to read before the members of the government discuss the matter.

Mr. W. E. KNOWLES (West Assiniboia). Mr. Speaker, in connection with what the hon. member for Winnipeg (Mr. Bole) has said, I desire the privilege of reading a telegram which I received this morning from the secretary of the Board of Trade of Regina very much to the same effect as the telegram which has been read by the hon. member from the city of Winnipeg. It is as follows :

Regina, Sask., April 18, 1907.

W. E. Knowles, M.P.,
Ottawa.

I am instructed to forward following resolution :—In view of the fact that there is every reason to believe that a coal strike is now pending in the west, and that such a strike would cause demoralization of the trade of this country ; therefore, the Regina Board of Trade hereby urgently requests the Dominion government to immediately take such action as may seem best to avert that dire calamity. We would further strongly suggest that the time is opportune for the Dominion government to take the necessary steps towards divorcing the Canadian Miners' Union from dependence upon American organizations and their influence, making these unions thoroughly Canadian.

(Sgd.) LAWSON.
Secretary.

I, like my hon. friend from Winnipeg, regard this matter as one of urgency. We had cause for great anxiety last fall in connection with our supply of fuel on the prairies and, while in view of the unprecedented winter which we experienced and of other circumstances, I cannot say that I lay the blame to any government or to any persons connected with administration of the affairs of the country, yet, the manner in which the calamity seemed to come upon us so quickly last fall shows us that it is impossible for us to take precautions too early. Some hon. members have remarked to me that the warm weather will be on now in a little while and it may seem rather premature to bring the matter to the attention of the government at this early date, but this House will prorogue in a few days, we will not meet again until November, and I submit that it is most urgent that the matter should be brought to the attention of the government and the House at the earliest possible moment. My hon. friend from Winnipeg has said that there seems to be every probability of a renewal of the strike conditions in the coal camps of Alberta and British Columbia. I have no definite information upon that, but if there is the faintest possibility of such a circumstance arising it seems to me that it would be criminal if we did not bring it to the attention of the government now. I had the honour in the month of February to bring before this House some of the troubles we had experienced when I made my motion in regard to the Hudson Bay Railway and the necessity for building that road, and without repeating what I then said I can only say that since another visit to the west and on further reflection I am more than ever convinced that there is the possibility of a calamity of the greatest magnitude in that country unless the matter of transportation and of fuel supply is in some way adjusted. I will admit that this is a great problem, I will admit that the responsibility may be somewhere other than on the government of the Dominion of Canada, but somewhere or somehow this matter must receive attention not only in the interest of commerce but in the interest of humanity, for I believe that if there should be a renewal of these strike conditions this year next winter will see us in such a condition that we may get an enormous black eye commercially and it will be something unspeakably horrible from the aspect of the man who has any humanity in his heart. The stream of immigration into the country will be very large. There will be a much larger consumption of fuel than there was in the previous year. The immigration branch of the Department of the Interior have told us that they expect 300,000 immigrants this year and under these circumstances I trust the government will give this matter all the care and all the attention they can with profit spend upon it.

Mr. JOHN CRAWFORD (Portage La Prairie). Mr. Speaker, I do not desire to discuss this question at any length, but there is no doubt that the conditions are very serious in the west not only in regard to the coal and fuel situation but in many other respects. I think that the transportation question is more responsible for this condition than anything else. I have received a document from the board of trade of the town from which I come and I would like to put it on record as it goes to show there is a general movement throughout the western country to investigate the whole situation and endeavour to secure an amelioration of the conditions existing there at the present time. I will just read this document which I received a day or two ago in that connection :

Board of Trade,
Neepawa, 22nd March, 1907.

Dear Sir,—The Winnipeg Jobbers' and Shippers' Association and the Winnipeg Board of Trade in view of the general demoralization of transportation which has prevailed throughout the west for the last year, and reached an acute stage during the past three or four months, have resolved to lay the matter before the proper authorities in such shape that it may be given the attention it deserves. For this purpose it becomes necessary to compile and submit to such authorities facts and specific information as to delays showing in a general way the actual conditions as they exist and giving as many cases as can be conveniently furnished.

The boards of trade throughout the west have been asked to co-operate ; and although in some respects our district has been favoured during the past three or four months, there are some sections which have very seriously suffered.

Mr. R. L. BORDEN. It is impossible to hear the hon. gentleman. If the hon. gentleman proposes to give the House any information will he speak a little louder ?

Mr. CRAWFORD (reading) :

The information required by the board should relate both to freight and passenger or express traffic, and should show the loss or suffering caused by delays in delivering or forwarding freight, &c. It is the intention to ask for information going back to the first of May, 1906, and we would be obliged if you would fill out the accompanying statement and mail it to the secretary of the Board of Trade at Neepawa. He will then lay this information before the first mentioned association to assist them in this work in which the whole west is greatly concerned. We hope we may rely upon your co-operation and assistance.

Yours very truly,
M. H. FIELDHOUSE,
Secretary, Neepawa Board of Trade.

Mr. SPROULE. That has nothing especially to do with the strike.

Mr. JOHN HERRON (Alberta) Mr. Speaker, it is impossible to minimize the

seriousness of this subject at the present time. I have no special information from the west in the last two or three days. I have been making inquiries but it is very hard to get any definite information regarding the situation in those mining districts. I have the honour of representing a district which perhaps produces more coal than any one in the western country. One of the most serious problems the people of the west have had to face for a long time is this coal situation, and I cannot do more than ask the Minister of Labor (Mr. Lemieux) to take every step possible to overcome this very serious difficulty. I received a telegram from there stating that a lockout had occurred and drew the attention of the Minister of Labour (Mr. Lemieux) to it, and we had the assurance of the minister afterwards that the difficulties were practically settled, but up to the present I do not think they are. I do not know whether this is a lockout or a strike. The papers say that the men are gradually quitting work. In either case the situation is very serious, and will become more so if continued any length of time.

Mr. A. VERVILLE (Maisonneuve). I have just heard read a telegram stating that the government should take steps to have the Canadian unions divorced from the American. I contest the right, in the name of organized labour, of any board of trade to ask the government to have the labour people of the country separated from any other union, whether on the one side of the ocean or the other or in the United States or not. These boards of trade have no objection to doing business on both sides of the line, and should they object to working men uniting themselves with unions on the other side. They are going altogether too far when they ask the government to interfere with the liberty on the part of the labouring class which they enjoy themselves. The government have passed a measure lately for the purpose of settling strikes and lock-outs, and no one suggested that this coercion advocated by this board of trade should be one of the means employed. The government measure has become law and has had already in several instances good effect, and I hope it will prove effective in settling strikes by the coal miners in the west. I want to enter a strong protest against the particular board of trade in question or any other board of trade interfering by urging the government to dictate to the workingmen the manner in which they should organize. I want the boards of trade to understand that we are an organized international union in Canada, and we are here to stay and neither the government nor the opposition nor anybody else will ever stop the working people of this country from organizing.

Mr. DUNCAN ROSS (Yale-Cariboo). While I agree with the hon. gentlemen in most of what he has said, I would ask him, as a representative of labour, what he would do with Mr. Sherman who wires the government that the labour legislation is a farce and who is no doubt directing the men to quit work ?

Mr. VERVILLE. I would enforce the law which has been passed by the government.

Mr. KNOWLES. Of course the House understands that I only read what is in the wire message.

Hon. RODOLPHE LEMIEUX (Minister of Labour). I am glad this question has been brought up this morning by the hon. member for Winnipeg (Mr. Bole). But even if he had not spoken, I had intended to inform the House of what is going on at present in the mining districts of the west. I wish, however, in the first place, to protest most energetically against the exaggerated telegrams which have been sent from some boards of trade. My hon. friend spoke of a black eye to the west. In my opinion, a black eye to the west may be caused by such exaggerations. The telegram which was read by my hon. friend is a copy of one which was sent the other day by the Calgary Board of Trade, and read as follows :

Calgary Board of Trade strongly urges immediate action, board of conciliation, miners disagreement. Freight traffic ceased entirely, passenger traffic stops few days, miners leaving work in large bodies, though no strike apparently officially declared. Output coal practically ceased, manufacturing plants closing, situation most serious in history of western Canada. Ask your co-operation to prevent fatal demoralization western business.

E. L. RICHARDSON,
Secretary, Board of Trade.

When I received that telegram, I happened to meet a gentleman connected with the Canadian Pacific Railway. I showed it to him and he smiled and said : I do not know where Mr. Richardson got his information, but from the wires I have received there is no such thing; it is an exaggerated statement. On the 18th, yesterday, I took upon myself to write as follows to the president of the Board of Trade at Calgary :

Sir,—I am directed by the hon. the Minister of Labour to acknowledge the receipt of the following telegram from the secretary of the Calgary Board of Trade:

Calgary, Alberta, April 10, 1907.

Hon. Minister of Labour, Ottawa.

Calgary Board of Trade strongly urges immediate action board of conciliation, miners disagreement. Freight traffic ceased entirely, passenger traffic stops few days, miners leaving work in large bodies though no strike apparently officially declared. Output coal practically ceased, manufacturing plants closing, situation most serious in history of wetsern Canada. Ask

your co-operation prevent fatal demoralization western business.

E. L. RICHARDSON,
Secretary, Board of Trade.

Upon the receipt of this telegram the department immediately instituted inquiries to verify the statements it contained. From the information which has been received, it would appear that at the time this message was sent, a number of miners at Coleman, Alberta, and some miners at Fernie and Michel, British Columbia, had ceased work because of some misunderstanding, but the department has not received any information which would indicate that, with these exceptions, mining operations had ceased in any of the mines in British Columbia or Alberta, nor do the replies which have been received to the inquiries instituted by the department confirm the other statements contained in this telegram.

The minister is of the opinion that if such a condition as is described in the telegram of the Calgary Board of Trade existed on the 16th instant, in consequence of the slight industrial disturbances reported on that date, too searching an inquiry cannot be made by the department into the causes which, in so short a time, have produced a result so disastrous. On the other hand, the minister is of the opinion that nothing could be more calculated to prejudice the industrial interests of the Canadian west than the circulation of statements such as are contained in this telegram, given to the country, as they are, in the name of a responsible body such as the Calgary Board of Trade, unless they are fully warranted in every way. As the minister is desirous of obtaining the fullest information possible in order that the department may take such action as the facts of the case warrant, the minister would be obliged if the Calgary Board of Trade would let him have, at the earliest possible date, the facts on which, on the 16th instant, the following statements contained in the telegram of the secretary were based :

Freight traffic ceased entirely.
Passenger traffic stops few days.
Miners leaving work in large bodies.
Output coal practically ceased.
Manufacturing plants closing.
Situation most serious in history of western Canada.

The minister desires us to add that copies of this telegram appeared in the public press before its receipt by him at Ottawa, and inasmuch as the telegram has been extensively quoted throughout the Dominion, the minister would be pleased to know whether its communication to the press was at the instance of and in accordance with the wishes of the Calgary Board of Trade.

I have the honour to be,
Your obedient servant,

W. L. MACKENZIE KING,
Deputy Minister of Labour.

The President, Calgary Board of Trade, Calgary, Alberta.

Now, Mr. Speaker, I quite agree with all that has been said, that we must do our best to stop if at all possible a strike in these mines, and to avert a recurrence of that condition of things which we were threatened with last winter. I repeat that there is no lock-out and there is no strike in the west at present. That is the official information in the possession of the Department of Labour. There is a difficulty between the operators and the miners, but it is neither a strike or lock-out. The operators in some of the mines made the mistake of posting a notice that on the 10th of May another scale of wages would be established. In consequence of this, some of the men who had previously appointed a representative on the Board of Conciliation thought that no investigation was necessary in view of that notice. There is no question but that the owners of the mines have made a terrible mistake.

Mr. FOSTER. To whom do you refer as operators?

Mr. LEMIEUX. The owners of the mines. The operators have appointed Mr. Parker as their representative.

Mr. DUNCAN ROSS. What are his initials ?

Mr. LEMIEUX. Mr. T. L. Parker. Last night I received this telegram from Mr. Eckstein, the representative of the miners :

Mr. Parker will meet me here to-morrow. have been unable to locate Mr. Smith. Expect to reach him soon. Have arranged meeting mine workers immediately as board is filled.

L. P. ECKSTEIN.

The meaning of that telegram is that Mr. Parker, representing the mine owners, and Mr. Eckstein the mine workers, are to get together to-day, and, according to the representative of the mine workers, that meeting will result in the men all returning to work. As I have said, however, a few of the miners have left work because of the notice which was posted. Mr. Eckstein wrote from Fernie under date of April 15 last, and that letter was received in Ottawa this morning.

Sir,—I have the honour to acknowledge the receipt of your telegram of the 13th inst., reading as follows :—

Minister has appointed you member of board being established to inquire into existing disputes between coal companies and employees. Companies have agreed to matters being referred to one board. Presume from correspondence this accords with wish of employees. Companies were requested in letter mailed ninth inst. to name their representatives.

In reply thereto I sent the following telegram :—

One board satisfactory. Important to arrange meeting between companies' representatives and myself immediately after his appointment. Hundreds of men have quit and more doing so. I think that perhaps even before we select chairman the two representatives can establish a modus vivendi and restore confidence. Great trouble is that individually men are dissatisfied, and it has been extremely difficult to prevent general strike for which over ninety per cent vote has been given. If operators could see their way towards withdrawing present notice of intending change of conditions and wages that might relieve acuteness of situation.

Notwithstanding the efforts which have been made by executive officers of the United Mine Workers of America and also by myself to allay their fears, a large majority of men seem to view the notice served by the respective operators of an intended change of conditions to take place on the 10th of May, as capable of coming into operation on that date.

I am told that such changes of conditions would affect about twenty per cent reduction in wages. These notices have been printed on cardboard and posted up in conspicuous places, and have been very generally read by the men. They do not read anything outside of the notice itself, and, therefore, take it for granted that what is notified to them in this way will surely take effect.

It is my opinion that if the operators could either withdraw these notices or convey to the minds of their employees that there would be no change of condition pending the investigation, that that would go a long way towards allaying the trouble and that is why I wired you to that effect.

I am, yours faithfully,
L. P. ECKSTEIN.

I may point out that section 57 of the Act provides that the relations of the parties shall remain unchanged pending proceedings before the Board of Arbitration.

Mr. DUNCAN ROSS. What action has been taken by the department to enforce section 57 of the Act: That notice posted by the operators is clearly a violation of the Act.

Mr. LEMIEUX. Yes, but we only received that notice this morning.

Mr. DUNCAN ROSS. What action does the department intend to take?

Mr. LEMIEUX. Any person in that district can take the law in his own hands and go before a justice of the peace.

Mr. DUNCAN ROSS. What if he does not know the law?

Mr. LEMIEUX. Everybody is supposed to know the law; '*nemo censitur ignorare iegem*'.

Mr. RALPH SMITH. Since the minister has got this information will he now inform the operators of their breach of the law?

Mr. LEMIEUX. I will touch upon that point in a moment. I may say that the miners in Western Canada are all members of that large American association at the head of which is Mr. John Mitchell, and I am pleased to say that he has informed the Canadian miners in the west that he would under no circumstances declare a strike unless they would submit their case to the Arbitration Board first. I am bound to say this in justice to Mr. Mitchell, who is not a Canadian and who is at the head of that great association of miners.

Mr. SAM. HUGHES. The minister speaks of the men as Canadian miners; I understand they are all European or American citizens.

Mr. CONMEE. They are in Canadian territory.

Mr. SAM. HUGHES. I understand that most of these miners are of the same nationality as Mr. Mitchell himself.

Mr. LEMIEUX. The miners working in Alberta and British Columbia are Canadian citizens whether they come from Europe or from the United States. As regards the question put by my hon. friend, I may say that we desire to clear the atmosphere and to enlighten the miners, because this law was passed only a few weeks ago and it is quite natural that they should be unacquainted with some of its provisions. The Department of Labour has decided to despatch this evening the able Deputy Minister of Labour, Mr. King, to the works, and we hope that he will be as successful there as he was at Lethbridge.

Mr. J. E. ARMSTRONG (East Lambton). I would like to ask the hon. minister a question. His Excellency Earl Grey delivered a speech in New York the other evening, in the course of which he made this statement, which I am sure must have been furnished by the Department of Labour, and I would like to ask the hon. minister whether it is true or not:

Although the Act came into force only on March 22, it has already averted on three occasions an industrial war, which but for this Act would have engendered feelings of angry bitterness, would have arrested the peaceful development of the arts of industry, and would have left traces of privation and misery in the homes of thousands.

Would the minister be kind enough to tell us the three instances in which this Act has given such valuable service?

Mr. LEMIEUX. Well, Mr. Speaker, I do not think this is germane to the debate. At all events, I may say this to my hon. friend, that I stand by His Excellency the Governor General: what he said there was positively true.

Mr. R. L. BORDEN. I would like to inquire from the minister exactly what the position is in the west. There were a certain number of miners at work two or three weeks ago. How many of these are at work now? There is no use of dealing in generalities in this matter, and saying there is no strike. What we want to know is what proportion of the men who were at work are at work now?

Mr. LEMIEUX. The information in the hands of the officers of the Department of Labour is that in all the mines a majority of the men are working. Only a minority of them have left the mines on account of that notice which was unwisely posted by the operators. I could not state offhand the

numbers. I may be able to do so during the day.

Mr. R. L. BORDEN. A minority might mean forty-nine per cent. We do not know whether it means that or ten or twenty or thirty per cent. So that the minister is not very full of information as to the exact details, or if he is, he retains it very much to himself. There is a telegram in the 'Citizen' of this morning as follows :

Fernie, B.C., April 16.—One thousand miners are now out on strike, and more are quitting daily.

I wanted to ascertain definitely from the minister whether or not this is correct.

Mr. LEMIEUX. The information I have is that it is not correct.

Mr. R. L. BORDEN. The minister's lack of definite information is so apparent, that I would not be prepared to attach very much importance to his denial. This despatch goes on :

These cover a dozen mining camps along the Crow's Nest line. The situation is desperate and the railway supply of coal will not last ten days.

In reply to a telegram to-day from Hon. Mr. Lemieux, warning him that the miners were violating the law, and urging them to await the government investigation, president Sherman of the United Mine Workers' Union wired the Ottawa authorities :

Your plea comes too late. We look upon investigation as a farce. We will carry this fight to the foot of the Throne.

The men hope to avoid the law's penalty on the plea that they are just quitting their jobs, and not striking. Industries throughout British Columbia, Alberta and Saskatchewan are closing up, as no coal can be secured.

The government has been urged to arrest Sherman, and this move is expected. The government is prepared to place a strong force of militia on the scene of disturbance on day's notice.

About a week or ten days ago I urged on the government that as this law has been passed, not in the interest of the mine owners or of the miners, but in the interest of the public, it was the duty of the government to enforce the law. What was the answer of the Minister of Labour ? It is not, he said, the duty of the government to enforce the law ; there is the law, and any one interested can proceed under its provisions, but, as far as we are concerned, we will not enforce it.' Does the Minister of Labour take that position to-day ?—because it must be apparent that a position of that kind would render the law a mere farce, as the miners have declared that it is. A law such as this, passed in order that these public utilities, if I may call them such, may be operated for the public benefit is of no service at all if the government take the position that they will not interfere, no matter how that law may be violated. As far as the main question is concerned, I am glad that some of the members from the west are more interested in it than they were some time ago, when my hon. friend from Alberta (Mr. Herron) moved a resolution, and when the hon. member for West Assiniboia (Mr. Knowles) moved an amendment which meant nothing, which was intended to divert the issue, which he was probably asked by the government to move and by which brought the discussion to a close in that way. The motion of my hon. friend from Alberta was a motion which went to the point. It asked that the government by reason of its control over these coal lands, should take such action as would render a supply of coal available at all times for the consumers.

Mr. FIELDING. How could that be accomplished if the men would not work ?

Mr. R. L. BORDEN. Surely the government could make as good regulations for its employees in a coal mine as it can for its employees in the post office, on the government railways or elsewhere. We have had no strike in the post office or on the government railways, so far as I am aware.

Mr. DUNCAN ROSS. Does the hon. leader of the opposition make the statement that the same class of men could be found to work coal mines, generally speaking ? Most of the miners are Slavs, and people of that kind will not work in the post office or on a government railway.

Mr. R. L. BORDEN. It is not necessary for the government to employ that class of men, if the hon. gentleman has such a contempt for Slavs.

Mr. DUNCAN ROSS. I have not a contempt for them .

Mr. R. L. BORDEN. Then why does he speak of them in such a tone ? The government, as was suggested by my hon. friend from Alberta, could get a class of men who would not strike as long as they received a decent wage and fair treatment.

Mr. DUNCAN ROSS. Where would they get the men ?

Mr. R. L. BORDEN. My hon. friend has resolved himself into an interrogation point this morning.

Mr. DUNCAN ROSS. I am only adopting the tactics of the leader of the opposition.

Mr. R. L. BORDEN. Well, if my hon. friend would adopt the usual methods of the leader of the opposition, he would do very much better than he generally does. If he simply imitates the leader of the opposition in asking questions, and if the leader of the opposition asks too many he is not following a very good example. I think it is possible for us to get an excellent class of men to work in the coal mines. There is in the coal mines of Nova Scotia as high a class of men as you

can find either on the Intercolonial or in the post office—men of character, men who can be depended upon. They occasionally have their difficulties with their employers; but I venture to say that if you got men of that type and put them at work in one of these mines in the west, you would not have very much difficulty with them, provided you treated them fairly, and gave them a decent living wage. Under these circumstances I venture to think that it is the duty of my hon. friend the Minister of Labour to give us further information on this subject before the day is over. I have read the press despatch. The Minister of Labour, in a somewhat half-hearted way, denies the accuracy of this.

Mr. LEMIEUX. The hon. gentleman (Mr. R. L. Borden) will excuse me; I did not deny in a half-hearted way the accuracy of the despatch that has been read—I deny it absolutely. No such despatch has been sent. And it is clear, on the face of it, that it is published merely to annoy the labour department, and in the hope that this question will thereby be brought to the front. This despatch is made up. It was never sent to the labour department.

Mr. R. L. BORDEN. The hon. gentleman (Mr. Lemieux) has a remarkably poor opinion of the bona fides of the journal in which this is printed.

Mr. LEMIEUX. My hon. friend (Mr. R. L. Borden) knows that journals are often the victim of their own ingenuity.

Mr. R. L. BORDEN. I confess that I do not quite follow the line of thought in the hon. gentleman's mind, when he says that journals are victims of their own ingenuity.

Mr. LEMIEUX. To illustrate: Last night I read in the 'Free Press' that twenty-five young girls perished in the flames in a great fire in Montreal. This morning, I read in the 'Citizen' that the victims are three in number.

Mr. R. L. BORDEN. I would point out that this is a good Conservative journal which never publishes anything that is inaccurate or wrong. I would suggest to the minister that it is his duty not to be satisfied with saying that this is the result of some person's ingenuity. I do not know whether he blames the newspaper proprietor or its correspondent in the west. But in any case, what the hon. minister says is not enough. He himself, admits that some of the men have stopped work. There is no strike and no lockout, says the hon. gentleman, but the men have ceased working. I do not care what the hon. gentleman calls it —if the men have thus ceased working, the same result will follow as though they had ceased to work because of a lockout or strike. Therefore, it seems to me, it would be well for us to know the facts before the day is over. A private telegram which was in my possession yesterday afternoon, and which I asked my hon. friend (Mr. Foster) to place before the House, which telegram came from a responsible person in Blairmore to a gentleman in Ottawa, gives essentially the same facts. There can be no doubt about the bona fides of the person who sent the telegram, and there can be no doubt about the identity of the person who received it. And there can be no doubt about the telegram, for I saw it and had it in my own hands. Perhaps the minister will find that the situation is a little more serious than he suggests. I trust the hon. gentleman will feel that it is the duty of this government to enforce the law in the public interest. I say it is their duty. The law was enacted in order that the people might be protected. And it is not enough to leave it to either party to enforce the law. There is the third and higher interest, the interest of the public; and in that interest the law should be enforced.

Mr. DUNCAN ROSS (Yale-Cariboo). The hon. gentleman (Mr. R. L. Borden) suggests that the government in accordance with the resolution of the hon. member from Alberta (Mr. Herron) should operate mines and pay living wages to the men. If this is done, he says, there will be no trouble. Some of the coal miners in the Crow's Nest are earning as high as $7 or $8 a day, and I do not think that any of them are earning less than $3 or $3.50 a day. It is impossible to secure such a class of labour as the leader of the opposition suggests in that country. Of course, there are a number of miners there who are just as intelligent as the men who are working in the Post Office Department and on the railways; but there are others, foreigners, people who do not understand our language and who have no knowledge of our laws, and who must be in this country a long time before they can become good citizens of Canada. We have to take these people in order to get the men necessary to develop these mines. We have to take them on the construction of our railways and for other kinds of labour.

We have to take into consideration the fact that for our railway construction and in other lines labour is not available in that western country. Those who know that country know that the statement I make is absolutely correct. I would point out also that, before the government could operate a mine in a way to affect the conditions in that country, that mine must be on a shipping basis, which would take two or three years.

Mr. R. L. BORDEN. What remedy would the hon. gentleman (Mr. Duncan Ross) propose?

Mr. DUNCAN ROSS. To enforce the Act passed by this parliament, and enforce it decisively.

Mr. R. L. BORDEN. Then, the hon. gentleman thinks that it is the duty of the government to enforce it ?

Mr. DUNCAN ROSS. We have before us the fact that the law is a new one. When the Deputy Minister of Labour goes to Fernie, he ought to go there armed with a club and apply it on both sides. Until people become well acquainted with the operation of this Act, I would go as far as the leader of the opposition suggests and let the Deputy Minister of Labour enforce the law, and enforce it against both sides in this controversy. After the operation of the law is well understood, then it can be enforced as the ordinary laws of the country are enforced.

I have lived in that country long enough to know that both sides are determined to take advantage of each other when conflicts of this character arise. I say the coal operators should be punished if necessary because they posted that notice in their mines just when this Act was going to be put into operation. I say that Mr. Sherman, who is the head of the United Mine Workers' Union should be punished for the action he has taken in connection with this matter ; and, if there is no one else to do it, the Deputy Minister of Labour ought to do it when he is there. Because, the whole future success of this legislation depends upon how successfully it is carried out in connection with the strike of the Crow's Nest at the present time. I am afraid, however, that, on account of the similarity of language of the different telegrams that have been read to-day, and on account of some information that I have received from the west—and I am bound to say after hearing the leader of the opposition—that there may be just a slight effort on the part of hon. gentlemen opposite to make some political capital out of the situation. I do not think that this should be the case. I think the legislation should give a fair control, and I think that the Deputy Minister of Labour, going out there, should be armed with a strong club and apply it on both sides in the conflict.

Mr. R. L. BORDEN. What does the hon. gentleman (Mr. D. Ross) mean by his reference to the telegrams and the leader of the opposition? Does he suggest that I had anything to do with the sending of these telegrams?

Mr. D. ROSS. No, far from it. I would not suggest that the leader of the opposition (Mr. R. L. Borden) is responsible for any of the telegrams, if that is what I understood him to refer to. But I do say that the telegrams received are couched in much the same language and appear to have been sent for a specific purpose. I say also that the leader of the opposition, in the face of these telegrams, criticised the hon. member for West Assiniboia (Mr. Knowles), and other members of this House, for having not adopted the resolution introduced in this House by the hon. member for Alberta (Mr. Herron) about three years ago. I say that it is apparent, to me at least, that some effort is being made to make some political capital out of the situation which now presents itself in the Crow's Nest.

Mr. W. F. MACLEAN (South York). There is a hazardous condition of affairs in the Northwest and a call from the people of that country for some federal interference in the situation. There seems to be a reign of monopoly in the west. A report has been read here this morning that the west is dominated by a lumber combine. We find it is dominated by a fuel combine that controls the mines. Now, this government is in possession of mines. The duty of the government is to take up the government operation of mines and the distribution of the product to the people in the west. But it should be clearly understood that you cannot have government operation of mines without government operation of railways—the two go together. For it is found in the United States, where the railways own the mines, that there is a fuel monopoly of a serious kind. If this government has not the courage to apply the remedy to the situation in the Northwest, I make the suggestion to the great and growing provinces there that they take up the question, and that they demand of this government either that this government shall operate the mines or that they shall turn over the mines to the provinces, and that these provinces, not only operate the mines, but build their railways into the mines. It will pay them to do it, and it will secure them, for all time, cheap fuel for the west.

Mr. D. ROSS. What does the hon. gentleman (Mr. W. F. Maclean) mean by combines in the west?

Mr. W. F. MACLEAN. There are coal combines in the west.

Mr. D. ROSS. In what way?

Mr. W. F. MACLEAN. There is a monopoly of the coal business in the Northwest.

Mr. D. ROSS. The hon. gentleman (Mr. Maclean) is wholly mistaken. There are seven or eight independent companies——

Mr. W. F. MACLEAN. Yes ; and there are more than seven or eight independent lumber companies. How comes it then that there is a lumber combine?

Mr. D. ROSS. I do not think there is.

Mr. W. F. MACLEAN. Then what is the meaning of the report which we have had to-day?

Mr. D. ROSS. That is not under discussion.

Mr. W. F. MACLEAN. And more than that, the west is ridden by a telegraph monopoly. By reason of the railway monopoly which exists, they are under the worst telegraph monopoly which exists in the world to-day. I have a letter from the west pointing that out, but I will not deal with that now. But there is a call from the west for us to try to meet the hazardous condition that exists there. The people are threatened with a fuel famine. We know that while at times the coal mine operators were willing to work their mines and increase the supplies of fuel to the people, they could not get the necessary cars. Thus, again, we see that the railway question and the mining question are the most serious problems in the west. And the people of the west do look to this government for some remedy for the situation. If this government does not meet the situation, my suggestion is that the people there should claim the right to control and operate the mines, even though they have to operate the railways, too.

Mr. RALPH SMITH (Nanaimo). This question is of sufficient importance to claim the fair consideration of every member of this House. After the experience of last winter in the Northwest, every man in this House is seriously anxious to prevent the possibility of a recurrence of that experience. Now, in the first place, I believe there is a mistaken notion that these miners are on strike. But, if I understand the correspondence, the mines are actually working, and that is confirmed by private information that has reached me. That which has given rise to the suspicion that there was a strong probability of a strike, causing a reduced output of these mines, I believe, is that many of these miners have left and gone to the west, where there is any amount of work for miners. It is generally known that there is a considerable scarcity of labour. The miners, rather than be implicated in any trouble, have picked up their belongings and gone to the coast of British Columbia to work in the mines there. Two remedies are proposed by these telegrams from these boards of trade. One is a law to separate the Canadian union from the union on the American side. Of course, the members of this House will see the foolishness of that proposition, the utter impossibility of the government interfering with a matter of that description.

Mr. SPROULE. Does the hon. gentleman (Mr. Ralph Smith) refer to the emphatic statement of the hon. member for Maisonneuve (Mr. Verville), that neither parliament nor the people have the right to interfere with international unions? And does he not think that, in case of need, parliament has the right to interfere?

Mr. RALPH SMITH. I do not think it is at all reasonable that this government should dictate to any man what union he should belong to. Would the hon. gentleman (Mr. Sproule) consider it reasonable that this government should dictate to the investing capital of this country what associations it shall have?

Mr. SPROULE. But here you have an international union organized whereby people from a foreign country can come into your country and interfere with the industrial pursuits of the workmen here, to the detriment of our people as a whole. Under these circumstances, is it not right for the government to interfere?

Mr. RALPH SMITH. My hon. friend (Mr. Sproule) belongs to international associations himself.

Mr. SPROULE. No.

Some hon. MEMBERS. Oh, oh.

Mr. SPROULE. The hon. member (Mr. Ralph Smith) is entirely incorrect. If he desires to be fair, he will not insist upon that point.

Mr. RALPH SMITH. Of course, I want to be fair. I supposed that my hon. friend had his mutual associations on the other side of the line. However that may be, I regard the proposition that this government should dictate to bodies of citizens of this country what kind of association they shall belong to as ridiculous in itself and utterly impossible of carrying out—it would be an interference with the rights of individuals, for a man may belong to any association he likes so long as the business of that association does not interfere with the rights and liberties of the people of this country.

Mr. SPROULE. That is the very point I make—it does.

Mr. RALPH SMITH. If my hon. friend is as anxious to be fair as he is to have others fair, and if he will look into the facts, he will find that individual coal miners in these mines, on account of the scarcity of labour, can find employment at other points, and are simply exercising their right as individuals to leave one point and go to another, rather than have trouble with the company. That is the case as I understand it.

Mr. SPROULE. I can only say that I have no objection to that.

Mr. RALPH SMITH. My hon. friend would intimate that the government could do something to prevent that? And could do something to prevent men from having an association in the shape of a trades union on the American side of the line, which I would regard as a monstrous and preposterous proposition?

Mr. SPROULE. I made no such contention.

Mr. RALPH SMITH. That is what I understood. The next proposition from the Board of Trade in Winnipeg is the govern-

ment operation of the coal mines. And, if I understand the arguments of the leader of the opposition (Mr. R. L. Borden) correctly, he would advocate for the complete adoption of the principle of government ownership of mines in the Northwest. And some other hon. members agree with him. And my hon. friend from South York (Mr. W. F. Maclean) proposes not only government ownership of mines but government ownership and operation of railways. This he proposes as a remedy for the situation, but that remedy could not be carried out for many years.

Mr. W. F. MACLEAN. Everything has a beginning.

Mr. RALPH SMITH. But I understood that we were discussing a matter demanding immediate practical attention.

Mr. W. F. MACLEAN. The hon. gentleman (Mr. Ralph Smith) will notice that the telegrams involve the future of the country and say that the same difficulty will arise next year and succeeding years.

Mr. RALPH SMITH. Yes, we have to consider the necessity for fuel next session. But if we are to wait until we can purchase and manage the Canadian Pacific Railway and also the Grand Trunk Pacific Railway which is now under construction, we shall not be ready to meet the conditions for many years to come. The difficulty is an immediate one. Now, if the government are to operate mines, they must operate them on paying principle ; they could not call upon the people generally to pay for that operation any more than private individuals can call upon the people generally to make up losses on their operations. The leader of the opposition says that the government should operate the coal mines and pay the men good living wages, and then he assumes that the difficulty would be all over. As a matter of fact the government would have to operate the business on a paying basis like any one else.

Mr. SPROULE. Like the Intercolonial.

Mr. RALPH SMITH. I could understand the government operating a railway, when I could not understand it operating a coal mine, that is altogether a different proposition. I do not know that there are any governments in the world that operate coal mines or, if so, that operate them successfully. I am not arguing against government ownership of coal mines except to this extent, that their operation by a government would not be an absolute guarantee against strikes. Men would strike against the government if they thought their remuneration was not there just the same as against a company, and, as a matter of fact, far more readily because they would be able to hold up the government and every representative in this House by the power of their own vote in favour of a larger wage.

Mr. W. F. MACLEAN. Did the letter carriers do it?

Mr. RALPH SMITH. We are dealing with coal operatives in the west.

Mr. R. L. BORDEN. That was not the experience in Australia.

Mr. RALPH SMITH. In Australia they have a principle of compulsory arbitration, which, of course, makes strikes impossible under private or government operation.

Mr. R. L. BORDEN. I mean that the attempted strike by government employees in Australia did not succeed, as far as I am aware.

Mr. RALPH SMITH. The railways of Australia, less than two years ago, were held up by the federated employees of that country, and they were held up for many months. However, I was speaking to the question of government ownership of coal mines. I contend that if we have to operate coal mines, if the government have to be responsible for the supply of coal fuel to the people of the west they must operate all mines, must take over all the mines. There can be no absolute government success without absolute government monopoly. There is no government in the world that could operate a coal mine in the west in competition with a private company well run in the same territory.

Mr. R. L. BORDEN. Of course I realize that for the government to undertake the operation of coal mines in the west would be an extreme step and would be justified only by extreme conditions, but when people are freezing and when immigration into that country may be in danger there should be some relief, and what would my hon. friend suggest ? I want to discuss it in a reasonable way and I am sure that he does.

Mr. RALPH SMITH. My suggestion is that the matter with which we are immediately concerned is the direct application of that legislation which has recently passed through this House. It is very important to know exactly what we can do, because if by experience we discover that it is not capable of preventing this very serious trouble it will be necessary for parliament at another session to strengthen that legislation. Up to the present time it has had no application and I agree that, especially in this instance, when the law has just been brought into existence the government by its own initiative ought to seek the enforcement of the Act against both of these parties. That is the reason I asked the minister if he had information that these companies had posted up notices of reductions of wages and if he intended to enforce the Act. I am not aware that as the hon. member for Yale-Cariboo (Mr. D. Ross) has insinuated, without saying it, Mr. Sherman, the head of the union, had

done unlawful things, nor am I aware that he has, but if he has contravened the Act he should be dealt with just exactly as the company would be dealt with.

Mr. D. ROSS. The only thing I have is a telegram which I saw in that very reputable family journal, the 'Ottawa Citizen' in which Sherman stated he wired the Minister of Labour that he considered the legislation a farce, the men were leaving and they were going to take their grievances to the foot of the throne. I think that statement itself would be a contravention of the Act.

Mr. RALPH SMITH. Mr. Sherman cannot prevent men from leaving any more than the government can prevent them from leaving. If Mr. Sherman has contravened the Act then I think the government should do all they can to enforce the Act against both these men. But I do not think the situation is anything like as serious as this telegram would indicate, because the mines are operating, and if the law is properly and well enforced at the present time I believe that any serious trouble will be averted. I certainly think that the general production of coal in the Northwest ought to be very much greater than it is. As I have said I could not support the principle of government ownership unless we had such government ownership that the government would take over all the mines and operate them. Of course it is the duty of the government to do all it can to secure a supply of cheap fuel for the public, but what we ought to do and what we could do immediately is to encourage private capital to develop coal operations in the west. The supply of coal under all circumstances is less than the actual demand, as you will find if you look into the question of supply for the year, and what we want to have is a superabundance of coal so that we will not be compelled to act under stress at all times, but will have, generally speaking, provided for these troubles by having a superabundant output of coal.

Mr. R. L. BORDEN. We know of course that there is an abundance of coal deposits in the west, but the hon. member says that the supply is not equal to the demand. Why is it that private capital is not invested so that the supply will become greater? What is the reason for that condition? I cannot explain it.

Mr. RALPH SMITH. The most immediate and direct answer to that question that I could make is the fact that people are not encouraged to operate coal production in the west for the want of adequate facilities for transportation.

Mr. W. F. MACLEAN. There are not half enough cars.

Mr. RALPH SMITH. There is no doubt in my mind that that is at the very basis of the trouble. There is an abundance of capital available and as a matter of fact employers of labour on the Pacific coast, now operating on Vancouver island have been anxious within the last two or three years to make investments for the production of coal in the west but were afraid to do so for the simple reason that the transportation facilities for fuel were not as abundant and as reasonable as they ought to be. The government should do something in that direction. The government should use influence to secure cheaper transportation facilities, the government should demand a superabundance of facilities for transporting coal to the consumers in that country. These are matters with which I think the government could very properly deal and ought to deal and they ought to deal with them this summer, so that we will have the greatest possible guarrantee that the people will be supplied with fuel. If the government acted on that principle it would encourage private capital all over the west to make investments, it would invite capital if it were realized that the mines could be operated at a profit and that the product could be distributed at a cost which would still leave a profit. We would then have no trouble in getting private capital to invest in coal operations. In my opinion that is the practical way of relieving the situation of the present troubles, and I believe that the immediate actual enforcement of the Act itself against both parties will result in a satisfactory settlement.

Mr. HERRON. I wish to draw attention to a remark made by my hon. friend from Yale-Cariboo (Mr. D. Ross) in reference to the class of men who are working in the mines in the Crow's Nest Pass. I do not know what experience the hon. gentleman has of the locality, and whether the men are such a low and ignorant class as he insinuates.

Mr. D. ROSS. I know what the hon. gentleman is driving at, and I do not want him to put words in my mouth that I never uttered.

Mr. HERRON. Perhaps you will allow the House to know what you did say?

Mr. D. ROSS. I will be very glad to do it if the hon. gentleman will allow me.

Mr. HERRON. He referred to them as being inferior to the ordinary labouring class.

Mr. D. ROSS. No.

Mr. HERRON. He said that they were Slavs, not accustomed to the conditions of the country and therefore were not—I am not going to explain for the hon. gentleman any further, I will allow him——

Mr. D. ROSS. I think you had better not.

Mr. HERRON. I must say that the class of miners in my country are not men such as are referred to by the hon. gentleman. They are just as intelligent as the average run of men in any other calling in life. The miners on this side of the divide, in Alberta, are mostly Canadians from Nova Scotia and quite a large percentage of them are from the old country and the United States. I think they are mostly Canadians and I do not thing it is right to have aspersions cast upon these men.

Mr. DUNCAN ROSS. The hon. member (Mr. Herron) has tried to put words in my mouth that I never uttered. He has tried to give an interpretation to what I did say which was never intended. What I did say was that while we have a large body of miners who are an intelligent class, it was absolutely necessary on account of labour conditions in the west, to employ foreigners who did not understand our laws and could not understand our language. The hon. gentleman has lived long enough in the west to know that such a class as I refer to is employed at Fernie and Michel and was employed at Morrissey and I think also at Blairmore and other towns in the Northwest. In so far as the miners in my constituency are concerned, we have no coal miners or coal mines there, and as the hon. gentleman is well aware the miners working in the copper and gold mines are not of the class to which I referred to. The statement that I have made is no reflection upon either Canadian or American miners in that country, but it is an accurate statement of facts in so far as the labour conditions in the Northwest or British Columbia are concerned. I might also say to my hon. friend that I never used the word 'ignorant' with an inflection on it or an emphasis such as he tried to make me responsible for.

Mr. T. S. SPROULE (East Grey). My hon. friend the leader of the opposition (Mr. R. L. Borden) was referring to the possibility of the government being able to manage and operate coal mines and he gave as an illustration of it the fact that they managed the Post Office Department, Railways and other departments. The hon. member (Mr. Duncan Ross) in answer to that, said: You must not imagine that these miners are like such men. What did he imply by that —that they were of a lower class, not as intelligent and therefore not as easily controlled or managed? Then he said that many of these men are men who came from foreign countries, that they did not understand our language, that they did not understand our laws, that they did not understand our conditions and he followed that up by giving the advice that the Deputy Minister of Labour must go out there with a big club and use it. What does he mean by that?—that they were not sufficiently intelligent to be amenable to reason; therefore, you have to resort to brute force to compel them to do it. What does he imply by that? It seems to me that the explanation does not make it any better.

I wish to say a few words in regard to some phases of this question which I think any member of this House has a right to refer to. I desire to disagree with those who adversely criticise boards of trade and other responsible bodies who send their representations to parliament in regard to what appears to be an impending danger which, if it is not serious now, will be serious if allowed to go on. I do not agree with those who deny the right of boards of trade or other bodies to send their representations to parliament. It is their right and their duty as well to do so and it is the right of parliament to take notice of their representations and to endeavour to provide a remedy for the situation in view of the conditions which prevailed all last winter and of the representations made from various parts of the country of people being in a freezing condition there on account of the fuel shortage, it was said over and over again, to the fact that a strike continued all last summer in the coal mines. It was due to a strike which has been settled up. We are now in the spring of the year and strikes are again threatened in these coal mines. In view of the history of the past is it not important, is it not desirable, is it not the duty of the government to bring every influence possible to bear on the situation and endeavour to provide a remedy? Not only is it their right to apply to this parliament, but in my judgment it is their duty as well. I want to say another word in regard to the enforcement of the Act. The hon. member for Nanaimo (Mr. Smith) said that we should enforce the present law. If the present law were not sufficient I give it as my judgment that we should have gone a step further and have compulsory arbitration the same as Australia has. I think this Act would be much more efficient today if we had that authority and power. I submit that I am justified in that view by the history of labour operations in Australia since compulsory arbitration has been introduced there, because it is a notable fact that in so far as we can get any information on the subject there have been very few strikes in that country and there is comparative harmony between capital and labour.

In regard to the right of the government to maintain and operate coal mines, the hon. member for Nanaimo, I understand, says that that cannot be successfully done unless you take over all the coal mines, that you cannot do it in part. Is it not a fact that we are operating one railway in the country and that we do not have to take over all the other railways, and it is generally conceded that we are operating that fairly successfully. We are operating a printing bureau and we do not take over the control

of all the printing bureaus in the country. If we can operate this in part in regard to printing and in regard to the running of railways by the same parity of reasoning may we not reasonably conclude that we can operate a coal mine although we do not control all the coal mines in the country? I think we can. It is generally said in regard to a combine or in regard to a commercial enterprise that if you can control 40 per cent of it you can practically control the whole. If you have control of 51 per cent of the operation of a company you can control the whole. If the government have control and are operating 40 or 50 per cent of the coal mines they can largely control the operation of the coal mines of the country. There is no reason why it could not be done successfully. There is another thing that this subject suggests to us and it is the importance of the federal parliament providing means for the enforcement of its own laws. My hon. friend from South York (Mr. W. F. Maclean) has been trying to impress that upon this government for a long time but with no very great success. But every instance which comes to our attention emphasizes more strongly the fact that there should be some federal authority to enforce the laws that this parliament passes. We see it in this instance and we see it in many other instances as well.

I want to say one word in regard to the observation made by the hon. member for Maisonneuve (Mr. Verville). I understood him to say emphatically that he denied the right or the authority of parliament to interfere with any international organization.

Mr. VERVILLE. I said I denied the right of the government or any opposition to divorce our labour organizations from American unions.

Mr. SPROULE. Those are different words from the words which the hon. gentleman used. I do not desire or pretend to say that I would advise interfering with any such right, but I understand that just as soon as any international union through the operations or the influence of foreigners exerts a deleterious influence upon the industrial pursuits of our country it is not only the right but the duty of the government to interfere with that international union.

Mr. RALPH SMITH. Would it not be just the same thing if it were a Canadian union? If a Canadian union acted disadvantageously to the interests of the country would it not be proper to deal with a case of that kind?

Mr. SPROULE. Yes, it would be eminently proper but it would be a stronger reason where foreigners come into the country and interfere with the rights and pursuits of the people. Allegations were made some years ago that in the industrial pursuits of the United States owing to dull times when the manufacturers there were rather under the weather, that the international unions over there sent their representatives through Canada endeavouring to create dissatisfaction among the various industrial concerns of the country advising strikes. That was the allegation, whether it was right or wrong. I said then, and I say now, that wherever there is impending danger from this source, if the allegations are proven to be correct, it is not only the right, but the duty of parliament to interfere with any international union that interferes with the industrial pursuits of our people in this country. To that extent and to that extent only has parliament a right to interfere. I do not see any objection in the world to men joining unions here and having an alliance with unions in the United States, but so soon as these international unions interfere with the pursuits of our people in Canada and bring danger to us, then parliament would be doing less than its duty if it did not interfere.

Mr. DUNCAN ROSS. A word of explanation——

Some hon. MEMBERS. Order. Spoken.

Mr. SPROULE. The more you explain the worse you make it.

Mr. SPEAKER. The hon. member (Mr. Ross) has spoken.

Mr. DUNCAN ROSS. I wish to make an explanation as a statement which the hon. member (Mr. Sproule) made in reference to me.

Some hon. MEMBERS. Order.

Mr. SPEAKER. Unless the hon. member (Mr. Ross) has been misconceived in something he has said he has no right to make an explanation.

Mr. DUNCAN ROSS. The hon. member (Mr. Sproule) put words into my mouth that I never uttered. It is very important, so far as I am concerned, that there should be a contradiction of this statement recorded on 'Hansard,' and it is my right to explain. The hon. member for East Grey made the statement that I said that the Deputy Minister of Labour should use a club on the men because they were ignorant.

Mr. SPROULE. I did not say that.

Mr. DUNCAN ROSS. That was the inference from his remarks.

Mr. SPROULE. No.

Mr. DUNCAN ROSS. I am in the judgment of the House when I say that such was the inference to be drawn from his remarks.

Some hon. MEMBERS. Order.

Mr. SPEAKER. It is a question whether or not such an inference could be taken

from the words of the hon. member for East Grey (Mr. Sproule) and if the hon. member (Mr. Duncan Ross) thinks such an inference could be taken and that he has been misconceived, he has the right to make his explanation.

Mr. DUNCAN ROSS. The explanation is brief, and 'Hansard' will bear me out, and the hon. members who heard me will bear me out, that what I recommended was that the Deputy Minister of Labour should use a club on both parties.

Mr. SPROULE. Yes.

Mr. DUNCAN ROSS. Surely the hon. gentleman (Mr. Sproule) would not assume that I wanted a club to be used on both parties because both parties are ignorant? The club I had reference to was one of the pattern of Roosevelt's big stick.

Mr. SPROULE. The line of reasoning taken by the hon. member (Mr. Duncan Ross)——

Some hon. MEMBERS. Order.

Mr. SPEAKER. If the hon. member (Mr. Sproule) thinks that the hon. member (Mr. Duncan Ross) has misconceived him, he has the right to explain.

Mr. SPROULE. I think he has misconceived me. I referred to the remark of the leader of the opposition as to why the government could not take charge of a coal mine the same as they could of a post office, and the answer of the hon. member (Mr. Ross) was that they would have a different class of men to deal with; that the mine employees were not as intelligent as the employees of the post office.

Some hon. MEMBERS. Order.

Mr. SPEAKER. I do not think the hon. gentleman is explaining any remarks of his which were misconceived.

Mr. SPROULE. He either misconceived me or misrepresented what I did say.

Mr. G. W. FOWLER (King's, N.B.). Some hon. gentlemen seem to be very unfortunate in the speeches they make in the House; they require three or four editions in order to correct the first one. This question of coal supply in the western provinces is a most important one. I brought the matter up in the House the other night, I pointed out that difficulties were arising, but the Minister of Labour met me with an airy waive of the hand as though he had the whole situation under control. Day after day since then the situation is growing more acute, and now it is up to the government to do something to prevent a serious coal famine in the west next winter. The hon. member for South York (Mr. Maclean) always sees bugbears in the way, he has a peculiar facility for smelling out combines. He states there is a coal combine in the west.

Mr. W. F. MACLEAN. A monoply.

Mr. FOWLER. Well, a monoply is not possible without a combine, and having some knowledge and experience of coal mines in the west I can tell the hon. gentleman (Mr. Maclean) that there is neither a coal combine nor a coal monoply there. The great difficulty is the question of transportation, as has been said by the hon. member for Nanaimo. The railways seem utterly unable to cope with the situation, or if they can cope with it they are not doing so. The mines are not able to put out a greater quantity of coal than they are putting out by reason of the difficulty of getting cars to carry away the output. It is a very expensive thing to store large quantities of coal at the mine. The tipples have not large storage capacity and it would require an enormous expenditure to provide storage accommodation for large quantities of coal at the mine. It is essential to the operation of all these mines that there should be every day a sufficient number of cars to carry away practically the product of that day, and that the railways are not doing by any means. The coal mine in which I am interested was hung up practically all winter for a lack of cars to carry away the product of the mine. The result is, that to supply the needs of the people for next winter, we only have a few months in which that can be done, and it is going to be absolutely impossible to do that unless adequate transportation facilities are placed at the command of the mines. The government should address itself to that question as well as to the question of preventing a strike. I repeat that there is neither combine nor monoply. There is no necessity for government ownership of the coal mines in the west. There is not very much money in the operation of coal mines in the west as the matter stands to-day; there is no profit in the business for the individual because of the lack of transportation facilities, and so far as I am concerned I would be glad to sell out my interest to the government. It is much easier to obtain mine workers than it is to obtain railway cars, and I trust that the government will at once direct its attention to providing facilities for distributing coal. Coal for fuel is just as important in that country as food for the people, and if the people were starving I think facilities for transporting food would be obtained.

Mr. FRANK OLIVER (Minister of the Interior). Last fall when we had a coal famine in the Northwest the Lethbridge strike was blamed for it, and to-day when we have a partial failure of transportation facilities in the Northwest, again the coal strike is blamed for it. The conditions last

fall were not because of the coal strike, and the conditions at the present time, I venture to say, are not because of the coal strike.

What the conditions are at the present time will of course develop in due course; but what they were last fall we know, and I will take the liberty of giving the House the information which was gathered at that time, so that we may understand thoroughly that there is not a shortage of coal in the Northwest, that there are at the present time abundance of mines in operation to supply the coal, and that the question of transportation is at the bottom of the whole coal difficulty in the Northwest. Last fall, at a time when people were sending telegrams from all over the Northwest asking this government to intervene and provide coal, and when my hon. friend from Alberta introduced a motion into the House indicating that it was because of some fault of the government's administration of the coal lands that this coal famine took place, I took occasion to communicate with the people who were operating the mines in the Crow's Nest Pass to get information on the subject. I was induced to do so by having received a letter from a merchant resident at Cowley, Alberta, in the vicinity of the Crow's Nest Pass. He said :

I think you will be interested in receiving a side light on the coal famine in Alberta and Saskatchewan. On the 30th November, I note Sir Thomas Shaughnessy reported through Mr. Lemieux in the House, that the Canadian Pacific Railway were doing what they could to relieve the situation by hauling coal from Fort William. Another despatch in the same paper states at the present time they are bringing ten cars per day of Pittsburg coal from Fort William to relieve the situation. I am credibly informed that on the 29th November the coal mines of the Crow's Nest Railway requisitioned the Canadian Pacific Railway for one hundred and eighty cars to load on the 30th November, and less than twenty empty cars were on the division to supply this demand.

The Frank Board of Trade presented a memorial to the Railway Commission on this subject which I will take the liberty of reading. It was dated the 17th of December and it said :

Whereas, there is invested in active coal mining operations within a radius of six miles of Frank, Alberta, a sum not less than $9,000,000, the same being invested by the International Coal and Coke Company, Limited, of Coleman, the Canadian-American Coal and Coke Company, Limited, of Frank, the West Canadian Collieries, Limited, with mines at Lille and Bellevue, and the Hillcrest Coal and Coke Company, Limited, of Hillcrest ;

These mines, let me say, produce locomotive and coking coal, a different quality of coal from that produced at Lundbreck, Taber and Lethbridge, which is essentially household and steam coal.

And whereas, the said district and the people therein are entirely dependent on the mines of said district being in continuous operation, therefore :

Your memorialists respectfully represent as follows :

That the various lines of industry are seriously affected by reason of the closing down of the mines of the district a large portion of the time for periods of from one to four days wholly and a much greater part of the time being able to work only parts of days through lack of transportation facilities, or a shortage of the cars necessary to send the product of the mines to market.

From statistics gathered from the mines in active operation in the said district your memorialists are able to state authentically that by reason of the shortage of cars the said mines were operated about half the time during the months of May, June, July, August, September and October, about three-quarters of the time during November, and about a quarter of the time during December to date.

In November and December was the time when the Northwest was suffering from a coal famine, and these mines were operating three-quarters of the time during November and one-quarter of the time during December.

At one o'clock, House took recess.

House resumed at three o'clock.

Mr. OLIVER. When the House rose at one o'clock, I was reading from a memorial from the Frank Board of Trade, and shall continue reading it :

From statements supplied your memorialists by the general managers of the said companies, your memorialists learned that the mines in question have an actual shipping capacity of 4,500 tons a day on a loading shift of ten hours, and that were they able to work a double loading shift that output would be nearly doubled. From the statistics referred to, your memorialists find that the actual shipment, during the period mentioned, averaged under 2,500 tons a day, making a net loss to the companies involved of at least 2,000 tons shipment per day. Add to this the fixed running expenses incurred by the companies and the sum total of loss to the companies will be seen to have run into many thousands of dollars.

The effect of these conditions upon the general commercial life of the district is depressing in the extreme. Miners being compelled to lay off so large a portion of the time are only able to earn sufficient to provide the bare necessities of life at best, and your memorialists could cite instances in which men of steady habits have not earned enough to pay their store accounts. As a natural consequence, merchants and men in every line of business suffer proportionately with the mining companies. The situation in this respect leads to much dissatisfaction among the miners and is a fruitful source of labour dissentions.

This condition of affairs is wholly due to failure on the part of the railway company to provide adequate transportation facilities. Your memorialists would further represent that, in their judgment, the generally accepted belief that the coal famine existing in Alberta, Sas-

katchewan and Manitoba is attributable to the recent strike of the coal miners at Lethbridge is wholly erroneous, and that the said strike had little or no bearing upon the coal famine, for these reasons : The Lethbridge mine, working at full capacity, never produced more than 1,200 tons a day. The Pacific Coal Company, operating at Bankhead, is in the market this year with 1,200 tons of coal a day. The Taber mines and the Lundbreck mines are in the market with an average of 400 tons a day and less than a third of this tonnage was on the market a year ago, while the Lethbridge mines throughout the strike produced at least 25 per cent of its regular tonnage. This showing, your memorialists think, takes care of the situation as regards the absence of the output of the Letbridge mines from the coal supply of the country. As regards the increased consumption of coal in the prairie provinces incident to growth, this your memorialists affirm could have been abundantly supplied had the mines in this district been furnished with a full complement of cars, or, in other words, had transportation facilities been adequate to the shipping capacity of the mines in question. In connection with this phase of the coal famine subject, it may interest the commissioners to know that in at least one instance wherein your memorialists have positive proof, a number of cars loaded with coal and billed to points in Saskatchewan suffering for the want of coal, stool on the side tracks five days before being moved from the shipping station. These statements of facts will, your memorialists believe, dissipate the erroneous impression that has become extant throughout Canada, that the coal shortage of the country has been and is due to either the strike at Lethbridge or the inability of the other mines of the country to provide the coal, or to any other reason than the failure of the railway company to furnish adequate transportation facilities. In view of the foregoing representations, the authenticity of which your memorialists will undertake to fully establish, your memorialists would respectfully solicit an investigation with a view to obtaining speedy and adequate relief.

Respectfully submitted,
The Frank Board of Trade,
GEORGE H. MALCOLMSON, M.D.,
President.

J. H. BRICKER,
Secretary.

Frank, Alta, December 17, 1906.
To the Honourable the Railway Commission,
Ottawa.

Mr. W. F. MACLEAN. What did the commission do ?

Mr. OLIVER. I am unable to answer. On receipt of this memorial, I thought it advisable to address inquiries direct to the coal mine proprietors therein mentioned. I sent the following wire to the different mines :

Please wire if you have sufficient cars to transport coal and whether you can increase output if required.

This was sent during December when the coal famine was extremely severe. The Lundbreck people replied December 19 :

Received only eight cars in the last ten days. Could load five daily if cars provided.

The west Canadian collieries, operating two lines at Lille and Bellevue replied:

In replying your even date. Car shortage very serious. Could more than double present shipments if required and cars were furnished.

The Canadian-American Coal and Coke Company replied :

Mine operating hardly half capacity owing to shortage car supply. Can increase output if necessary.

On the same date these parties wrote :

Your telegram of even date received as follows :

Please wire if you have sufficient cars to transport coal and whether you can increase output if required.

We herewith confirm our answer as follows : Mine operating hardly half capacity owing to shortage car supply. Can increase output if necessary.

Our mine has been and is still idle over half the time as far as shipping coal is concerned, for the want of cars to load the coal in. We have practically speaking had but two days this month, thus far, that we have had a full complement of cars. We can and are more than willing to help out the coal famine, if cars are forthcoming ; and if necessary we can put on a night shift, doubling our capacity thereby. Trusting that you will be able to remedy the car shortage at least some.

We are, very sincerely yours,
Canadian American Coal and Coke Company,
Limited.

The Hill Crest Mining Company wired as follows :

This property is closed half the time for lack of cars. Could much more than double the output if cars were furnished promptly.

The International Coal and Coke Company replied :

Your message 19th shortage transportation hampers production below capacity this month to date 8,000 tons. Can mine 1,500 tons daily single shift. Possible to increase to 2,500 within short time if mined regularly.

This was on December 20. These people could have put out 8,000 tons more actually than they did, had they been given sufficient transportation, and, if required and had been given sufficient transportation, they could have mined 2,500 tons a day. That was at a time when the whole country was ringing with complaints as to the coal famine and when all kinds of remedies were suggested. At that time the only trouble was that the mines could not sell their coal because they could not get transportation for it. In the month of January matters became worse. The car shortage instead of being less, was greater. On February 1, right at the close of the severe weather, I wired the West Canadian Collieries at Blairmore and the reply I received was :

Stormy weather still has car supply tied up about the same as last month,

I happened to meet the manager of the Hillcrest mine some time during February here in Ottawa. I asked him what was the condition of his mine. He gave me a statement which I will take the liberty of repeating. From October 15th to January 28th his mine had put out 196 cars of coal, or 5,880 tons. The possible output of the mine for that time was 45,000 tons. In January the mine shipped 26 cars or 780 tons. These were the total shipments for the month of January from the Hillcrest mine, which had a daily capacity of from 500 to 750 tons. That is to say, during the month of January the mine was able to ship the product of one and one-half days' work. The result of this was that at the end of January, at the time when the coal famine was most extreme, when the condition was most acute, this Hillcrest mine, with a capacity of 500 tons a day, shut down—went out of business—because the owners could not afford to keep the men on pay without keeping them in employment.

Mr. TAYLOR. If the minister (Mr. Oliver) will allow me, I will call his attention, and that of the Minister of Labour, to a telegram received by this same Mr. Hill to-day, as follows :

Frank, Alberta, April 19, 1907.

C. P. Hill, Russell House.

Men all quit. No grievance. Settlement indefinite. Curle awaits instructons.

I may say that Mr. Curle is a gentleman who is installing a conveyor and air compressor. His men have quit work, and he is left on his oars. There is no grievance —they have simply walked out.

Mr. OLIVER. I do not need to emphasize the point that was emphasized in the memorial of the Frank Board of Trade. It must be evident to any person who hears the statement I have given in regard to the output of the mines during the very time when the coal famine was at its highest, that the owners of the mines could not give the men steady employment—could not employ them more than half time, and some of them not even that. As pointed out in the memorial, this was the foundation of a great deal of dissatisfaction and labour trouble. Although the men do make high wages when at work, if they cannot get steady employment, the high wages are no inducement to them. And naturally they were looking for different conditions, under which they could make a better living.

Mr. R. L. BORDEN. May I ask whether or not the minister (Mr. Oliver) submitted these statements to the railway companies concerned, and asked them to make their comment or reply?

Mr. OLIVER. No.

Mr. OLIVER.

Mr. R. L. BORDEN. Of course, it would be in the interest of the coal companies to throw the blame upon others. I am not impugning their statements ; they may be quite correct. On the other hand, of course, it would be to the interest of the railway companies to throw the blame on others. It seems to me it would be desirable to have the statements of the coal companies and also the statements of the railway companies, to see how far they are consistent with each other.

Mr. OLIVER. I was not concerned in dealing with the matter beyond arriving at the facts ; and having some knowledge of the parties interested, and of the conditions, and having communicated with the parties and got their definite reply, I assumed I had the facts.

Mr. FOSTER. After having received the information, did the hon. gentleman (Mr. Oliver) make any use of it towards rectifying the trouble, or is this the first use he has made of it—placing it before parliament?

Mr. OLIVER. I think I may go so far as to say that this information was made the basis of communication on the part of the government to the railway companies, which may have had some effect in somewhat ameliorating the conditions. These were confidential communications which I am not in a position to place before parliament, and which I do not think it would be to anybody's interest to have published. With this information, such as it is, the government was able to approach the railway companies and discuss the situation with them, with a view to having the conditions ameliorated. However, that is not the point I want to make just now. The point I want to make, in the first place, is that the statement that the strike at Lethbridge last year was the cause of the coal famine is absolutely wide of the mark. The other point is that the conditions prevailing in connection with the coal mines go to show that the lack of transportation facilities is the cause of the labour trouble.

Mr. FOSTER. The men could not get work?

Mr. OLIVER. The men could not get steady pay. The operators could not deal with the men in the way satisfactory either to themselves or the men, as they would probably have been able to do had they been in a position to market their output according to the demand.

Mr. BERGERON. Is there no system of storing the coal in the west?

Mr. OLIVER. The coal is sold at such a price that it would not pay to handle it twice. There is no provision for storing coal in any large quantity. The provision

for storage and double handling would affect the price so seriously that it is not considered.

Mr. W. F. MACLEAN. And you could not get cars to move it to the storage grounds?

Mr. OLIVER. Of course, the idea is that it might be stored as wheat is stored in elevators, and moved as cars were available. But that is not a practical commercial proposition.

Mr. BERGERON. Have the railway companies been advised of the shortage of cars?

Mr. OLIVER. Well, yes, I may say they have been advised of it.

Mr. BERGERON. What did they answer?

Mr. OLIVER. I did not carry on the negotiation with the railway companies; therefore, I cannot give the answer.

Mr. BERGERON. I would like to hear from the railways, and know what they say.

Mr. OLIVER. I am not able to give the answer. But I am not discussing this point at the time. I am merely stating the facts that have a bearing on the point that is up for discussion now—and that is the condition prevailing last fall and winter was such as must necessarily lead to labour troubles in connection with these coal mines. That is, we are now suffering the natural and necessary result of the conditions that then existed, whether it exists now or not. We do not need to look for remedies in government operation or government distribution. If we can secure all the coal which the immense capital invested can produce for us and have it mined at the cheapest rate and in the best way and at the highest wages, if we can provide that the coal shall be transported to its market even at the rates that are charged—if we can give assurance that when the coal is mined it will be delivered—then we have touched the real seat of the labour trouble, and put ourselves in a position where we can deal with it intelligently and probably satisfactorily. And until we have arrived at that point, so long as transportation conditions remain as they have been we cannot by any possible process secure a satisfactory or complete solution of the question. The beginning of the solution is to secure transportation for this vast investment of capital, $9,000,000 in these five mines, the equipment of which is not second to any in the world in completeness. The people have put their money into these mines, they have this perfect equipment, the coal is there, they are willing and able to pay good wages and they do pay good wages; conditions are favourable in every way and the whole difficulty has always been the market for the coal. It was always considered that that was a condition that could not be avoided, but that the country would grow out of it and the people who had made the investments felt that in a few years, as the country filled up, they would get their proper and expected returns. But last winter when coal was at a premium, when the whole country was in a state of starvation for coal, those mines were as badly off for a market as they ever have been.

Mr. R. L. BORDEN. At what price is it sold?

Mr. OLIVER. I am given to understand that these mines get $1.75 a ton for the coal delivered on the car.

Mr. MORIN. That is a big price.

Mr. OLIVER. I do not know whether it is a high or low price, but their market has hitherto been almost solely the Canadian Pacific Railway, and this is the price, I am credibly informed, at which they sell it; they may get ten cents more or less, but the standard price is $1.75 per ton, and as I have already informed the House the coal is of a very superior character; it is coking and locomotive coal and is probably as good as any in the world. These five mines of which I have spoken in which there is $9,000,000 invested, are on the Alberta side of the summit of the mountains; on the other side is situated the Crow's Nest Pass Coal Company with their mines at Fernie, Morrissey and Michel, mining a similar kind of coal to meet a similar market, but I am not speaking of the conditions as they existed there, only of the conditions on the eastern side of the mountains.

Mr. R. L. BORDEN. Is it placed in the cars just as it comes out of the pit?

Mr. OLIVER. The mines vary; of course in all cases the coal is screened, and in one case a large washing plant has been put in for the purpose of washing the coal before it is delivered.

Mr. R. L. BORDEN. I would like to understand why it would be so extremely expensive to store it. The minister says the mines shut down at once because the cars do not come to take the coal away as it is raised from the pit. What I cannot understand is why it would not pay the companies to store it in some way, to pile it there, even if the cars did not come, so that it could be available when the cars did come in large numbers. Of course I presume these gentlemen know their own business and that my question is easily answered, but still I would like to understand this if I could.

Mr. OLIVER. The price of the coal delivered in the car is $1.75. If one mine will not sell at that price the company naturally will buy from the other mines that will, and if a mine wished to store its mined coal

in order to operate the mine, it would have to bear the cost of the storage buildings and the cost of a second handling of the coal.

Mr. R. L. BORDEN. I would think there would also be a great deal of loss in shutting down leaving the mine idle, and looking after it while it is idle, keeping it dry, &c., and then starting it again.

Mr. OLIVER. Surely.

Mr. R. L. BORDEN. And I would think it would be better to store rather than to shut down with all these incidental expenses. Of course I am speaking from the standpoint of one who does not know much about it, but that is how it would strike a person not having special knowledge.

Mr. OLIVER. If the coal would, so to speak, handle itself as wheat does in an elevator, and if the cost of handling was in the same proportion to the price it would it would be all right, but the coal does not handle itself; that is to say the cost of handling it is considerable and it bears such a very large proportion to the total price that it is considered in operation not to be economical to do that.

Mr. BLAIN. Is none of this coal used for domestic purposes?

Mr. OLIVER. The Lundbreck coal is entirely for steam raising and domestic purposes; the other five mines I have mentioned yield coal specially suited for locomotive use and coking, but it can be used for domestic purposes.

Mr. BLAIN. Why do not the mine operators and the dealers in coal in western Canada do as is done in eastern Canada? All coal dealers in eastern Canada, take in the province of Ontario, commence now to get in their coal for next winter, storing it by thousands of tons and even teaming it into the coal bins of the individual consumers. They keep on doing this all summer. Why is that not done in western Canada rather than leave the whole matter to the fall when they want to commence to burn?

Mr. OLIVER. One reason is that in eastern Canada there is a substantial aggregation of capital which is available for all purposes and the investment of money in coal in the beginning of the year means the payment of only a small interest until the coal requires to be used; but in western Canada the capital of the country is in process of creation and it comes in at the harvesting and marketing of each crop. The whole business of the country rests upon that basis, so that every business transaction either actually awaits the marketing of the crop, or is delayed so that the carrying charges between the time of making the expenditure and the realization from the marketing of the crop shall be as short as possible. That is why the people there do not take the same means to provide in advance for their requirements as they do in the east. It would cost them a great deal more proportionately to do it.

Mr. BLAIN. My hon. friend (Mr. Oliver) would not pretend to say that condition of things must continue in western Canada. If it does, of course residents of western Canada will have to suffer every year. It would seem to me that in the summer, when the cars are more easily obtained from the railway companies and there is not so much rush, would be the time for the dealers and the consumers to get their supply in rather than leave it for winter.

Mr. OLIVER. There is no doubt about that, it is absolutely admitted, but my hon. friend asked me why they did not do it, and I have told him. Under circumstances of greater stress no doubt they will do so, but up till last fall they had never found the necessity of doing it, and therefore they never did it.

Mr. BLAIN. While there may be some just complaint against the railway companies for not being able to supply cars it seems to me that the foundation of the trouble is upon the people themselves who did not make application and get their coal in before.

Mr. OLIVER. I am not going to dispute that position but what we are dealing with now is the difficulty as it exists and with the mine worker and the mine operator. Neither the mine worker nor the mine operator is in fault in that connection. It is the general public which is at fault in not laying in its stores of coal and until the general public sees fit to change its methods, we will still face that condition and it is one with which the mine worker and the mine operator has nothing to do. That is the point we are dealing with and it is to secure the attention of the House to the direct and immediate cause of the difficulty and to the direct and immediate means of avoiding the difficulty in future that I have taken the opportunity of presenting these facts before the House.

Mr. MORIN. I would like to ask the minister whether the miners work in the mines digging coal by the day or whether they dig coal by the ton?

Mr. OLIVER. The real miner mines by the ton. He is paid so much per ton. But, of course, there are a large number of men employed in the mine who are not strictly miners and who are paid by the day.

Mr. MORIN. Do you know how much they get per ton?

Mr. OLIVER. No, I do not. I think that it possibly varies at different mines and under different conditions.

Hon. GEO. E. FOSTER (North Toronto). Mr. Speaker, I have listened to a very great deal of this discussion with the idea of getting information and if possible coming to a conclusion as to where the trouble and the fault lie. I think that the hon. Minister of the Interior (Mr. Oliver) did a very commendable thing when he commenced early in December to get information in reference to this matter from the mine operators themselves, but it seems to me that the government—if it were not the part of the minister it certainly was the part of the government—have stopped half way. Now, recollect what has happened. Here were all this stress and trouble in the early part of the year. Up to the 20th of December, or thereabouts, the minister had gained, by active inquiry, this information from the different mine owners in Alberta and he read it to the House to-day. But the minister says he went no further. Three months have elapsed from that time until this. It is certainly more than three months since the minister had this full information in his possession here in Ottawa and it was in the possession of the government. There can be no question that the mine owners and workers make out a good case. They say: The difficulty is that we cannot get the transportation facilities; we have the coal, we have the men to mine the coal, we can produce the coal provided the carriers will send the cars here to take it away. That was the whole trend of the information that the Minister of the Interior got. Having procured that information three months ago what have we presented to us as to action by the government or by the minister since towards remedying that difficulty? Suppose it were absolutely true—not only prima facie, not only ex parte true—but suppose it were absolutely true—the work of the government was not done then. You were only at the beginning of the work. It was then the duty of some one in the government to press the matter home to the railway companies and ask them to remedy it if they were at fault, and if it were possible for them to remedy it. But it does not appear that either the minister or the government took a single step in that direction. That is prima facie proof that the difficulty lies where the minister said, but it is an ex parte statement and while I am not throwing any doubt upon it it is only fair that the House should have the statement of the other party and that is the trouble, because it seems to me narrowed down to the two, the mine workers saying: We could have supplied coal but the reason why it was not supplied was that the railway authorities would not bring us cars to enable us to send it out. It was the duty of the government to have pressed upon the other side for the transport facilities. What answer was made? Where is the correspondence which took place between the railway companies and the government as to this statement of facts as given by the mine operators themselves? Did anybody press it upon them? Did the Minister of Railways and Canals do his duty and why, in the three months which passed, has not something been done efficaciously to remedy this condition? That is a question that presses for an answer and no answer has been given by any member of the government. It is up to the hon. Minister of Labour (Mr. Lemieux), the hon. acting Minister of Railways and Canals (Mr. Fielding) and the hon. the Minister of the Interior (Mr. Oliver) to tell us what steps they took three months ago when that information was in their hands to press home to the railway companies the necessity of performing their part in that country? Was it possible or was it not possible? I think that the question goes farther than that and that we have been giving our minds altogether too much to the temporary, the present state of things. The minister says that is the condition which is before us to-day, that is what we are to talk about and what we are to solve if we possibly can. You will never solve it by waiting until the difficulty takes place and then confining yourself only to the difficulty as it exists at that time. There are several causes that contribute to this state of things to-day and it is for the government or anybody else who wishes to remedy it to take them all into consideration. Next year the very same thing may happen. Next year the very same thing will happen if people, companies and the government do just the same as they have done this year. What would we think in the east if everybody who wanted coal to consume waited until the first day of December before ordering a ton of coal? What would we think if the coal dealers who are to supply the demands of the cities, towns and villages waited until the winter season came on before they put in their supplies of coal? Now the people of the Northwest talk strongly because they feel the pinch, but the people of the Northwest must set themselves, on their side of this question, to find a solution. What is it? It is by bringing pressure upon coal dealers by, asking them for a supply, that you produce your middleman and thus produce a permanent supply, but if all the people in the Northwest, now being counted by hundreds upon hundreds of thousands more each year, are going to wait until the pinch of cold weather before they order a ton of coal you will have a very much worse state of things than you have had when another season comes and still another. So that these boards of trade and other people who have rightly brought this matter to the attention of the government have a duty before them and it is to find out whether they have not something to do in

the matter. They have something to do and all that the government or the railways can do will never remedy this thing until they do their part. They have to be provident housekeepers and they have to lay in their supply of coal before the pinch of the cold season comes on. It will not be long until you will find dealers who will cater to them, and coal bins and coal yards at all the distributing centres. I think I am perfectly fair in stating that whilst the people are looking to the government and are asking them to do something, they themselves should ask themselves to do what they can in order to remedy this thing, and that is one of the essential parts of the remedy.

The coal companies have been living from hand to mouth ; they started poor ; they had not much of a constituency and it was widely segregated, but, it is essential to a perfect remedy, that every one of these coal companies do something more than bring the coal out of the pit-mouth, and wait for a freight car to dump it into. They will have to make provision to wash, and clean, and store the coal, where the cars can take it out from time to time as the opportunity arises. I know they have been suffering from a lack of capital, but their duty is to supply that need. They cannot come to the government, and they cannot berate the railways if they do not make provision to store the coal, even though it should add something to the cost. The enhanced cost will have to be borne either by the purchaser or the consumer or shared between them. While the minister of labour has been trying to create the impression that this matter is not so bad as represented, while some gentlemen on the other side have been trying to create the impression that the telegrams received are being made to feed a party interest——

Mr. LEMIEUX. I did not say that.

Mr. FOSTER. Some gentleman opposite did. While this is going on in the House, the newspapers to-day are filled with the idea that there is serious trouble in the west. The Minister of Labour says there is no strike, but the telegrams say that the men have quit work, and so far as the supply of coal is concerned there is no difference between a strike and quitting work. The minister tells us that there is coal there and that there is producing capacity, but that this labour trouble is caused largely because the miners cannot get continuous employment. That is no doubt a factor, but there you come again to a proper division of the responsibility as between the coal carriers and the mine owners, and the question of sufficient capital to efficiently carry on mining operations. The Minister of the Interior said that from the 20th of December there has been this shortage of cars. If that be true, what has been done during the past three months to bring the railway companies up to their share of the work ? Has the Minister of Labour done anything, has the Railway Department done anything, has the Railway Commission done anything ? Have these three executive bodies been simply sitting on the information the Minister of the Interior had, and doing nothing to remedy the evil. It is unfair to the railway companies to condemn them on ex parte testimony; we ought to have their side of the case. In common fairness, we must consider the exceptional severity of the past winter which has not been equalled in the Northwest for many years ; we must consider the overplus of demand for coal, owing to the large influx of settlers who call for their supplies just when the pinch of the cold weather comes and not before. All these things have over-burdened the railways. There is not a member from the Northwest in this parliament who has not been continuously demanding that the railway companies should extend lines here and build new lines there; all have been impatient and properly so to have the new country opened up. But it is not within the power of any railway company to build thousands of new miles of line yearly, and to maintain at high efficiency its transportation facilities over the old system and the new. Take old established lines like the Union Pacific, the Great Northern, the New York Central, the Pennsylvania, the South Western and Western Roads; every one of them is in the same box. Rich roads that have the money market of the United States at their command have been overwhelmed, and all this winter not only the climatic conditions but the extra demands upon them have hampered them, coupled with the fact that they cannot find manufacturing facilities to give them equipment, even when they have the money to pay for it. To-day the United States Steel Corporation is filled with orders to the end of 1907, and is taking orders for 1908 ; and the car construction companies of the United States have orders from six to eight months ahead. What can a government do ; what can a railway company do under such conditions ? We must, as reasonable people, take all these factors into account before we get at a proper solution of the difficulty. Any one who knows the Northwest country, knows the difficulty in working engines in a temperature running to 20 degrees, 40 degrees or 50 degrees below zero; a drop in temperature like that is apt to stall the most perfect engine. It is then rushed into the repair shop, the men have not time enough to properly do the repairs necessary, the urgency of the demand calls for the engine to go into service in an inefficient condition, and so it goes to pieces again and again. That has happened. The Lord makes the atmosphere, and sometimes it is so suddenly made that the best expert human ability cannot

cope with the exigencies of the situation. The thing we want now, is to keep a level head, and not blame any one unduly. We should keep the pressure on steadily and constantly ; we should first ask the people to act sensibly and provide for their wants in advance of the time when they urgently need supplies ; then keep the railways up to the utmost of their power to furnish transportation ; then impress on the coal companies that if they want to carry on a permanent business they must do something more than live in the open air; they must have facilities for storing their coal and for employing labour more permanently and uniformly.

Mr. WM. ROCHE (Halifax). Mr. Speaker, I have listened very patiently to this discussion, and I have acquired a deal of information. I live sufficiently far from the scene of the difficulty to be able to express a disinterested opinion. For a large part of my life I have been endeavouring to persuade householders and others of the necessity of providing themselves with coal in good season, and therefore the admonition of my hon. friend from Toronto (Mr. Foster) has fallen on my ears like dew on the mown grass. In the main I coincide with him. I think he has arrived very nearly at the true solution, and I congratulate him on that. If it is only on this one subject that he is right, that is something he is to be felicitated upon. The main point, so far as I can see, is to induce householders as far as possible to lay in their coal early—as my hon. friend from Toronto has expressed it, to be forehanded, and to provide for themselves at a time when the general demand is comparatively light. If that were done it would go a long way to solve the difficulty. As the Minister of the Interior has said, the shortage may be due to the fact that there is not a sufficient number of middlemen or that they have not sufficient capital to accumulate the coal when it is unseasonable. In that respect the conditions in country districts are not the same as those in the cities, where dealers acquire and store up large quantities of coal and distribute it in the neighbourhood. The companies could to a certain extent obviate the necessity of having a comparatively large quantity of coal stored in a neighbourhood by providing a larger number of steel cars. I observe that the railroads in the United States now depend largely on their steel cars, for two or three reasons: In the first place, they can be made of a much larger capacity, and, in the second place, they are not so easily destroyed ; so that they tend to cheapen the transport. Then, the coal-producing companies will have to provide the coal at centres, or provide distributing dealers and find the capital necessary for them. Then they will have to make those who wait till the close of the season before obtaining their coal, pay the expense of doing so. Our endeavour in the east is to make coal cheaper to those who take it earlier, and to make those who take it later pay the interest and the cost of accumulating the article. Self-interest is the largest factor in most business operations, and if we can persuade people that they save money by getting their supply of coal early, a great portion of the difficulty will be solved. With regard to strikes and the cessation of labour, I have had a good deal to do with workmen in various ways, sometimes having had a good many in my employ. I think all workmen should have the right to strike or to leave work whenever they please ; otherwise their work would be a species of slavery. If their interests lead them to go to other localities, they should be allowed to go. But there should be ample protection to the employers of labour who bring in labour to supersede those who have left ; otherwise the public are exposed to combinations and to the arbitrary action of individuals who think only of their own interest and having no regard for the convenience or the comfort of large numbers of people. That is not the fault of the larger proportion of workingmen. A good workingman will have some regard for his neighbours and for the consumers whose comfort depends upon the products of his labour ; but in all large labour organizations there are agitators and indolent men, and those who wish to make up for their own deficiency in working capacity by bringing others to coincide with them in opinion. These are the men who are dangerous in strikes, and who destroy the value and the potency of labour. They do not wish to work themselves, and they want others to agree with them and to cease the performance of duties which are necessary to make all parts of the combined efforts successful. My hon. friend from Toronto has set out in great detail the essential parts of this transaction. I agree with him entirely in what he has said ; he has nearly hit upon the requisite remedy for this difficulty. From what he has disclosed, I do not think there are a sufficient number of individuals with the necessary capital to handle the business. The railroad companies must provide the facilities and have the article stored up in convenient localities, for distribution to those who need it. In the United States the companies handle the coal they mine ; furnish the means of transport, and store the coal at convenient stations, from which it is forwarded to the consumers. The solution of the difficulty at the present time appears to be in the railroad company seeing that it can make money by accumulating the coal at convenient points for distribution.

Mr. HERRON. Mr. Speaker, during the discussion the Minister of the Interior

stated that coal was supposed to be sold at the pit's mouth——

Mr. SPEAKER. I suppose the hon. member wants to ask a question ?

Mr. HERRON. That is true. He said that the coal was supposed to be sold at the pit's mouth at $1.75 a ton.

Mr. OLIVER. That is what I am informed by the operators of the mines. When I was at Blairmore on the last occasion, that was the price quoted by the railway company.

Mr. HERRON. I may state to the minister that I have had a great many complaints during the year from consumers, who informed me that there was no coal sold at that price in the Northwest this year, but that it was generally $2.75 and from that up to $4 a ton at the pits' mouth. I think the minister has had complaints of that kind himself.

Mr. OLIVER. The mine operators gave me the price at which they were selling coal to the railway company on contract, which is quite a different affair from the retail price. I am informed that the mines which are under discussion at the present time sold their coal to the railway company at an average price of $1.75, and the railway company was their chief customer.

Mr. FOSTER. What is the price of the custom coal ?

Mr. OLIVER. I could not answer that.

Mr. FOSTER. That is what most touches us.

Mr. W. F. MACLEAN. I would like to ask the hon. minister if there is any prospect of relief being obtained by means of some kind of river or canal navigation for the distribution of coal?

Mr. OLIVER. Not from the Crow's Nest Pass mine, unless my hon. friend can fall back on those steamers which used to run on the prairie dew.

Mr. FOSTER. You might get Hatfield at work to make a stream there.

Mr. McCRANEY. It was reported some three months ago that the Hon. Mr. Motherwell, Minister of Agriculture for the province of Saskatchewan intimated to the public that the province might go into the coal mining business. Has the hon. minister any communication from the Saskatchewan government on the subject of their requiring coal lands, or has he considered the question of the provincial government entering into that field ?

Mr. OLIVER. I do not recollect having received any communication from Mr. Motherwell on the subject, but no doubt the House is aware that, under our system of the disposition of Dominion coal lands, it is competent at any time for any business organization or individual to acquire coal lands and to operate them. If the province of Saskatchewan desires to acquire coal lands in order to operate them, it will be the business of the Dominion to facilitate their doing so, and the same may be said with regard to any responsible institution, whether corporate or private.

Hon. W. S. FIELDING (Minister of Finance). Although we have reached a stage of the session's business when there is happily a very general desire to bring the session to a close, no doubt we all feel that the hon. member for Winnipeg (Mr. Bole), in bringing up this question to-day, was fully justified by its importance, and that the discussion has been in some respects instructive and I hope will have a very useful effect outside. I may be pardoned therefore for taking up a little time in further discussing it. The matter divides itself into two branches. The first is the question of the strike ; the second the broader question of transportation facilities generally in the Northwest. Dealing with the matter of the strike, we have had several suggestions in the way of telegrams, newspaper reports and so forth, but all these suggestions seem to have a somewhat extreme and strenuous and almost warlike character. One board of trade suggests that the immediate remedy is that the government shall take possession of the mines and operate them. That is rather a large proposition ; and even if it commended itself favourably to the consideration of the House, I am afraid it would take a little time to mature and perhaps not grant that immediate relief so much desired. Nor would we feel confident that if the mines were operated by the government, there would be any guarantee of freedom from the labour disputes which take place when our mines are operated by private parties. Another board of trade suggests that the remedy is to divorce our Canadian labour unions from American unions. That also, though the suggestion is offered with very great freedom by some estimable gentlemen assembled as a board of trade, has only to be mentioned to suggest difficulties. In the first place, it is an interference with individual liberty ; and I am sure that every man must be disposed to interfere as little as possible with the individual liberty of the citizen. We have excellent unions of an international character which certainly are not causes of any evil ; and if we were obliged to resort to legislation interfering with individual liberty in this respect, that legislation would have to be broader than merely confined to labour unions, and a little consideration will show the difficulties which would arise if any such legislation were proposed. No doubt there are many foreigners, members of organizations in Canada, whom none of us would wish to exclude, and no doubt

many Canadians are members of organizations in the United States, and no one objects to such connection. There are international associations of a benevolent character which have their branches on both sides of the line; and in any attempt we might make to deal by legislation with the question of international labour unions, we would be face to face with the broader question of interference with individual liberty. So that there is not much room for remedy in that direction. Then we have the suggestion in a morning newspaper that we should call out the militia and have an armed force to prevent the strikes that are supposed to be threatened. Each and all of these suggestions seem to me open to difficulty and objection. Then there is the suggestion that the government should at once undertake to prosecute the officials chiefly concerned in the miners' movement in the west. That suggestion is also open to very grave objections. If we attempt at once to interpret our law as pledging us to commence prosecutions against people out there, we shall be departing from the principle which underlies the legislation we have enacted for dealing with labour disputes. As to calling out the troops, nothing was further from the thought of the government than that the measure which we adopted in the way of conciliation should, at the first stage and in the process of inquiry, be enforced by a resort to armed force. I am surprised at the statement in a morning paper with reference to this matter. The whole telegram was inaccurate and untrue, and one would be justified in assuming that it was designed for some sinister purpose, but what that is is only a matter of surmise. It states that a certain telegram was sent by one of the leaders of the labour movement to the Department of Labour. My hon. colleague, the Minister of Labour (Mr. Lemieux), informs me that no such telegram was ever sent him. That telegram, which purports to be a copy of a communication sent the Minister of Labour, is therefore fraudulent and objectionable on that score. Then we have the statement that the government have been urged to arrest Mr. Sherman and that this move is expected. The government have not been urged to arrest Mr. Sherman, one of the gentlemen chiefly interested, one of the leaders of the labour movement, and have no thought of arresting him. One of the worst possible ways of dealing with the difficulty would be to proceed to arrest Mr. Sherman or call out the militia. Each one of these moves would be tantamount to coercion ; and the policy of this government, which has met the approval of this House, is not coercion but conciliation. If we are to accomplish any purpose, in dealing with labour problems under the legislation recently passed, we must not resort to any extreme measures but rely on conciliation, which is the very basis of the whole statute. The Act has been in force but a short time and has already accomplished a good deal. Even if it had accomplished nothing, that would not be a matter to be laid to the charge of the government, at so early a stage as this ; but judging by the results of its operations in the short time it has been in force, we are satisfied it has worked well. More, we are satisfied it will work well in this instance. True, it is stated in some of these exaggerated reports that many thousands of miners are out ; but while undoubtedly many have left their work, it is also proved that the principle of the law is accepted by many of the miners and by the leaders of their organization, and we have reason to hope that in a very short time the work of conciliation will be successful and the whole difficulty be smoothed over. The miners have accepted the principle of the Bill and have nominated representatives to the board. The mining companies have also nominated their representatives, but the Department of Labour, took exception to their appointment on the ground that the nominee was too directly represented. That led to delay, but now the mining companies have made other nominations. Therefore we have nominations by the mining companies and the workingmen, and at this moment I am advised the representatives of these two interests are in conference at Fernie with the view to agreeing on a third arbitrator. It is altogether probable that they will agree on a third member, but if they do not by Monday next—the time allowed them to nominate the third will have expired—and the government will be in a position to appoint the third member. When that is done, we have no reason to doubt that the whole matter will be dealt with in a good spirit and an equitable issue may be expected. The Deputy Minister of Labour, Mr. Mackenzie King, leaves Ottawa to-night and will arrive in Fernie on Tuesday. We feel hopeful that, in this case as in others, his excellent judgment will bring about a happy solution of the difficulties.

Now, in connection with the suggestion that our Canadian labour unions should cut themselves adrift from international unionism, it is well to remember that, sometimes, international unionism has worked out advantageously. I suppose that, as a rule, most of us in Canada feel displeased when some agitator comes across from the south and stirs up trouble in our minds; and it is not a matter of surprise that some persons should look for legislative interference to prevent such a thing. But whatever may be said generally, the fact is that at this moment the connection of these workmen in our country with international unionism is working towards peace and harmony. These workmen are members of the United Mine Workers of America. The leaders of that great international organization are Mr.

John Mitchell, the well known labour leader, and Mr. Lewis. Mr. Mitchell is the president and Mr. Lewis the vice-president. Both of these gentlemen reside in Indianapolis, or, at least, have their headquarters there. The miners can only carry on a strike effectively when they have the support of the union. If they enter upon a strike without the consent of the proper authorities of the union, they receive no recognition and no support from the union. We are advised that no authority was given by the recognized leaders for a strike in our west. On the contrary, it is a matter of public record that Mr. Mitchell, the leader of the United Mine Workers, has declared himself as opposed to any strike in our Canadian west, and that he is doing his utmost to prevent it. The morning paper which contains the despatch to which I referred, contains also another which might be worth being placed on record :

Toronto, April 18.—'I do not expect that the labour troubles in the colleries in the Crow's Nest Pass will continue,' stated Mr. G. G. S. Lindsey, general manager of the Crow's Nest Pass Coal Company, this morning. Mr. Lindsey said he has received a telegram from John Mitchell, of the United Mine Workers of America, in which he said that this body had advised the men to remain at work. He did not know whether the miners and operators would agree upon a third man for the arbitration of the dispute or not. He was surprised that the men should be unwilling to submit to the rules of arbitration.

In addition, I am advised that the vice-president of the organization, Mr. Lewis, has left Indianapolis and is on his way to Fernie in order that he may support the action taken by Mr. Mitchell. And I have the utmost hope—I may say the utmost confidence—that when Mr. Lewis arrives at Fernie with the message of good-will from the great labour leader, John Mitchell, and when Mr. Mackenzie King reaches Fernie and all the interests confer together, there will be a happy solution of this great 'strike' which some hon. gentlemen have been afraid would take place. It has been said that there has been a strike and that a great many men have left the mines. It is by no means certain that their leaving work is so general. I am informed that, of ten working companies in this region there are seven in whose mines the men remain at work. There are three mines in which a considerable number of men have left. If seven out of the ten mines have made application for arbitration by the Conciliation Act that has recently been passed, I think we may entertain strong hope that the other three will accept the principle of the Bill. There appears to have been an unfortunate misunderstanding which has brought about what is described as a strike, but what is evidently not properly so described. It appears that notices were posted up in a number of the mines on behalf of the mining companies intimating that there would be a very considerable reduction in wages. The men employed in these mines received the impression that the reduction was to take place irespective of what investigation might be held, and also the impression that the mining companies were trying in that way to anticipate the conclusion of the tribunal. For this reason the men refused to work. They had not the authority of their leaders to strike, but, being dissatisfied, they left their work. It seems that it is not contemplated by the companies that that reduction should take place until full and fair investigation. On the whole, the outlook for a happy solution is brighter than some of our hon. friends seem to imagine. When the labour leaders and the representatives of the Canadian government are brought together, as they will be in a few days, there is every reason to believe that we shall have the happy solution of the difficulty that hon. gentlemen generally desire.

Mr. R. L. BORDEN. Was it purely a question of wages?

Mr. FIELDING. Wages and general conditions. At first, it was only a question of wages, but as has happened in so many cases, other matters arose.

With regard to transportation questions generally, I can give some information, perhaps not so much as I could give if I had known that the discussion would take the shape it has taken. The difficulty of transportation in the Northwest has been before us, in one way or another, for several months. I can assure hon. members that, when the troubles occurred several months ago, every effort was made on behalf of the government, by personal communication with gentlemen interested with railway enterprises and otherwise, to do whatever was possible. In troubles of this kind, of course, there are people who are ready to say that something must be done, though they may have little conception of what can be done. There is also the disposition to find fault with somebody, sometimes with the railway company but more often with the government. Representations were made to the transportation companies and they always claimed that they were doing the utmost possible. On behalf of the Canadian Pacific Railway, Sir Thomas Shaughnessy addressed a letter to the Prime Minister (Sir Wilfrid Laurier), who intended to bring it to the attention of the House. But the favourable moment did not seem to offer and the House passed to other business. Sir Thomas Shaughnessy calls attention to the fact that it has not been made public, and he thinks it only fair that the company should have the advantage of the explanation given some months ago :

Canadian Pacific Railway Company,
Office of the President,
February 11, 1907.

Dear Sir Wilfrid,—I saw the other day newspaper reports of a meeting of the Winnipeg Board of Trade at which the railways were severely criticised for their failure to furnish cars and move traffic with suitable promptness, one member attributing the alleged shortage of cars and other facilities to the fact that 'the transportation companies were filling their own coffers while neglecting the country,' and I believe that similar meetings were held at other points and representations were made to the government, so that the subject is likely to receive some attention in parliament. Therefore, I feel justified in placing before you some information that may be of use in dealing with a matter of much importance to the business community and to the transportation companies as well.

We recognize to its fullest extent the obligation imposed upon railway companies, that receive from parliament their charters and attendant privileges to serve the public truly and well, and if, through any fault of their own, they fail to do this, they deserve the severest criticism.

I do not believe that there is any disposition on the part of our Canadian railway companies to deny the facts. They admit, I think, that they have been unable at times to move all the traffic offering with a desirable degree of promptness, because the volume at such times was in excess of their facilities and they may properly be asked: 'Why was this the case? Why have you not the requisite facilities? The shipper must depend upon you and if he has goods ready to forward, it is your office and your duty to transport them without delay.'

In the present instance the railway companies call attention to the abnormal development that has taken place in the country during the past five years, a development that has resulted, not only in a vast expansion of the traffic to be transported, but has increased a hundredfold the difficulty about getting men and material to do the work necessary to enable the railways to handle it.

Cars and locomotives were not the only essentials. Increased crossing sidings were required, so that a greater number of trains could be moved over a given section each twenty-four hours. Terminal yards, round houses, shops and freight houses had to be enlarged and additional water service to be provided. Then there was the road-bed of the railway to be strengthened and improved, in order that it might be able to bear the strain of the additional tonnage that it was required to carry, and a thousand and one other works were rendered necessary.

Have our railway companies been executing these works during the past five years or have they, with indifference to public convenience and for their own increased profit, been taking advantage of the great augmentation of the revenues resulting from these brisk business conditions without spending the necessary money to do whatever lay in their power to provide the additional rolling stock equipment and the requisite extension of their facilities to meet the situation?

I can answer for only one railway company.

At the end of the year 1901 the Canadian Pacific Railway Company had 732 locomotives and 22,473 freight cars; at the end of 1896, five years later, the company had 1,204 locomotives and 37,467 freight cars; so that, in these five years, there was an increase of 472 locomotives and 14,994 freight cars, or about 70 per cent in each case, without taking into account the fact that each locomotive and each car was of much greater capacity than those previously in service. These with the passenger cars and other rolling stock equipment purchased and built, or in process of construction at the end of the year, represent an expenditure approximating $28,000,000. During the same five years the outlay for other facilities, such as line improvements, shops, round houses and other works calculated to facilitate the operation of the line was about $44,000,000, or a total of $72,000,000, and these figures, understand, are quite exclusive of $35,000,000 spent by the company in these same years for the construction of new railway lines to further develop the country, and for steamships to strengthen Canada's position on the Atlantic ocean. For these latter purposes another class of security is issued, while the cost of equipment and additions and improvements was met by the sale of the company's capital stock which realized more than its face value, and by appropriations from the company's cash reserves. So that, during these five years, in their endeavour to meet the most gratifying growth of the country's business, the shareholders of this company put back into the property, cash to the large amount of $72,000,000, an average of over $14,000,000 per annum or about two and a half times the sum they had received during the same period in dividends on their shares. When one takes into account the labour, the materal and the organization requisite to judiciously expend such a vast sum of money in five years the marvel is that so much was accomplished. But more would have been done if it were possible. Indeed several large works for which money had been appropriated last year were carried over because of their inability to have them completed. We have on order to-day, for delivery during the next four or five months, rolling stock equipment to the value of $11,808,751.14, and we hope to have it all in service before the autumn business commences to move. So that, you see that there has been no disposition on the part of the Canadian Pacific Railway to shirk its responsibilities or to 'fill its coffers to the neglect of the country.' During the execution of some of the larger works, wholly or partially included in the above expenditures traffic was necessarily delayed. The second track now being built between Winnipeg and Fort William will be a source of very great convenience when completed, but in a process of construction, the blasting of rock, and the movement of construction trains necessarily deprive us of anything like the full use of the present track for traffic purposes. I hope, however, that by the end of the year the hardest part of the work will be completed. Might I, in conclusion, be permitted to mention the serious extent to which railways are deprived of the use of their equipment in Manitoba, Saskatchewan and Alberta during the busiest season of the year by reason of the provisions of the Manitoba Grain Act governing the allotment of cars to individual applicants. I know that the purpose of the Act was to protect farmers in the matter of the selling price of their wheat. If legislation could be

framed that would give farmers this same protection while using the elevators that have been provided at most stations in the grain-growing territory it would, I am sure, facilitate the movement of the crop and be of advantage to everybody concerned.

Yours sincerely,
(Signed) T. G. SHAUGHNESSY,

Rt. Hon. Sir Wilfrid Laurier, G.C.M.G.,
Premier,
Ottawa, Can.

I think it is only fair to the Canadian Pacific Railway that since that statement was addressed to Sir Wilfrid Laurier it should be presented to the House.

Mr. HAGGART. What is the date of it?

Mr. FIELDING. It was addressed to Sir Wilfrid on February the 11th.

Mr. HAGGART. That was before the other debate on transportation in the west and we ought to have had that letter long ago.

Mr. FIELDING. I am not quite sure of the date of the debate. At all events the intention of the Prime Minister was to present the letter at a convenient time. If he overlooked it at that particular moment I cannot give an explanation. I am, I think, only doing what is fair and reasonable to the Canadian Pacific Railway in placing that letter of Sir Thomas Shaughnessy before the House so that the members may understand the question as it is viewed from the Canadian Pacific Railway standpoint. For a time things seemed to be improving in the Northwest, but even at a moment when the weather conditions were promising to be more favourable there was a sudden turn.

Mr. FOSTER. Has the minister had any reply or statement from the Canadian Northern?

Mr. FIELDING. As respects present conditions, yes. About the time that letter was written, or soon after, these conditions began to improve and we were hopeful that perhaps there would be no further cause of complaint from the point of view of the severity of the weather, but quite recently they had a return of severe weather in the Northwest and difficulties arose again. These were the subject of communications between members and their constituents. The hon. member for Saskatchewan (Mr. McCraney) recntly presented to the House some telegrams which he had received with reference to the congested conditions and the difficulties experienced in connection with transportation in the Northwest. Thereupon I directed the deputy minister to communicate with the different authorities and do what ever could be done to press upon them the necessity of using their utmost endeavours to obtain relief. The deputy minister, Mr. Butler, sent the following report on the 10th of April :

Mr. FIELDING.

Dear Mr. Fielding,—The Board of Railway Commissioners have an engineer in the west, who was instructed some time ago to report on the condition and operation of the Canadian Northern Railway, and his report is now under way. Two days ago he was instructed to report further as to whether and when the conditions hindered operation on the Canadian Northern. The board are in communication with the Canadian Northern and are sending an expert railway officer west, to advise on the situation. Mr. Mann, of Messrs. McKenzie & Mann, is at Winnipeg and is in touch with all the parties, and cognizant of the situation; and it is believed that the company are doing all that they can within the limits of their resources. The commission advise that they are feeding cattle and taking care of people now at Winnipeg, so that the only possible plan seems to be, to place an embargo on temporarily, as is quite the usual custom on railways under such congested conditions.

There have been many storms, so it is stated, rendering it very difficult for them to keep the road open.

Yours faithfully.
M. J. BUTLER.

Hon. W. S. Fielding,
Acting Minister of Railways and Canals.

About the same time he addressed the following telegram to the president of the Canadian Northern Railway :

Complaint has been made from Saskatoon and Rosthern to the department that the Canadian Northern Railway have notified all American roads not to accept shipments of settlers' effects for any points on their system, that no mails have been received since March at Saskatoon, that the merchants are out of many staple articles and some necessities, that the Prince Albert branch is tied up both above and below there. It is also stated that there are trains now running by way of Warman and Prince Albert to Winnipeg, but they refuse to carry the mails. Needless to remark it is causing intense agitation in the west and requires prompt and immediate action to alleviate the condition. Please advise prospects for improvement.

M. J. BUTLER.

To this the following reply was received:

Your message to President. Mr. Mann now in the west and on tenth, he wired us that it was then snowing and that on the main line between Humbolt and Clarkboro, ice had formed on the rails underneath the snow making it impossible to use snow ploughs and that all cuts would have to be taken out with pick and shovel, that settlers' effects and passenger trains were being sent around via Prince Albert and Warman to Edmonton and that everything was being done that men could accomplish to relieve the situation. Have wired him again to-day and will wire you definitely on hearing from him.

D. B. HANNA.

On the following day Mr. Butler received the following telegram from Mr. Hanna :

M. J. Butler,
Canadian Government. Railways, Ottawa.
Toronto, April 13, 1907.

Snow blockade Regina, Prince Albert cleared and traffic resumed; same conditions apply on

main line between Winnipeg and Edmonton, made one trip only between points named via Prince Albert and this train carried mails. Hope worst condition now over. If weather conditions continue normal, think should be able in short time remove all causes for dissatisfaction.

(Sgd.) D. B. HANNA.

These telegrams indicate that the various officers appear to be doing all they reasonably can. Of course, in a matter of that kind, when the best that they can do still leaves the traffic in a congested condition, it is inevitable that there will be much dissatisfaction and cause of complaint. However, as we are now approaching the warmer season I think it likely that the worst difficulty is over, and in view of the representations which have been made to us as to what the railway companies are doing in the matter of getting new equipment, I think we have every reason to hope that by the time the heavy traffic of the season comes on the railways will be in a better position than they have been recently to handle the business of the country.

Motion withdrawn.

MAIL SERVICE TO GREAT BRITAIN.

Hon. RODOLPHE LEMIEUX (Postmaster General). Mr. Speaker, with your leave I would like to give my hon. friend from North Toronto (Mr. Foster) an answer to the question which he asked last night about the mail service between Liverpool and Canada via Halifax or St. John. I have just received from the Deputy Postmaster General a statement as follows :

As nearly as I can make out, in answer to your question as to the difference in time of arrival at destination of two letters leaving Liverpool at the same time, one for Halifax and the other for St. John, the vessels being of equal speed and making the same time the result would be about four hours in favour of Halifax in the arrival of a letter in Montreal or Ottawa. Halifax is about 240 to 250 nautical miles nearer Liverpool than St. John, which would mean that a vessel sailing for St. John would be from ten to twelve hours longer arriving at port. On the other hand St. John is about eight hours nearer to Montreal than Halifax by train. Hence of two letters, one sent from Liverpool to Halifax and the other sent from Liverpool to St. John, the letter from Liverpool to Halifax would arrive in Montreal or Ottawa about four hours earlier than the one sent via St. John.

I have here a statement from Mr. Butler, the Deputy Minister of Railways and Canals, as to the average time made by vessels or trains carrying mails during the winter. I will send it to my hon. friend.

Mr. FOSTER. If this answer of Mr. Butler contains no more than the answer the minister gave it does not cover quite what I was after. I am thankful to the minister for it. He assumes two vessels of equal speed.

Mr. LEMIEUX. Yes.

Mr. FOSTER. But I was taking a comparison between the best vessels of the Allan line and the best vessel of the Canadian Pacific Railway ; start your letter from Liverpool on each, one going via Halifax and the other via St. John and I would like to know which would arrive at its destination first.

Mr. FIELDING. That is not a fair comparison. Take ship for ship and port for port.

Mr. FOSTER. A fair comparison? I suppose I have a right to ask for the information I want and that the minister will allow me the information that I want ? But, when I come to use it then the minister can pitch into me.

Mr. LEMIEUX. I will get the answer to the question and let the hon. gentleman have it.

On the Orders of the Day being called :

Mr. W. ROCHE. According to the answer which was read by the hon. Postmaster General (Mr. Lemieux) the distance from Halifax to St. John is given as 250 miles per hour, and for a steamer which has a speed of 17 knots an hour four hours is not a sufficient time. But the Bay of Fundy is not safe for vessels proceeding more than ten, twelve or thirteen knots an hour at most.

Some hon. MEMBERS. Order.

Mr. SPEAKER. We can hardly have a discussion upon this.

Mr. W. ROCHE. I am done.

RESIGNATION OF HON. C. S. HYMAN.

Mr. HAUGHTON LENNOX (South Simcoe). Before proceeding with the Orders of the Day I just desire to ask a question of the hon. gentleman who leads the House (Mr. Fielding). Is he in a position to give us any further information in reference to the resignation of Hon. C. S. Hyman, Minister of Public Works ? Has the resignation referred to in the telegram of last Saturday yet reached the Speaker and if it has, is it now in proper and legal form ?

Mr. FIELDING. I regret to be obliged to inform my hon. friend (Mr. Lennox) that I have no information on the subject.

Mr. SPEAKER. No such resignation has yet reached my hands.

Mr. FOSTER. Has the minister any knowledge as to whether the report which has been going through the papers that Mr. Hyman and a number of congenial spirits

are just about leaving for the old country? We would like to know if that be true or not because that would have an important bearing on the question.

Mr. FIELDING. No, I saw a reference in some of the papers to the effect that Mr. Hyman contemplated taking an ocean voyage. Beyond that general statement I have seen nothing in the press and I have no information on the subject.

Mr. BERGERON. This morning's paper contained that.

Mr. FIELDING. I have not observed the particular telegram to which the hon. gentleman refers.

CRIMINAL CODE AMENDMENT.

Bill (No. 136) to amend the provisions of the Criminal Code respecting the preservation of the peace in the vicinity of public works—Mr. Aylesworth—read the second time and House went into committee thereon.

On section 1—'Intoxicating liquors' defined.

Mr. AYLESWORTH. This Bill, I may explain, is introduced at the suggestion of the Commissioners of the Transcontinental Railway, who, in turn, are acting upon the representations of the commissioner of police in charge of the administration of justice in the district which has been proclaimed under the Public Works Act along the line of construction. The Bill consists simply of amendments in regard to the dealing in, or providing of, intoxicating liquor which his practical experience since his appointment to that work has indicated to him to be desirable. I will explain the alterations in each section if the committee permit. In this section the alteration consists in the addition of the last two lines. The definition of intoxicating liquor contained in the present subsection 17 of section 2 of the Code does not include the words with which this subclause now proposes to conclude; that is that any liquor shall be presumed to be intoxicating if it contains more than 2½ per cent of crude spirits.

Mr. HAGGART. What was it before? That will include beer, I suppose?

Mr. AYLESWORTH. In the Revised Statutes there is no such provision at all as to the 2½ per cent but what is desired to be struck at is some particular kind of patent medicines which the Indians, it is said, have a fondness for, and perhaps some white men too are very glad to consume and which are found to contain upon analysis more than this percentage of spirits.

Mr. SPROULE. There is a prescription which the Indians seem to be fond of; they take two or three plugs of blackstrap tobacco, boil it down for a while, add a bottle of painkiller and a little bad whisky if they can get it, and the Indian says that makes 'big drunk' for several days. Will that come under this clause?

Mr. AYLESWORTH. If it contained 2½ per cent or more of alcohol, yes.

Section agreed to.

On section 2,

Mr. AYLESWORTH. This is the introduction of a provision prohibiting the giving of liquor, and at the end of the section an addition as to liquor supplied upon prescription of a medical practitioner, which is not in the present Act.

Section agreed to.

On section 3,

Mr. AYLESWORTH. This amendment increases the penalty for a first offence from $40 to $50; for a subsequent offence the present law provides a penalty of $40, and it is now proposed to make it $100. The following words are also added: 'Such imprisonment in either case to be with or without hard labour,' which words are necessary to empower the magistrate to impose a sentence with hard labour.

Section agreed to.

On section 4,

Mr. AYLESWORTH. The amendment here includes among the places which may be searched a railway carriage, or freight car, or railway station, freight shed or other railway building, which had not previously been included.

Section agreed to.

On section 5,

Mr. AYLESWORTH. In the existing law it is necessary to summon the owner, keeper or person; the word 'summon' is now changed to 'shall be brought.' If the person fails to answer the summons, it is thought he should be brought before the magistrate so that he may be aware of the destruction of his property. At present, if he does not appear on the summons, the proceedings for the destruction of liquor go on ex parte in his absence.

Mr. R. L. BORDEN. Before you destroy the liquor there is an inquiry?

Mr. AYLESWORTH. Yes.

Mr. BERGERON. Why have all these changes been introduced?

Mr. AYLESWORTH. They have been asked for by the Transcontinental Railway Commissioners in connection with the construction of the new line through Ontario, and they have asked upon the information

furnished them by the commissioner of police who is acting in the district.

Bill reported, read the third time, and passed.

DEPARTMENT OF MINES.

Bill (No. 139) to create a Department of Mines—Mr. Templeman—read the second time, and House went into committee thereon.

Mr. SPROULE. Is it intended to do away with the Geological Survey and to make it a part of the Department of Mines ?

Mr. TEMPLEMAN. The Department of Mines to be created by this Bill will be presided over by a Minister of Mines, who will be a member of the Privy Council, and will be assigned to that duty by an order in council. As the Bill is framed, the department is divided into two branches, the Geological branch and the Mines branch. What is proposed is to combine the present Geological Survey branch and the present Mines branch of the Department of the Interior in one department. It has occurred to me that, as these branches are largely scientific and technical, it will be necessary also to have an administration branch and I purpose moving an amendment to the Bill to that effect. The Geological branch will be presided over by the director of the Geological Survey, Mr. Low, and the Mines branch by Mr. Haanel. The necessity for this legislation has been very apparent to the government for a long time, that is, the creation of a department that would give to the mining interests of the country that prominence which their growing importance demands. Canada has great mining interests which are increasing very rapidly, and which I think will increase much more rapidly in the immediate future ; and a well equipped mining department may do a great deal in furthering and encouraging the development of the mining resources of the country. It will be to mining largely what the Department of Agriculture is to the great agricultural industry.

Mr. SPROULE. If I understand the Bill correctly, it is proposed to merge the two branches into one and call that the Department of Mines. Then we shall have no Geological survey in future ?

Mr. TEMPLEMAN. It will be the Geological Survey branch of the Mines Department. The word 'survey' was omitted in the original draft, but to meet the views of the geologists of the department, who have strong objections to the word 'survey' disappearing. I propose to amend the Bill so as to call that branch the Geological Survey Branch. I may say that it is not contemplated to increase the number of the officials, but we shall have to a certain extent a re-classification of them.

Mr. PERLEY. I want to suggest that the minister name that branch the Geological Survey, and not the Geological Survey branch. As we all know, the Geological Survey is known throughout the world as one of the finest parts of the government of this country. It has been known by that title for many years, and has been administered by very prominent men—Logan, Selwyn, Dawson, Bell and Low, and I think it would be a great pity if the name were changed in any respect. I admit the difficulty of including the name in the title of the Act, because it would make it too long and cumbersome but it seems to me that this important part of the administration of this country should retain the old name which it has borne for so many years so worthily and under such worthy heads.

Mr. ARMSTRONG. I agree with the hon. member for Argenteuil. To blot out the Geological Survey at Ottawa would be a very serious matter. When we remember that its reports are distributed to libraries and various institutions in different countries, and that entirely different reports will be sent out in the future from those in use in the past, we can realize what a serious change this is. I do not quite understand the need of the Mines branch. Why should not the Geological Survey Department take in the Mines branch rather than the Mines branch take in the Geological Survey, if a Mines branch be necessary ?

Mr. TEMPLEMAN. It seems to me that the mines branch is the important or at all events, the practical branch of the department. While not at all desiring to under value the work of the Geological Survey, still what the mining industry wants is a practical mining department.

Mr. LANCASTER. Is not the mining department part of the Geological Survey ? Why should the lesser include the greater.

Mr. TEMPLEMAN. I am inclined to look at it the other way round. I am inclined to think that the mining interest is greater than the Geological Survey branch and that the Geological Survey is only an assistance of the development of the mining industry. The work that the Geological Survey does is preliminary work and purely scientific, and the work of the mining branch will be practical.

Mr. FOSTER. I would like to have some general explanation as to what the mining minister and department will do. Suppose the hon. gentleman (Mr. Templeman) should be the Minister of Mines and have this mining department under his control, what is he going to do with it ? It is easy making a toy, but what use will you make of it ?

Mr. TEMPLEMAN. The Minister of Mines will administer the Geological Sur-

vey branch and the mining branch just as any other minister superintends and directs the department under him.

Mr. R. L. BORDEN. Is there to be an additional minister who will have charge of the department ?

Mr. TEMPLEMAN. There is to be another department, but not an additional minister.

Mr. SPROULE. If you have a Department of Mines, unless you combine some other departmental name with it, you must have an extra minister.

Mr. TEMPLEMAN. There will be no extra minister. If my hon. friend reads clause three he will see that it provides :

> There shall be a department of the civil service to be called 'The Department of Mines,' which shall be under the control and management of a member of the King's Privy Council for Canada, who shall be named from time to time for that purpose by the Governor in Council, and who shall be called 'The Minister of Mines.'

The minister will be appointed by order in council, precisely in the same way as he is now appointed to take charge of the Geological Survey.

Mr. R. L. BORDEN. This makes it perfectly possible to create an additional minister, and that seems to be contemplated.

Mr. SPROULE. It is creating an additional department.

Mr. TEMPLEMAN. Yes, just as the Department of Labour was created an additional department, to be administered by the Postmaster General. But it might be transferred at any time from the Postmaster General to the Minister of Agriculture, who would then be Minister of Agriculture and Labour. This Department of Mines will be administered by one of the present ministers. There is no intention whatever of creating a new minister.

Mr. FOSTER. This is enough to make one dizzy. We do not know where we are. When we see a minister getting up, we are at a loss to know how to address him. At one time he is Minister of Labour and at another time Postmaster General and again minister of something else. If you go on multiplying these different ministers, one will require a new head piece to conduct himself through this maze so as to give a proper title to the man he is addressing. But I do not want the hon. gentleman to get away from the practical question. Here is a new toy he has manufactured, what will he do with it ? What will the Minister of Mines do that is not being done now ?

Mr. FISHER. I understand——

Mr. TEMPLEMAN.

Mr. FOSTER. I would like the minister himself to answer or the gentleman who is to be the minister.

Mr. FISHER. The hon. member for North Toronto (Mr. Foster) has no more right to address the chair than I have.

Mr. FOSTER. I freely grant that. It is very seldom the hon. minister gets a chance to speak, and I will give him the opportunity.

Mr. FISHER. The hon. gentleman says he is getting into a maze and cannot realize where he is with all these different departments, but he forgets that for years there have been ministers of the government who have had more than one department under their respective control.

Mr. FOSTER. And it is getting very hard to bear.

Mr. FISHER. The hon. gentleman is not so much in extremis as he would have us believe. He is altogether too modest. The First Minister has been in charge of the Mounted Police Department a number of years. The Postmaster General has charge of the Department of Labour. The Minister of the Interior has the direction of the Department of Dominion Lands and of the Indians and at one time had the Geological Survey under him.

Mr. FOSTER. We do not call him the Minister of Indians.

Mr. FISHER. Still it is just as distinct a department as this is. The Minister of Inland Revenue happens at present to be in charge of the Geological Survey, which is a department by itself with a deputy head, who is deputy head by statute. In this particular case, there is a mines branch in the Department of the Interior, which it is desirable to join to the Geological Survey and call the combined organization the Department of Mines. There is no question that the importance which the mining industry has reached entitles it to have a department of its own. I might just point out that the Geological Survey, while it has done exceedingly valuable work, has largely been a department of surveys, going over and mapping out the country and seeing what developments could be made. But the mining branch has to do with the development of the practical or commercial wealth which the Geological Survey has discovered and pointed out. The mining branch of the Deparment of the Interior has done important work by giving information to the mining people of our mining resources, which is distinct altogether from the work of the Geological Survey. This is an effort to join the two together and make of them a department by themselves.

Mr. ARMSTRONG. Will the Minister of Mines tell us if there has been a Mines

branch in operation for the last few years, as the Minister of Agriculture (Mr. Fisher) would lead us to believe, what has been the nature of its work? And has the work been of such importance that it is necessary to establish a bureau of mines, pay extra salaries, make extra appointments and so on?

Mr. TEMPLEMAN. The hon. member for North Toronto (Mr. Foster) asked me what we were to do with the Department of Mines when we had it? I think we can do a very great work for the country.

Mr. FOSTER. Well, what is it?—that is the point.

Mr. TEMPLEMAN. The House knows that the jurisdiction over the lands and mines of the great provinces of Manitoba, Saskatchewan and Alberta rests with this parliament. The House knows also that the jurisdiction over mines in the great territory to the north rests with this parliament. That is, the legislation relating to mines in about two-thirds of the entire territory of this Dominion must be passed here.

Mr. ARMSTRONG. Have they not a Bureau of Mines in Ontario and similar bureaus in other provinces, including the west?

Mr. TEMPLEMAN. I did not mention Ontario. There is no question that the jurisdiction over mines and mining legislation in Ontario, Quebec, New Brunswick, Nova Scotia, Prince Edward Island and British Columbia rests with those provinces. But the mining legislation and the regulation and control of mines in all the rest of the country is with this parliament. We have already the great mining interests of the Klondike and the great coal mining interests of Alberta. Up north we hope some day—and it may be at no very distant day—to discover other Cobalts and Klondikes. The work which has been done in connection with mines under the control and regulation of the Department of the Interior, will, in future, be done in the Department of Mines. I believe this will be one of the most important departments in the government and one with a great work to do. My hon. friend from East Lambton (Mr. Armstrong) asked me what the Mines Branch of the Department of the Interior has been doing? I will tell him a few of the things it has done during the past few years. Dr. Haanel, as Superintendent of Mines, carried on experiments in the electric smelting of iron ores at the Soo. That was a very important experiment, and excellent results were obtained.

Mr. R. L. BORDEN. What was the nature of the results?

Mr. TEMPLEMAN. An elaborate report was made on the practicability of the smelting by electric process of the iron ores of Ontario.

Mr. HAGGART. Did he discover anything new? Was it not all known before?

Mr. TEMPLEMAN. I understand that there was a great doubt as to the practicability of smelting the magnetic iron ores of Ontario by electric process.

Mr. R. L. BORDEN. Is the minister sure that he is quite correct? I have been told by mining men that the practicability of that work had been amply demonstrated years ago, but the commercial practicability of it had not been demonstrated, and has not been demonstrated yet—that Dr. Haanel is no nearer a commercial result than dozens of others who have gone before.

Mr. ARMSTRONG. He admits that in his own report.

Mr. TEMPLEMAN. I do not know who the informant of the hon. gentleman (Mr. R. L. Borden) is, but I do not think he voices the opinion of those who have given the closest attention to the electric smelting of iron ore in Ontario. I know that the investigation made by Dr. Haanel, in Europe, and his experiment carried on at the Soo, have received commendation from all the governments of the world that take an interest in the electric smelting of iron. It may be true that the commercial success of the electric smelting of iron ores has not been finally demonstrated even yet; but Dr. Haanel's report, I believe, was to this effect, that the smelting of the magnetic iron ores of Ontario—there has never been any question of the electric smelting of the hematite iron ores of Europe; that had been demonstrated before—and ores low in iron and high in sulphur, has been greatly advanced. I believe that one of the results was that iron ores containing a high percentage of sulphur can be smelted economically by electricity better than by the ordinary process.

Mr. R. L. BORDEN. So far as a laboratory test shows——

Mr. TEMPLEMAN. It was more than a laboratory test. Dr. Haanel smelted more than fifty tons of pig iron. It was carried on on a scale sufficient to demonstrate its commercial practicability.

Mr. R. L. BORDEN. Has he done that?

Mr. TEMPLEMAN. I think he has done that.

Mr. R. L. BORDEN. Perhaps he has. But I would ask the minister this: he says it is not contemplated to create a new minister. Now I call his attention to the fact that the language of the Bill makes it quite possible to create a new minister and that it is different from the language of the statutes which do not so contemplate. For instance, take the statute creating the Department of Indian Affairs, chapter 81 of

the Revised Statutes of 1906. Section 4 provides :

The Minister of the Interior, or the head of any department appointed for the purpose by the Governor in Council shall be the superintendent of Indian Affairs, and shall as such, have the control and the management of the lands and properties of the Indians in Canada.

Mr. TEMPLEMAN. What about the Labour Department?

Mr. R. L. BORDEN. The Act creating the Department of Labour is of the same character, except that, curiously enough, there do not seem to be any words creating the department at all.

Mr. LEMIEUX. It is a creation, all the same.

Mr. R. L. BORDEN. I might refer to that as it is rather curious.

Mr. TEMPLEMAN. If I mistake not the wording of clause 3 of this Bill is copied from the Act creating the Department of Labour. It was the intention to make the wording about the same.

Mr. R. L. BORDEN. I have the Act before me. Section 1 provides, 'This Act may be cited as the Conciliation and Labour Act.' Section 2 provides :

In this Act, unless the context otherwise requires,—

(a) 'Minister' means the member of His Majesty's Council for Canada to whom, for the time being, the Governor in Council may assign the carrying out of the provisions of this Act.

Section 3 and following sections deal with trade disputes . Section 12 deals with statistics. Section 13, and the following sections deal with railway disputes and then in section 27 I observe for the first time any reference to the Department of Labour, although I have not examined the Bill very exhaustively. Section 27 says that the Department of Labour shall do so and so. That is about all there is in the Act respecting the creation of the department, so far as I have been able to obesrve in running over it hurriedly. But it is very different from this Act which provides for the creation of a new minister, namely the Minister of Mines.

Mr. FOSTER. It must be so because if you establish a Minister of Mines do you do away with the Minister of the Interior ? That brings the matter to a test. The Minister of the Interior administers these two branches which are now to be combined and put under a Minister of Mines. You have a Minister of the Interior to-day, you pass this legislation and you provide for a Minister of Mines. You appoint the Minister of Mines and you have an addition to the Privy Council, you have one more minister.

Mr. TEMPLEMAN. My hon. friend will see by clause 4, subsection 2, that it says :

When the management and direction of any subject is transferred to the Department of Mines.

All that is transferred from the Department of the Interior is the administration of mines.

Mr. R. L. BORDEN. If the government does not intend to create another department what is the objection to using language such as is used in the Indian Act ? It is very plain and carries out exactly what is said to be the intention of the government.

Mr. D. ROSS. The suggestion of the leader of the opposition (Mr. R. L. Borden) I know would be very objectionable to the west, where we take considerable pride in our mines and mining industry. For many years an agitation has been going on there for the creation of a federal Department of Mines.

Mr. R. L. BORDEN. I am not objecting to that, the hon. gentleman does not understand me; I am simply suggesting that you should use such language as is used in the Indian Act and provide that the head of some other department should be the head of this department.

Mr. D. ROSS. But he would not be Minister of Mines.

Mr. R. L. BORDEN. Yes, he would in the same way as the Postmaster General is Minister of Labour.

Mr. D. ROSS. Of course, I am not particular how it is done, but we in the west have clamoured for the creation of a Department of Mines having a full-fledged Minister of Mines in charge of it. If you are going to change it to a superintendent the same as the Superintendent General of Indian Affairs——

Mr. R. L. BORDEN. Oh, no.

Mr. D. ROSS. The same agitation was carried on in the United States for a number of years and an association was formed in the United States with their slogan the creation of a federal Department of Mines there. I am not particular how it is done so long as we have our department.

Mr. BARR. I imagine that British Columbia should not be much affected, you are in the same position as Ontario.

Mr. TEMPLEMAN. I do not think there is any disagreement. What we want to do is to have a Department of Mines and a Minister of Mines but not to create an additional portfolio. If we go on with the Bill we can hold that over for consideration.

Mr. R. L. BORDEN. That is quite satisfactory.

Mr. SPROULE. How many additional employees or officials will be required ?

Mr. TEMPLEMAN. None whatever. It is not contemplated to have any additional service and no extra vote except possibly for some experiments and perhaps a few unforeseen expenses, but no more officials are going to be put on at the present time. It is possible and we hope that the department will grow from year to year but there will be no immediate increase of expenditure.

Mr. SPROULE. The deputy head of this department will be the deputy head of the Geological Department?

Mr. TEMPLEMAN. It seems likely that the deputy head of the Geological Survey will be the deputy head of this at the same salary as he is now enjoying.

Mr. SPROULE. No more officials will be required than are doing the work and there will be no additional salaries?

Mr. TEMPLEMAN. Mr. Low is at present the director and deputy head of the Geological Survey. My suggestion is that he should become the deputy minister of the department and it would be necessary to make one of the geologists director of the Geological Survey.

Mr. SPROULE. The minister says the department may grow. It may grow in the number of officials and in the expense, because that is the usual result of creating a new branch.

Mr. TEMPLEMAN. If it does good there should be no objection.

Mr. SPROULE. It will not be long before this department spreads out in a new line involving more officials and extra salaries.

Mr. ARMSTRONG. Has the minister decided who the deputy head of the mines branch shall be?

Mr. TEMPLEMAN. No, I mentioned Mr. Low for the simple reason that he has deputy rank to-day and his position must be recognized in some way. Up to the present there has been no discussion whatever except between Mr. Low and myself and no definite arrangement has been made.

Mr. LALOR. Dr. Haanel is at the head of the mines branch.

Mr. TEMPLEMAN. He is Superintendent of Mines.

Mr. LALOR. Will Dr. Haanel be subject to Mr. Low if he is made deputy ?

Mr. TEMPLEMAN. Certainly the Deputy of Mines will be at the head of the department.

Mr. ARMSTRONG. I have been closely in touch with the Geological Department for many years in our work in western Ontario and in the west as well, and I would like to urge upon the minister the desirability at least of looking into the merits of Dr. Bell as a man for promotion to one of the prominent positions. I am sure the minister is well aware of this gentleman's position not only in Canada but throughout the world as that of being one of the most eminent geologists we have. Of course the minister will take into consideration the welfare of the mining interests in general and if so he will take into consideration Dr. Bell in making these appointments. He has long been in the public service and his work and ability have been of great value to the country. I am not talking in this way because Dr. Bell is a supporter of this side of the House the fact being that he is the very opposite. Dr. Bell is a supporter of the government, but I am merely saying this because I am a friend of Dr. Bell, I know his worth and I know what he has done for the country.

Mr. TEMPLEMAN. Of course the gentleman who occupies the position of geologist, next to Dr. Bell, is the highest paid official in the department. Dr. Bell's qualifications along with those of others will have to be taken into consideration.

Mr. HAGGART. Is there to be only one deputy head of the Mines Department?

Mr. TEMPLEMAN. There is to be only one deputy head of the Mines Department.

Mr. HAGGART. And the deputy head will be superior to the heads of the two branches, that is the one who is at the head of the Geological Survey and the one who is at the head of the Mining Department?

Mr. TEMPLEMAN. Yes.

Mr. HAGGART. One deputy, and what will you call the others?

Mr. TEMPLEMAN. In the Bill we call the others the directors. At the present time Mr. Low is the head of the Geological Survey, but it is proposed to have one deputy minister and a director for each branch, each of whom will be subordinate to the deputy minister.

Mr. BARR. Mr. Low was appointed after Dr. Bell. There was some difficulty then and I am afraid there will be more difficulty now.

Mr. TEMPLEMAN. The difficulty was created a year or so ago. This does not make it any worse.

Mr. BARR. I think there is a little friction yet.

Mr. R. L. BORDEN. If Mr. Low is removed from his present position and made Deputy Minister of Mines will that remove him from the immediate direction of the Geological Survey which, I understand, was the work he was appointed to undertake?

Mr. TEMPLEMAN. No, it would not. The only discussion I have had with any of the officials of the Geological Survey was with Mr. Low. I suggested to him that in all probability I would ask him to accept the position of deputy minister. He suggested that he might be permitted to continue his duties as director of the Geological Survey. I said I could see no objection to him doing that until we could complete the organization of the department. But my view was that there should be another geologist appointed to be head of the Geological Survey and allow Mr. Low to become the deputy minister. The deputy minister necessarily has control of the Geological Survey as well as the Mines branch.

Mr. R. L. BORDEN. To what extent would he be removed from the immediate direction of the Geological Survey? What would be his powers, duties and functions as they are at the present time as contrasted with those which would be imposed upon him by this appointment of Deputy Minister of Mines?

Mr. TEMPLEMAN. I suppose his powers and duties will be greater as deputy minister. He will have jurisdiction over the Mines branch. He will be the head of the department. He will occupy exactly the same position in regard to this department that any other deputy minister occupies in regard to his department. The Deputy Minister of the Interior, for instance, has jurisdiction over a number of bureaus or branches.

Mr. R. L. BORDEN. It does not seem that the minister is very definite about it. What are the duties of Mr. Low at the present time as director of the Geological Survey and will he still continue to perform those duties after he became Minister of Mines?

Mr. TEMPLEMAN. Not if we appoint another director.

Mr. R. L. BORDEN. Then he will be removed from the immediate direction of the Geological Survey?

Mr. TEMPLEMAN. Certainly.

Mr. R. L. BORDEN. That is what I asked ten minutes ago. Is it not work of that kind that he is supposed to be most eminently fitted for?

Mr. LANCASTER. The minister mentioned that he thought Mr. Low did not want to give up his preesnt work if he is to be appointed deputy minister. Does the minister understand whether that is a work that Mr. Low has been concerning himself in? I am bound to say, having regard to what was put before this House earlier in the session by myself in regard to the investigation made at the Niagara river, that Mr. Low has not shown that alacrity to work in the interest of Canada that he ought to have. His name has been mentioned as having performed a work which began under the direction of Dr. Bell and was carried out under his direction. If the accomplishment of that work in the future is to be ascribed to Mr. Low it is not fair to Mr. Low or to Dr. Spencer who have been working for Canada and who have been accomplishing what was very necessary in regard to the fixing of the quantity of water having regard to the boundary between Canada and the United States in the great lakes and the Niagara river. I do not want to say anything against Mr. Low, but as a public man I object to a gentleman being allowed to retain a position for the purpose of taking some of the glory or aggrandizement to himself that he is not entitled to.

Mr. TEMPLEMAN. That is hardly fair to Mr. Low, because Mr. Low was in no way responsible for the arrangement by which Dr. Spencer was selected to continue the work at Niagara Falls.

Mr. LANCASTER. He delayed the reports.

Mr. TEMPLEMAN. No, Dr. Spencer delayed them.

Mr. LANCASTER. No, Mr. Low delayed them by not printing them.

Mr. TEMPLEMAN. I do not think Mr. Low was in any way responsible.

Mr. FOSTER. The hon. gentleman from British Columbia seems to press this matter as being the darling scheme of the western members, especially those belonging to British Columbia. I sympathize with him entirely in his desires and aspirations in that respect, but is it not the real service of the mining director that the hon. gentleman wants? It is not the frills or anything of that kind that he is especially anxious for and I want to look upon his subject from that point of view as to whether we are going to better matters much under this arrangement which is proposed. Here you have the Geological Survey which is admitted to be under the direction of as good a man as you can get in Canada. After the arrangement was made and Dr. Bell went out, I think it was pretty well agreed upon that Mr. Low was the man who was fitted to take Dr. Bell's place as he had devoted a long series of years and very arduous efforts to that which was his business. The very moment you translate him from direct connection with his life work and place him where he has to fritter his time away in discharging the routine business of a deputy head, you dissever him from that work in which he is taking a great interest and in which he has done much good to the country. You now propose to make him deputy head of the Mines branch, the

active spirit of which has been in the past Dr. Haanel, who would continue to be in charge of it if you make him director. You reduce Mr. Low to a sort of directing machine over these other officials, and you separate him from his intense personal and active interest in a branch to which he has devoted his whole life. I doubt very much if you add to the efficiency of his services to this country by doing that.

Mr. DUNCAN ROSS. If Mr. Low is ambitious to become deputy head and to make the Mines Department a great department, and if he thinks that should be his life work, what then?

Mr. FOSTER. We have no knowledge as to that. The only knowledge is that the man who is going to be Minister of Mines is going to ask him to take the position.

Mr. TEMPLEMAN. I know Mr. Low's mind on that question, but if he thinks as my hon. friend (Mr. Foster) thinks, Dr. Low can remain Director of the Geological Survey. He can take his choice.

Mr. FOSTER. You have now an efficient management and administration of the Geological Survey, and do you propose to make it any better by this new arrangement? You have now an efficient officer over the Mines Department; will you add to his efficiency by this new arrangement? The question I pressed on the minister was as to what particular work this Mines Department is going to do. The sympathetic and ornamental part of it is all very well, but what is the practical good that can come of this new arrangement? You will add thousands and tens of thousands of dollars to the expense of the country, because you must have your machinery and your clerks and your offices, and what is the result then? Are you not duplicating the work which is already done by the provinces in their great Mining Departments? You do not own, nor do you control an acre of mining land in Ontario, and the Ontario government is attending to the immense mining development which is going on there to-day. The British Columbia government has control of the mines of that province; and if there is anything in propinquity, the administration by the local government ought to be better and wiser than administration from Ottawa, which is so much further removed from the scene. And, let me ask, why should British Columbia administer its own mining lands when Saskatchewan and Alberta have no control over theirs? There is no reason in the world why, if they are to be provinces, Alberta and Saskatchewan should not have equal rights with the other provinces. I predict the time will come, and it is not far distant, when these new provinces will have these rights, however much we may deny them at present. The general progress of ideas will ultimately land these powers in the hands of Alberta and Saskatchewan, and there are good reasons why it should be so. When that time arrives, the federal government will be left without jurisdiction, to butt in, to make general reports, to get statistics, and the provincial mining departments are doing that already. They have a live Mines Department in Ontario, and the work of that department is progressing and it is established on a basis which I do not think can be improved upon by the Dominion branch. Then, the federal Department of Mines will be left for independent action in the undeveloped territories of the Northwest and the Yukon. Will this new Department of Mines go further than the Geological Survey goes now in the way of prospecting? Are you going to find out where the veins are, and if so, to whom does the knowledge go? There is the difficulty, the moment you undertake any other than general investigation as to our mineral lands. If you are going to prospect for paying veins, is it because you are going to operate them afterwards or impart the information to some one who will operate them? I can see how you could make a business of it by finding out the veins and putting the area up to auction, but I do not suppose that is your idea. Again I ask the minister, what practical work is going to be carried out by this new organization? If the minister can show that this new department is necessary, without duplicating the work done by the provinces, and if he can show that good will come from its establishment, I am not going to oppose it.

Mr. DUNCAN ROSS. I have had the opportunity of discussing this matter in all its phases with Mr. Low, and I am bound to say that he has ideas in regard to a Department of Mines that leads me to believe that he is the right man for deputy minister of that department. I might point out to the hon. member for North Toronto that every provincial government has its Minister of Agriculture and at the same time the Department of Agriculture here has always done good work for the Dominion. If that be true with regard to agriculture, why should not the same thing be true with regard to the mineral industry, which is one of the great industries of this country? In the treatment of refractory ores, in such experiments as those on the zinc ores of the Slocan district, and in exploring new territory, such a department can do valuable work. There is also the work of preparing maps. I believe the Department of Mines should prepare all the maps for all the departments, so that duplication would be avoided. Then the question of irrigation is an important question in the dry regions of the west and the geologists could report on that.

Mr. LENNOX. By the seventh section, the question of irrigation is put under the other branch.

Mr. DUNCAN ROSS. The geologists in the field can take cognizance of the water sheds of the country, and report as to where water can be stored for irrigation, and they can give us valuable information in other ways.

Mr. ARMSTRONG. Can they not do all that under the present administration?

Mr. DUNCAN ROSS. I admit that all this can be done under the present administration; but what I am pointing out is that the mining industry is of sufficient importance to justify us in having a full fledged Department of Mines with a Minister of Mines. I do not think the hon. member for North Toronto will say that there is not plenty of work for the officers of this department, or that the cost will be any greater than it is at present, if the work is done properly.

At six o'clock committee rose, and House took recess.

After Recess.

House resumed at eight o'clock.

PRIVATE BILLS.

CONSIDERED IN COMMITTEE—THIRD READINGS.

Bill (No. 153) for the relief of Victor Harold Lyon.—Mr. Wilson (Russell).

Bill (No. 155) respecting a certain Patent of Phillip J. Green, Melvin Hunt and John McMurrich.—Mr. Perley.

Bill (No. 157) for the relief of Arthur Leon McPherson.—Mr. Parmelee.

Bill (No. 151) to incorporate the General Animals Insurance Company of Canada, Limited.—Mr. Walsh (St. Anne).

Bill (No. 149) to incorporate the Rock Life Assurance Company of Canada.—Mr. Parmelee.

OTTAWA TERMINALS' RAILWAY COMPANY.

House went into committee on Bill (No. 152) to incorporate the Ottawa Terminals' Railway.—Mr. Caldwell.

On section 17,

Mr. DEPUTY SPEAKER. In the Committee on Railways this was amended to read:

17. The company may, subject to the sanction and approval thereof by the Governor in Council, upon report by the Board of Railway Commissioners for Canada, make all such by-laws, rules and regulations as the directors of the company deem necessary and proper for the control, management, and use of the said Central Union Passenger Station and facilities appurtenant thereto, and of any other premises and property of the company, including the use thereof by the public, and for the regulation and control of all vehicular traffic upon the said premises and property.

Mr. LANCASTER. I desire to repeat here what I said in the Railway Committee. When the matter was up there, it struck me and others that this was an interference with municipal rights in the control of cab service in the city of Ottawa. It might be less harmful in Ottawa where the members of the Board of Railway Commissioners reside and where they may be expected to control matters of this kind better than they could in other municipalities. I am bound to say that the Railway Committee seemed to ignore the principle involved in this section, though they amended the section by taking out the word 'control' and also the words 'at the said station.' Still if we pass the section in this form I think we interfere in the most outrageous way in the control of cab licenses in the city of Ottawa.

Mr. FOSTER. This confines it to the company's own property?

Mr. LANCASTER. But the point is that a cabman licensed by the municipality has the right to go on the station grounds with a passenger and his baggage, in order to reach the train. For the municipality to be overruled in a matter of that kind by the Board of Railway Commissioners seems to me an interference with municipal rights. One of the most important services for which cab drivers are licensed by the municipality is to deliver passengers and their baggage at the railway station, on the premises of the company. The cabman ought to be allowed to go on the property of the company if he complies with the regulations of the municipal authorities and ought not to be stopped at the entrance to the station grounds. He has a lawful right to go on the company's grounds, because, the railway company being a common carrier, should be obliged to let people upon their grounds for the purpose of entering their trains, and people who enter upon the company's property for that purpose are not trespassing. In Ontario, as a rule, these matters of cab licenses are regulated by the Board of Police Commissioners and not by the aldermen. But be that as it may the point is that the municipal control ought not to be interefered with.

Mr. FOSTER. Is the objection solely to section 17, or does it apply to section 9 also?

Mr. LANCASTER. Section 9 is involved, but as it stands, it is not as harmful as section 17. Section 17 is a distinct and positive enactment. I would not find any particular objection if this section went down as far as the words 'property of the company.' Or, even if it went on to 'including the use thereof by the public.' But

I think all after that should be struck out. That is what I suggested in the Railway Committee.

Mr. FOSTER. Would this allow them to keep a cabman off the premises?

Mr. LANCASTER. Certainly it would. Under this they can form a perfect trust against certain cabmen. Because a cabman does not comply with certain things that the commissioners choose to enact, wheher right or wrong, and regardless of the wishes of the municipal authorities, they could refuse to allow him to drive upon the premises. It may be argued that in the interest of the travelling public the railways should have some means to secure the comfortable and expeditious conveyance of their passengers to or from the depot. That can be done without granting this absolute power to keep out all outside cabmen unless they make arrangements with the company. It would mean that no other cabmen, nor even a citizen in his private carriage or buggy, would be permitted to enter the station grounds unless the Railway Commission and then the Governor in Council choose to disallow the railways' regulations. But it is well known that the attention of the Board of Railway Commissioners is so engrossed with general matters of great importance and urgency, that they are unable to deal with many matters which they should properly deal with and which it was intended should fall within their jurisdiction. It seems to me that all the words of the last two lines after the word 'public' should be omitted and I therefore move to strike them out.

Mr. BARKER. I agree with much of what the hon. gentleman says as a principle, but for two reasons I do not think his argument is applicable to the present case. He has done right and taken a proper course in calling attention to this matter, so that hereafter this Bill may not be used as a precedent. As regards the use of the Central station here in Ottawa where the railway commissioners live and where they can know quite as much about the necessities of the public as the city council of Ottawa, and especially as the council has taken no exception to this Bill, I do not see why we should apply the abstract principle to this case. The promoters of the Bill agreed to strike out the word 'control' so that all that is now in the Bill is that by-laws will be passed to regulate the use for vehicular traffic of that station.

Mr. LANCASTER. Does the hon. gentleman not think that would allow them to control?

Mr. BARKER. I think if under the word 'regulate' the railway company tried to act arbitrarily and refused to permit a man to drive his own carriage into the station grounds, the Railway Commission would soon remedy that. There can be no doubt of the importance of having good regulations, nor can there be doubt about the need of having fair regulations for all. For a railway owning cabs to prevent any other cabs entering a station would be an outrage and I doubt if any railway would attempt it.

Mr. CAMPBELL. The Board of Railway Commissioners would not allow it.

Mr. BARKER. The Board of Railway Commissioners have power to regulate the use of the station for that purpose. For that reason I do not see any objection to this particular Bill, although, say in Vancouver, many hundred miles away from the commission, other considerations might arise, but at their home in Ottawa they may well attend to such a matter as this.

Mr. SPROULE. It seems a rather weak argument to say that the principle is wrong, but the practice here is right, and is right because it is close to where the Board of Railway Commissioners live. If it is wrong at Vancouver, it must be wrong here, and of course the duty of the board is to go wherever they are needed and look into the situation. The hon. member said that it would be wrong for the railway company to admit only their own cabs to the station, but the contention set up in the committee was that in certain stations in the United States, if you take the cabs connected with the station, presumably owned by the railway company, you have to pay only 25 cents to be transferred to another station but if you take an outside cab you have to pay a great deal more, signifying, I presume, that the railway company have taken power to control all that traffic to the exclusion of outside cabmen. The railways are common carriers and every one has a right to access to their grounds and stations in order to use the railway trains as passengers or as shippers, and the Railway Act provides that there shall be no discriminating between customers. This Bill gives power to discriminate, and from what we can see at an ordinary country station we know that a railway official, if he has even a show of authority, will sometimes exercise it tyrannically against a person who does not know his rights. This Bill gives opportunity for discrimination and I do not think we should encourage that; it is our duty to see that all have equal rights before the law.

Mr. G. H. McINTYRE. It is absolutely necessary that there should be some control of vehicular traffic at the terminals, and that control, I think, should be vested in the city of Ottawa itself. There may be some objections to that. It may be possible that the railway companies would object that they should have some power in connection with it but the railway com-

panies are very much interested in many ways and we know that when railway companies have powers they use them somewhat arbitrarily. The instance quoted by the hon. member for East Grey (Mr. Sproule) does not stand alone. We know of numbers of others of the same character. In addition to this danger of the railway companies not being exactly generous towards other carriers we notice here that they are especially empowered to become a cab driving company. They leave their character as a railway company and under this Act they become a cab company. Their interest lies very specially in shutting out others and it is very natural to suppose from all the past records of railway companies that they will use their powers to the utmost. Therefore, I think their should be some other regulation than that which the railway companies themselves may give. The regulations which they may put in force by by-law have to be approved of by the Railway Commission but this Railway Commission can only approve or disapprove; they cannot do anything of their own initiative. I would rather have it under civil control with by-laws passed by the city but subject to the approval of the commission.

Mr. CAMPBELL. I may say that this Bill was very fully discussed in the committee and it seems to me that the interests of all are very properly guarded here. The company may only, by the sanction and approval of the Governor in Council upon a report by the Railway Commissioners, make these by-laws. The Board of Railway Commissioners and the Governor in Council would certainly never sanction a by-law that would prohibit the public from driving into this station. There must be some regulation as to the mode of entering the station, where cabs shall stand, how they shall deliver their passengers and so on. A similar Bill was passed in reference to the Union Station in Toronto. It has worked well and there is no complaint at all. The fact that was stated by the hon. member for Hamilton (Mr. Barker) that the council of the city of Ottawa did not think it worth while to appear to oppose this provision is significant.

Mr. LANCASTER. The city of Ottawa might not suppose that we would pass such legislation and they might not consider it necessary to come and tell us that we had no authority to invade their municipal rights. The fact that they have not does not make me hesitate in endeavouring to see that they get their rights. The House of Commons is responsible for this legislation, the city council is in no sense responsible and they have a perfect right to blame us for not knowing what we are doing when we pass this legislation whether they did or did not draw our attention to it.

We are here for the purpose of seeing that the Bills we pass are properly drawn and that they do not interfere with the rights of the people in enacting them, and that is therefore the reason I say we ought to amend this Bill in some way. The statement of the chairman of the committee that because a similar clause was contained in a Bill relating to the city of Toronto we ought to pass this Bill, does not have any weight with me at all. No one knows better than the chairman of the Railway Committee that many sections of a Bill pass in that committee after a long contest over some other section while the members are still discussing the effect of the amendment to the section which was the subject of a pretty severe fight. Many times in the Railway Committee we pass sections of Bills which we would not pass if we thought over them a few minutes longer. That is perhaps one reason why we go into Committee of the Whole upon these Bills after the Railway Committee has passed them. We do so to correct any errors or omissions that have been made in the Railway Committee.

Mr. CAMPBELL. I think the Railway Committee is the best committee of all.

Mr. LANCASTER. With all deference to the much respected chairman of the Railway Committee—I will say this for him that he does the work there as well as any other chairman in my experience ever did it, and he is not to blame for the way that committee does its work—I must say that after seven years experience in the Railway Committee it is altogether too large. If we had a Railway Committee of 25 or 30 members instead of 150, who attended no other committees of the House, who were charged with that responsibility by this House, who carefully considered the legislation submitted to them and who discussed the measures that they voted upon instead of having a stampede of members coming in and who, without having heard the Bill discussed at all, vote according to the way that some one else has voted without knowing what they are voting upon, as happens over and over again in that committee. There must be something in the statement of the hon. member that we should have more respect and veneration for the action of that committee. While I am saying that I want to point out that we are all in the same trouble in the Railway Committee. I am not excluding myself or the chairman or anybody else. We discuss these matters. Fifteen or twenty of us understand what is before the committee and when the yeas and nays are called members who have never heard the discussion come in and vote the matter down or vote it through without knowing actually what they are voting on. If we did wrongly in regard to the Toronto station two years

ago, I am not going to admit that now, with our eyes open, we should repeat that wrong in regard to another city. I do not like to hear the argument put forward outside entirely of the merits that some other Bill may have passed because many clauses of a Bill pass after a strong and fierce contention in regard to other clauses without being any more than read by the chairman. This is not the first Bill of the kind. He is not there to invite opposition, he reads the clause and no objection being made it is declared carried after which the Bill comes down to the House, passes and becomes law. There is a wrong in what we are doing here in the sense that we are evading the spirit of the British North America Act. There are many things being done here in regard to railway charters that the British North America Act never contemplated a Dominion parliament would do. The framers of the British North America Act thought we would do our duty in regard to the matters we were legislating upon always having in view that we should not interfere with local or municipal rights. We are encroaching every day upon provincial rights and municipal rights and if so it is our own fault. We allow little things to be put in a Bill interfering with provincial and municipal rights. It is our fault, not the fault of the applicants for charters, and we are thereby encouraging them to go on and ask for more and more of that kind of thing every year.

Are we not to live and learn ? My hon. friend (Mr. Campbell) says it has worked well in the city of Toronto, but we have had no experience as to whether it works well there or not, because they have not yet built the Toronto station under that Bill. I do know that under the present arrangement, if I hire one kind of cab to go to the Toronto depot, I am obliged to leave that cab at a certain distance from the station while others are allowed to drive up to the door. In my own city of St. Catharines unless I hire the special cabmen that the station agent stands in with, I cannot get near the station grounds. That is all on account of a policy of usurpation on the part of railway corporations. In these small details they do more things they have no right to do than they do things they have a right to do ; but when they get treading on the rights of some wealthy body who is able to take them before the Railway Commission, then they come to time. If the hon. gentleman (Mr. Campbell) had travelled more and had observed more than is to be seen in the city of Toronto, he would not ask us to pass such legislation as this. My hon. friend from Yale-Cariboo (Mr. Duncan Ross) is laughing, and I suppose he wants me to stop speaking, but even if a repetition of what I have said is going to prevent parliament from passing legislation that ought not to be foisted on the country, I can do my duty in that way as I can in any other.

Mr. DUNCAN ROSS. I was just thinking that the hon. gentleman should have some pity on the 'Hansard' reporter.

Mr. LANCASTER. I don't know that the hon. gentleman (Mr. Ross) is any more serious now than he usually is. I suppose he thinks that because this Bill will not be injurious to some city in his constituency in British Columbia that he has no business to interfere with it. He ought to be big enough to see that the city of Ottawa which he enjoys for five or six months in the year, has a right to be protected just as much as a British Columbia city. It is true that this is a private Bill which only provides for the building of a station in Ottawa, but it establishes a bad precedent and I protest against it. We ought to know enough in this House to confine ourselves to Federal questions and not to invade municipal and provincial rights.

Mr. HENDERSON. I have always held that we should have a member of the government present to direct us in this private legislation, so that we would know what the government policy is on the question, and I would therefore ask the acting Minister of Railways for some light.

Mr. FIELDING. I shall be most happy indeed if the hon. gentleman (Mr. Henderson) will give me the assurance that in his political action he will be always guided by my direction.

Mr. LANCASTER. This is a special case.

Mr. FIELDING. I am afraid my hon. friend (Mr. Henderson) will not give me that assurance. It is always desirable that the minister who is a member of a committee should be present at its meetings, and I have endeavoured to discharge that duty, but the pace is rapid these days, and when this Bill was under consideration in the Railway Committee I thought it was my first duty to attend a meeting of the Committee on Banking and Commerce. On general principles, wherever a committee has discussed a matter thoroughly and reported to the House, I would like to adhere to the committee's decision. In this case it must be apparent that if there is any harm to be done, in the first place the railway company has to devise that harm ; in the second place the Board of Railway Commissioners has to agree to it and in the third place the Governor in Council has to confirm it. Some one of these bodies, probably it is the Governor in Council, may be bad, but it is not reasonable to suppose that the other two would be bad, and I think the public interest is protected when we have these three bodies, all of which have to be in co-operation to pass a by-law.

Mr. LANCASTER. If this is a matter for the municipal authorities why should any of these three bodies have anything to do with it ?

I do not doubt that the Governor in Council, if they dealt with this matter, would deal with it properly ; but outside of the fact that the law of the land gives the regulation of these matters to the municipal authorities, both the Governor in Council and the Railway Commissioners are too busy to deal with this class of matters. The Railway Commission would have to report upon it before the Governor in Council could deal with it ; and that commission has put a statement before this House this session, through the late Minister of Railways, to the effect that the reason why they had not time to attend to the important question of the reduction of passenger fares on railways was that they were overwhelmed with other work which they were appointed to attend to. Therefore I trust that between now and Monday—because I think we may take for granted that this Bill cannot pass to-night—the hon. leader of the House, who is also Minister of Finance and acting Minister of Railways, will have this section so drafted that, if I am going too far in my contention, it will not do harm in the other direction, which the hon. minister would not wish to have done any more than I ; for of all the cabinet members of the cabinet, I think he is the most sincere in trying to adhere to the policy of provincial rights, which used to be a plank in the platform of the Liberal party.

Mr. WM. ROCHE. I would ask the hon. member for Lincoln (Mr. Lancaster) if he has drawn any distinction between in-coming passengers and out-going passengers? I think that the railways should have control of passengers coming in, but when they are going out, and they reach the end of its line, I do not think it should have any more control of them.

Mr. LANCASTER. It has control both ways.

Mr. W. F. MACLEAN. Might I make this suggestion in regard to these questions of conflicting jurisdiction which are coming up more and more in connection with railway legislation ? That is, let this House hold any company that comes here for legislation strictly to what is within the jurisdiction of the Dominion ; and if they want anything in regard to municipal jurisdiction, let us say to them : That does not belong to us ; go to the provincial legislature and get what powers you want in another Bill there. I believe that is the solution of all these difficulties. Unless we do that, we shall soon have taken over all the powers of the provinces, and will be at war with the provinces in this matter.

Progress reported.

Mr. FIELDING.

PORT ARTHUR POWER AND DEVELOPMENT COMPANY.

Mr. CAMPBELL. Mr. Speaker, I would ask the House to consent to the second reading of Bill (No. 167) so that it may be referred to the Private Bills Committee at an early date. The session is getting very late, and if we gave the Bill its second reading to-night, it could go before the committee on Monday or at its first meeting next week.

An Hon. MEMBER. Is it from the Senate ?

Mr. CAMPBELL. Yes, it is a Bill from the Senate.

Mr. FOSTER. We cannot consent to that.

Mr. LENNOX. I find that proper notice was not given as to the extension of power.

Motion allowed to stand.

DEPARTMENT OF MINES.

House resumed in committee on Bill (No. 139) to create a Department of Mines.

Mr. FIELDING. I think business will be facilitated by the committee rising, reporting progress and asking leave to sit again this day. My object is to bring down certain papers which will be of advantage to us in discussing the measure.

Mr. FOSTER. I would suggest seriously to the hon. minister to consider whether or not this is not a Bill which would be improved by allowing it to run over the summer. It is a pretty important Bill. Dr. Low is not present and the Bill makes a generic change. It provides for the turning over of one of our oldest historical departments under a new name, and there are many considerations which might induce the minister to allow the matter to remain over until we meet another year. That will only be a few months and better consideration can then be given the matter than at this very late hour in the session. I think the minister would do well to let this Bill stand over with that regarding Dominion lands.

Mr. TEMPLEMAN. I do not feel altogether inclined to accede to the request of my hon. friend. This Bill has been under consideration by the Geological Survey Department and by the officials connected with the mines branch for over a year, so that they are fully cognizant of its provisions. Mr. Low prepared and drafted a Bill, the component parts of which are the principal features of this Bill, so that he is fully cognizant with its provisions and it is not necessary that he should be here. My hon. friend has not advanced any good reasons for delay. It is not a Bill which requires a great deal of consideration. The departments of government which are being combined in this measure are in existence

to-day, and we are simply creating a Department of Mines and giving the mining industry better status in the country than it has at present.

Mr. FIELDING. I do not think we should discuss this matter now. When we get certain public documents early in the evening, we can resume discussion in the committee. I move that the committee report progress and ask leave to sit again this day.

Motion agreed to.

MESSAGE FROM THE GOVERNOR GENERAL—SUPPLEMENTARY ESTIMATES.

Mr. FIELDING presented a message from the Governor General,

Mr. SPEAKER read the message as follows:

GREY:

His Excellency the Governor General transmits to the House of Commons supplementary estimates of sums required for the service of the Dominion for the year ending 31st March, 1908, and in accordance with the provisions of the British North America Act, 1867, the Governor General recommends these estimates to the House of Commons.

Government House,
Ottawa, April 19, 1907.

Mr. FIELDING moved that His Excellency's message, together with the supplementary estimates, be referred to the Committee on Supply.

Mr. FOSTER. Is this the final?

Mr. FIELDING. I am hopeful that it is, but there is always the open door.

Motion agreed to.

FIRST READING.

Bill (No. 168) respecting the Erie and Ontario Power Company.

DEPARTMENT OF MINES.

House in committee on Bill (No. 139) to create a Department of Mines.—Mr. Templeman.

On section 1,

Mr. FOSTER. The hon. minister then does not take kindly to the suggestion to think this over during the holidays. I think he would be wiser and we would have a better Bill if he did. I want to ask a question with reference to the Department of Mines. It is understood, I believe, that Dr. Haanel is to become the director. Would the minister kindly inform the House how long has been the service of Dr. Haanel, what are his qualifications, where does he come from, and generally such information as the committee would like to have before the Bill has been gone on with?

Mr. TEMPLEMAN. My hon. friend is not quite accurate in saying that I stated that Dr. Haanel would be the director of mines. I said he was the superintendent of mines, and I do not care at present to say whether he shall be director or not. It is a little premature to make such a statement. Dr. Haanel is now superintendent of mines in the Department of the Interior and has been in that office seven or eight years or probably more. I do not know where he comes from. He at one time was a professor in one of the colleges in Port Hope or Toronto. Subsequently he was a professor in the university in Syracuse, whence he was brought by the former Minister of the Interior (Mr. Sifton) to take charge of the mines branch of that department. He is a man of very high qualifications and a professor of chemistry of eminence in certain scientific branches.

Mr. ARMSTRONG. Could the hon. minister give some definite idea of what he has been doing besides publishing this report which I got from the library?

Mr. TEMPLEMAN. I have not had charge of the mines branch and further than knowing in a general way that he has been giving attention to experimentation in certain lines, I do not know particularly what he has been doing. I know that he had charge of a commission that proceeded to Europe to investigate the electrical smelting of iron. Also, he had charge of the experiments carried on at the Soo. He installed and supervised the assay office in Vancouver. He organized and superintended the investigation into the zinc ores of British Columbia. And he has done other work of that kind.

Mr. ARMSTRONG. We were talking about the results of this work and the hon. member for North Toronto (Mr. Foster) has said that we would expect the men in these departments to give us some definite results of their work, and the minister gave the House to understand that this report on electric smelting was a valuable one and had a lot of splendid information that would be of great value to the people. But I think if he will look over the report carefully he will find that in his closing remarks Dr. Haanel practically states that there is no reason to expect that any results in particular are likely to be obtained from any information he has given in the report. He says:

Yet, in spite of the great advantages which will certainly be derived from the introduction of electric processes in certain regions, such as certain parts of Chili, where the industrial conditions are favourable in every respect, and more especially as regards ore deposits and waterfalls, I feel it to be my duty to warn my colleagues, and investors in general, against sanguine expectations and exaggerations, which could not but have disastrous effects. So, that, before investing any capital in electro-metallurgical plants in remote regions it would be well to ascertain beyond doubt——

And he goes on to explain the things which need to be ascertained and which it is practically impossible for him to obtain in such districts as he has been operating in. When the hon. member for North Toronto asks that the men engaged in these operations should give us some definite knowledge as to the practical working and results of their operations from year to year, it seems to me it has been practically the opposite with reference to the work that Dr. Haanel has been carrying on. Will the minister be good enough to tell us if Dr. Haanel is preparing any further report of his work and what is the nature of it?

Mr. TEMPLEMAN. As I have said, my knowledge of Dr. Haanel is somewhat limited. My recollection—I would not be sure—is that a preliminary report of the investigation and experiment was published and that a full and carefully illustrated special report will be published.

Mr. ARMSTRONG. It has been published.

Mr. TEMPLEMAN. I was not aware of that. I was talking with Dr. Haanel two months ago and was told that the work was in the hands of the printer.

Mr. BOYCE. The report was published before the experiments were actually made, showing in general terms what the actual system was.

Mr. FOSTER. Showing what was done in Europe and what the commission proposed to do. That was a preliminary report to justify the vote of $15,000 for the experiments planned at Sault Ste. Marie.

Mr. TEMPLEMAN. There were two different investigations. One was the commission's investigation in Europe and the other was the experiment at the Soo. As to the experiment at the Soo, my recollection is that a preliminary report has been issued. I have not seen the fuller report of which my hon. friend speaks. These two investigations together with an investigation into the zinc ores of British Columbia constitute the chief work of Dr. Haanel as an official of the department. I do not know to what extent he has been carrying on his investigations beyond that.

Mr. BOYCE. How does it come that this Act is made to repeal the Geological Survey Act? There seems to be a difference of opinion with regard to the advisability of that course. The Geological Act, if left unrepealed, might be of great practical use as it has been in the past. The Geological Survey seems to have been a very efficiently managed institution and to have been of great practical use in making experiments and investigations and in instituting explorations in all parts of the country. I understand that the minister proposes to incorporate in this Act all that is contained in the Geological Survey Act and so create a merger. But I would suggest that better work could be accomplished by leaving the Geological Survey Act just where it is, and letting the Geological Survey work out the economical problems of our natural conditions in this country. I would not say that the time has not come when the geological areas under the government of Canada make it necessary, or at least expedient, to have a Department of Mines. That may be a debateable point, but I would not take the negative side. I would rather err in favour of expansion than in favour of contraction. But there is danger in the merger that is proposed. I would hesitate before obliterating the Geological Survey which has done so much good in the past and bringing it into a department for, as we know, these departments are managed—without disrespect to the hon. gentleman (Mr. Templeman) and his colleagues—partly with the view to political objects.

Mr. TEMPLEMAN. How can that be done more than it is now?

Mr. BOYCE. It is well known that the Geological Survey to-day is practically free from political influence. But if merged in a department it would not be so free from political influence.

Mr. TEMPLEMAN. Yes.

Mr. BOYCE. If the Geological Survey were continued, it would be as it has always been. But this seems to be in the nature of a merger of the economic and practical department of the work. There is a great deal in the argument that it would be better to leave the Geological Survey with its present organization and make it subject to the Mines Department.

Mr. TEMPLEMAN. That is what is being done.

Mr. BOYCE. My hon. friend obliterates the Geological Survey.

Mr. TEMPLEMAN. It is all a question of name.

Mr. BOYCE. No, there is more than the name.

Mr. TEMPLEMAN. I propose restoring the name Geological Survey in an amendment. This Bill, except for the first two or three clauses, is practically the Geological Survey Bill and the geological branch of the Mines Department as here set forth are practically copied from the Geological Survey Bill of to-day.

Mr. BOYCE. That is the geological branch?

Mr. TEMPLEMAN. Yes.

On section 3—constitution of department.

Mr. LENNOX. There is probably a decided difference in the wording and the intention between this section and the Geological Survey Bill. With the Geological Survey Bill the intention was to put the department under the jurisdiction of some existing minister of the Crown, but with the use of the vague form of expression 'a member of the King's Privy Council for Canada,' we will probably find before long that we have another minister of the Crown.

Mr. TEMPLEMAN. I am quite willing to adopt any wording that will carry out my hon. friend's idea to guard against the possibility of the creation of another minister and would suggest that we allow this section to stand.

Mr. LENNOX. The minister knows that all members of the Privy Council are not ministers of the Crown; for instance, the late Speaker (Mr. Belcourt) is a member of the Privy Council and under this he could be made Minister of Mines.

Section allowed to stand.

On section 4—transferring work to jurisdiction of department.

Mr. BARKER. Is it intended that upon the passing of this Act the member of the Privy Council in charge of the Department of Mines shall alone administer the law relating to mines and mining?

Mr. TEMPLEMAN. As far as the department administers the law.

Mr. BARKER. Will cases now under the consideration of the Department of the Interior be transferred at once to the new department, on the passing of this Bill, or are only such of them as the Governor in Council orders to be transferred and the others remain in the Department of the Interior.

Mr. TEMPLEMAN. I think that is quite clear, the fourth clause says:

> The department shall administer all laws enacted by the parliament of Canada relating to mines and mining, and shall also have the management and direction of all subjects assigned to it by the Governor in Council.

It follows that all questions affecting mines and the mining branch of the Interior Department of which Dr. Haanel is superintendent will, with the sanction of the Governor in Council, be transferred to the Department of Mines.

Mr. BARKER. Is that clear in this Bill?

Mr. TEMPLEMAN. I think so.

Mr. BARKER. Look at subsection 2 of section 4:

> Whenever, under the provisions of this section, the management and direction of any subject is transferred from any other department to the Department of Mines——

This seems to apply that something relating to mines and mining is going to be transferred to the new department and that something will remain where it now is.

Mr. FIELDING. Does it not rather mean that all mining matters will be transferred to the new department but that other matters may also be assigned by the Governor in Council?

Mr. BARKER. I think it would be well to provide distinctly that every matter relating to mines and mining shall, by virtue of this Act, be at once transferred to the new department.

Mr. TEMPLEMAN. Does not this clause do that?

Mr. SPROULE. Does the government contemplate doing away with any department now existing?

Mr. TEMPLEMAN. No.

Mr. SPROULE. Then if you create a new one there must be an extra one.

Mr. TEMPLEMAN. We are creating a Department of Mines.

Mr. SPROULE. You create it and provide a minister for it and yet the minister says that you are not going to increase the number of departments.

Mr. TEMPLEMAN. No, I said we were not going to increase the number of ministers.

Mr. SPROULE. Then you have no provision for amalgamating it with any other department?

Mr. CONMEE. Amalgamate another department with it.

Mr. SPROULE. But you are not closing up another department.

Mr. FIELDING. It is transferring a branch of the Interior Department to the minister to whom may be assigned the new Department of Mines. It is not the creation of a new minister but the transfer of a branch which is now attached to the Department of the Interior to the Minister of Inland Revenue, or whoever may be assigned to the Department of Mines.

Mr. SPROULE. How many departments have you already?

Mr. FIELDING. There are fourteen ministers but several of these have more than one branch under their charge.

Mr. SPROULE. Will not there be one more department after this Bill passes?

Mr. FIELDING. One more department but not one more minister.

Mr. SPROULE. It is not provided that the Minister of Mines shall be the minister

of any thing else. You may take something from the department you may constitute a new department and if so there must be an extra department. The whole of the provisions of the Bill seem to indicate that.

Mr. TEMPLEMAN. It is quite clear that there will be a department created out of the Geological Branch and out of certain branches now in the Department of the Interior, but that there is not a new minister. We are trying to frame a clause to guard against the point my hon. friend is trying to make that there will be an additional minister. This department will be, by order in council, assigned to a minister of the Crown and any wording that will prevent the possibility of an increase in the number of ministers for the purpose of administering this department I am quite willing to accept as an amendment.

Mr. SPROULE. There is no limit to the number of ministers of the Crown you may have.

Mr. TEMPLEMAN. It will be a minister administering another department at the present time.

Mr. SPROULE. If you proposed that it should be attached to some other department and if you like to change the name of the other department to the Department of Mines it might be all right but you do not do that. You leave all the other departments still in existence each one with a minister at its head and then you create a new one and you say that there is not one more.

Mr. TEMPLEMAN. There is a new department but there is not another minister.

Mr. SPROULE. If there is a new department there must be a minister at the head of it.

Mr. TEMPLEMAN. There is a Department of Labour and it is under the administration of the Postmaster General.

Mr. SPROULE. But it was provided that that should be attached to the Post Office Department and under the charge of the Postmaster General.

Mr. DUNCAN ROSS. No.

Mr. SPROULE. Yes, they distinctly did that.

Mr. TEMPLEMAN. No, it might be assigned to any other minister.

Mr. SPROULE. Certainly, had they provided so, but it was provided that it should go under the Post Office Department.

Mr. TEMPLEMAN. I do not think so.

Mr. ARMSTRONG. Will there be any extra expense connected with the operation of this department?

Mr. CONMEE. Why would there not be additional expense?

Mr. SPROULE.

Mr. TEMPLEMAN. There may be no additional expense for some time. There are no additional officers required. There will be a reorganization and probably a change in some of the officers in the new department but they will all assume in the new department practically the same positions that they now occupy and their salaries will remain the same. For some time as far as I can see there will be no additional expense in carrying on the department; at all events it will be very slight. I suggested that there should be an item put in the estimates to carry on some further experimentation and investigation in the Mines branch. For instance, a year or more ago we had a requisition from the people of Ontario to make an investigation into the peat deposits of that province with the view to their utilization, and it is proposed to carry on an investigation along that line and probably there will have to be some investigation made in Europe as to how the peat in those countries is utilized for fuel. It would be an excellent thing if we could economically use our peat deposits in Ontario where we have no coal. That is a sample of the work of the Mines branch and it is proposed to carry on work of that kind during the coming season. Possibly for work of that kind we may require a somewhat larger vote.

Mr. LEMIEUX. In answer to the hon. member for East Grey as to how the Department of Labour is assigned I would refer him to section 2, chapter 24, 63-64 Victoria creating the Department of Labour:

> In this Act, unless the context otherwise requires, the expression 'minister' means the member of Her Majesty's Privy Council for Canada, to whom, for the time being, the Governor in Council may assign the carrying out of the provisions in this Act.

The Postmaster General was not specially mentioned as being the minister to take charge of that department.

Mr. SPROULE. But that is entirely different from this.

Mr. LEMIEUX. But my hon. friend was saying that the Department of Labour was especially assigned to the Postmaster General by statute.

Mr. SPROULE. We got the impression from the explanation which was made in the House that it was intended to be assigned to the Postmaster General, and I understood it was so assigned by the provision of the Act. From the explanation which was given we understood it was to be under the Postmaster General. You provide distinctly for a new minister and a new department, and you do not provide it should be attached to any other department.

Mr. LEMIEUX. The Department of Labour was created by the Act providing for the prevention and settlement of trade

disputes and the publication of statistical and industrial information, and the minister was to be appointed by order in council. The department was organized by section 10. The department was assigned to a minister who was to be selected from the others and appointed by order in council, but there was no special provision to appoint the Postmaster General.

Mr. SPROULE. Let me call attention to the wording of this section.

Mr. TEMPLEMAN. We have allowed section 3 to stand, and I am quite willing to accept any wording that will carry out the idea of my hon. friend.

Mr. BARKER. With regard to matters relating to mines and mining now in the hands of the Department of the Interior and not disposed of, will they, by virtue of this Act, be immediately transferred to the Department of Mines ?

Mr. TEMPLEMAN. I would assume so.

Mr. BARKER. There is no express provision to that effect.

Mr. TEMPLEMAN. Clause 4 says the department shall administer all laws enacted by the parliament of Canada relating to mines and mining, and shall have the management and direction of all subjects assigned to it by the Governor in Council. Is not that comprehensive enough ?

Mr. BARKER. The last two lines create the difficulty. Under that provision the Governor in Council might transfer to the Department of Mines certain matters from the Department of the Interior, but it may not transfer all.

Mr. DUNCAN ROSS. It transfers all matters relating to mines and mining.

Mr. BARKER. The last part of the clause says that the Department of Mines shall have the management and direction of all subjects assigned to it by the Governor in Council ; why not say, all subjects relating to mines and mining.

Mr. DUNCAN ROSS. All other subjects.

Mr. BARKER. If that is so, then it is not what the minister says.

Mr. TEMPLEMAN. I say that the first part of the clause transfers to the Department of Mines, all laws enacted by the parliament of Canada relating to mines and mining.

Mr. DUNCAN ROSS. Let me put a concrete question : Will the minister in charge of the Department of Mines adjudicate upon applications for coal mining leases, placer mining leases, and all matters of that kind that are now in the Department of the Interior, and which are unsettled ?

Mr. TEMPLEMAN. I assume so.

Mr. BARKER. The clause draws a clear distinction between the administration of the mining laws and the management and direction of all subjects transferred to the department by order in council. The hon. member for Yale-Cariboo (Mr. Ross) says that the latter part of the section refers to something else than mining which may be assigned to the department.

Mr. DUNCAN ROSS. Irrigation for example.

Mr. BARKER. Irrigation, or anything else. I say the administration of the laws does not necessarily mean the management of the whole mining business.

Mr. TEMPLEMAN. What I said was that the first part of the clause is quite distinct that all matters affecting mining will be administered by this department, and that in the second place it will have the management and direction of all subjects assigned to it by the Governor in Council irrespective of what these subjects may be.

Mr. BARKER. I can see that a great deal of difficulty may arise under the wording of this clause.

Mr. BOYCE. Would the question of minerals on Indian lands be under the Department of Mines ?

Mr. TEMPLEMAN. Certainly. It is subject now to the Department of the Interior.

Mr. BOYCE. If an application should be made for a license to mine on Indian lands, would you have to apply to the Superintendent General of Indian Affairs and also to the Department of Mines ? The Department of Mines has nothing to do with Indian lands.

Mr. TEMPLEMAN. The Department of Mines would have to do with the mining rights, but necessarily there would have to be communication between the two departments if it is an Indian reserve. The land would probably have to be secured from the Indian Department, but the mining laws and regulations would be administered by this department on an Indian reserve or anywhere else.

Mr. BOYCE. At present everything that relates to Indian lands is relegated to the Superintendent General of Indian Affairs, and unless there is some express provision in this Act, which I do not see, he would have control of the mines on Indian lands. There is nothing to separate that part of his duties which relates to mining on Indian lands from the Department of the Interior.

Mr. TEMPLEMAN. The Superintendent General of Indian Affairs has nothing to do with mining, but he has to do with the leasing of Indian reserves for mining purposes. The Mines Branch of the Interior Department administers the mining law. In that

respect it makes no difference whether the Mines Branch of the Interior Department or the Department of Mines administers it.

Mr. BOYCE. Except that a great deal of confusion can be wrought by interference.

Mr. CONMEE. The Superintendent General of Indian Affairs is subject to the minister.

Mr. BOYCE. He is by statute subject to the Minister of the Interior. Are you going to make him as to minerals subject to the Minister of Mines and as to wood subject to the Minister of the Interior?

Mr. FOSTER. You enact that the department shall administer all laws relating to mines and mining. A new minister comes in and finds a vast mass of business, some of which is concluded and some of which is under way. Under this enactment it does seem to be that there is something to preclude the Minister of the Interior from attending to all this business. If you inserted after the word 'mining' the words 'and have control and management of all business in connection therewith' you would immediately, without an order in council, put into the hands of the new administrator the whole matter of mines and mining. The whole of the business would then go where it ought to go. When you come to the second part of the provision that 'he shall also have the management and direction of all subjects,' I contend that does not apply to mining at all. Suppose the Governor in Council should assign to the Minister of Mines the question of irrigation?

Mr. TEMPLEMAN. Whether that is in this Act or not, could not an order in council transfer anything to the Department of Mines as well as to any other department?

Mr. FOSTER. Yes, but what we want when we are enacting a law is to make the clause inclusive. What is the use of leaving a part of the business to an order in council and enacting by statute another part?

Mr. TEMPLEMAN. I think the clause is clear and distinct as it is. It has been very carefully considered and it has been drafted by the law clerk.

Mr. FOSTER. Of course we have to give due consideration to the drafting of the law clerk, but that is not final.

On section 5—Mines and Geological branches,

Mr. TEMPLEMAN. The hon. member for Argenteuil (Mr. Perley) suggested that the word 'branch' be dropped. I move that the two branches be called respectively the Mines Branch and the Geological Survey.

Amendment agreed to.

On section 6—functions of Mines branch.

Mr. TEMPLEMAN.

Mr. FOSTER. In regard to subsection (b), 'to make detailed investigations of mining camps and areas containing economic minerals' in the province of Ontario or the province of British Columbia a company is working a certain area of ground, and it has all the rights in connection with that ground, what business have you to go into that mine or to go upon that ground and set your men at work making investigations, looking into the veins and finding out how rich they are? What are you going to do with that information? It is no good if you keep it pigeon-holed. But there is a possibility that that information may leak out. I do not see how you are going to go on anybody's mine and make investigations of that kind. You could do that on your own Crown lands, but you have no right to go on my land.

Mr. TEMPLEMAN. This does not give us that right.

Mr. W. F. MACLEAN How can you make the best use of your Geological Survey, if your men are not allowed to visit all mineral properties and make actual investigation? We have in Ontario silver mines, there may be such mines in British Columbia, certainly there are gold mines in the different provinces. There ought to be a central bureau which would collate all the information with regard to each and possibly develop some general principle that might be of the utmost value and result in a change of process and a great saving from an economic point of view. The real strength of our Dominion Mines branch would be that while the provinces are working out each in its own way a mining policy, this branch would collate all that information. One of the most valuable reports issued to-day is that report annually issued now—but which has hitherto been very late and incomplete—giving the total products of the different minerals in this country. I hope that this department will be improved and come in closer touch with the productions of the mines in the different provinces and be able to give statistics in that connection in its published returns. Canada has more prospective wealth in mines and mining than in almost any other of her great resources. If this department is created, will it be energetically administered and all this information brought out? If that is done from a Dominion point of view, it will afford the greatest encouragement to the investment of outside capital.

Mr. FOSTER. I still cannot help but think that the collection of statistics is provided for in subsection (a). The department ought to have the right to get statistics and publish them and that is provided in subsection (a). But in subsection (b) you have various powers given, and one is to make a full investigation of

mining camps and areas containing economic minerals.

Mr. DUNCAN ROSS. The difficulty the hon. gentleman has in view would be obviated by dropping the word 'camps.' A mining camp is a place where you have a settlement of men operating a mine owned by private individuals. If you would drop out the word 'camps' and say simply mining areas, that would meet the objection.

Mr. FIELDING. Is not the word 'camp' broader than the individual mine ?

Mr. D. ROSS. A mining area is an undeveloped area where there is no private ownership.

Mr. W. F. MACLEAN. I object to the department being limited, if we want a high class Geological Survey.

Mr. D. ROSS. This does not give you the right to go into individual property.

Mr. W. F. MACLEAN. It ought to. What are our geologists trying to find out ? They are trying to find out what is the underlying principle of the deposits of certain of these precious metals. For instance, one man here made a great study to find out the secret of the deposits of the Yukon country. If he could get the secret of gold deposits. he would know where to look for gold. He had his theory, but it did not quite work out, but it was because he was in a position to go into the different mines which were being worked and investigated them, that he reached his conclusion. His conclusion was not a success, but it is only by such investigation that a successful conclusion can be reached. The geologist wants all the information he can get with regard to the actual working of the mines. Take the Cobalt country to-day. There are two formations there. The richest silver is in what is called the diabase. They say that the diabase contains silver and that as it goes down it holds its value, and that the contrary is true of the Keewatin formation that the values do not continue so pronouncedly. That is the geological theory but it is not worth anything unless fortified by the investigation of practical mining men. The future largely of the Cobalt camp depends upon the demonstration of the correctness or falsity of this theory arrived at by the geologists. Therefore I would like to see this department have the power to make such investigations, and we should give it that power if it has not got it now. It is not fair to invade private rights and give secrets away, but I should like to see the department have the right to go into all these mines. After all they were got from the country, and the only way by which you can judge the theories of the geologists is by giving them every opportunity to investigate.

Mr. FOSTER. This has reference to the Mines branch. The Geological branch comes afterwards and get its powers. There is a great difference between the geological survey work and that of the mining branch, and this is laying down powers for the mining branch.

Mr W. F. MACLEAN. I would like to see them get that power.

Mr. FOSTER. I do not think they should have the right to go on private property without consent. That would be summarily objected to.

Mr. CONMEE. The term 'mining camps' is too limited. 'Mining areas' would have a much wider acceptation. A mining camp would mean a colony of miners which would cover a very small area. A mining territory would mean any territory within the Dominion of Canada.

Mr. RALPH SMITH. I think that the term 'mining camp' means mines actually operated, and the use of that term would give the Mines branch the authority to go into operating mines in contradistinction to going into areas that may be owned but not operated.

Mr. DUNCAN ROSS. Does this give you the right to go into private property?

Mr. RALPH SMITH. I contend that it does.

Mr. CONMEE. We have already passed legislation dealing with the rights of mine owners. We did that just a year ago, regarding the hours of labour and the means to be taken for the protection of life and health. Why should not statistics necessary for the information of the country and the benefit and advancement of the mines be also obtained ?

Mr. FOSTER. It is all provided for in subsection (a).

Mr. CONMEE. I think the section is not too wide on that point.

Mr. RALPH SMITH. The hon. member for South York (Mr. Maclean) is quite right about the necessity of investigating in operated mines. We have provided for that in coal mining operations. Mining inspectors can go into coal mines and determine the chemical property of the mines, the quality and extent of the coal, and I do not see why there should not be a like provision in this Bill.

Mr. TEMPLEMAN. In my opinion this only describes what the functions of the Mines branch are to be. As a matter of fact, there are very few mine owners who do not wish to see the geologists of this department investigate their camps.

Mr. FOSTER. These are not the geologists.

Mr. TEMPLEMAN. Or the mining experts. They are all very anxious to have

them. Every mine owner in Rossland welcomed Professor Brock, when he was making a structural survey showing the geology and structure of the entire camp, and gave him every facility to go down the shafts and tunnels and make drawings and maps so that he could illustrate the formation of that camp.

On section 7—functions of Geological branch. Subsection (b.)

To study and report upon the facts relating to water supply for irrigation and for domestic purposes, and to collect and preserve all available records of artesian or other wells.

Mr. ARMSTRONG. There is one point I would suggest with regard to this subsection. This provides 'to collect and preserve all available records of Artesian and other wells.' The minister is aware that there are a large number of gas wells and oil wells being drilled in various parts of the country, and the logs of these are most necessary and valuable—I should think among the most valuable records that could be collected by the Geological Survey. I must say that I am enthusiastically in favour of pushing the Mining Branch and Geological Department. I have advocated within the past few years the expenditure of a larger sum of money to make investigations than has been spent for that purpose, for I believe we have oil and gas regions that should be more thoroughly developed than they are, and that the government should take an interest in them. I would like to have 'gas and oil wells' included there.

Mr. TEMPLEMAN. These would be covered by the expression 'artesian and other wells.'

Mr. ARMSTRONG. But as our gas and oil fields are so important, would it not be better to name these specially ? In our district, for instance, we have a hundred drilling rigs going all the time. In the Gaspé peninsula, in New Brunswick and in the Northwest, work of the same kind is going on. But the logs of these wells are not being gathered, as they ought to be. It is the opinion of many that if we had the most important of these given every year in the report, it would be a good thing for the country.

Mr. TEMPLEMAN. It seems to me that the clause as printed covers what my hon. friend wants. There would be no need to say 'gas and petroleum wells.'

Mr. ARMSTRONG. I am really very anxious about this. Would petroleum come under the geological branch or under the head of minerals ?

Mr. TEMPLEMAN. Minerals, of course.

Mr. ARMSTRONG. Then, that would justify the amendment. Because under the Mines branch you have no reference to the logs of the wells.

Mr. TEMPLEMAN. Both branches belong to one department.

On section 11—employment of special officers.

Mr. FOSTER. That is a pretty dangerous clause.

Mr. TEMPLEMAN. That is from the Geological Survey. All the officers are technical officers with high qualifications, but when the deputy minister reports that assistance of a technical and special character is required, this section applies. As a matter of fact the Geological Survey frequently employs geologists connected with the universities to go out in summer. Professor Brock, who is now permanently with us, was for many years a teacher at Queen's University, but he went out on survey in summer. It was very convenient to get these men in that way as temporary employees.

Mr. FOSTER. The word 'special' gives you wide powers. 'Technical or professional' would cover the case.

Mr. D. ROSS. Take the case of the zinc commission which investigated the zinc resources of the Slocan, we had to employ Professor Ingalls, one of the best authorities on zinc.

Mr. FOSTER. That would be of a professional character.

Mr. D. ROSS. It was special work too.

Mr. BOYCE. The section in the Geological Survey Act is quite different, and ends by saying that the minister may upon the recommendation of the director, employ such number of temporary assistants as are necessary, having qualifications necessary for appointment as technical officers of the department under the last preceding section. The section really confines it as the hon. member for North Toronto (Mr. Foster) suggests.

Mr. FOSTER. I think the minister had better leave out the word 'special'. This refers not to the Geological Survey alone but to the mines as well.

Section, as amended, agreed to.

On section 12—probation of officials.

Mr. TEMPLEMAN. I think this section and all the rest of the Bill is from the Geological Bill.

Mr. FOSTER. There is a great change. As this is worded, 'if he is not rejected the deputy minister shall signify,' there is no option at all while under the wording of the Geological Survey Bill it is put quite differently. I think the 'may' and the 'shall' should be transposed.

Mr. BOYCE. Why not make it 'may' in both places?

Section as amended agreed to.

On section 14,—present officers of the Geological Survey.

Mr. TEMPLEMAN. This is necessary because in the reorganization there are in the Geological Survey chemists, assayers, &c., who really come more directly under the Mines branch, the economic side of the work.

Mr. FOSTER. Do you call them officers?

Mr. TEMPLEMAN. They are officials.

Mr. FOSTER. It should be 'employees' or 'officials,' not 'officers.' They cannot all be officers, 'employees' is the proper term.

Mr. TEMPLEMAN. 'Officials.'

Section, as amended, agreed to.

On section 15—present assistant directors.

Mr. FOSTER. I think the minister stated it was not proposed to add to the expense.

Mr. TEMPLEMAN. I think so, yes.

Mr. FOSTER. I find that in the supplementary estimates the good work is begun by an item of $15,000 for salaries.

Mr. TEMPLEMAN. That is for the investigations I spoke of.

Mr. FOSTER. 'Salaries and expenses of the Mines branch'?

Mr. TEMPLEMAN. My hon. friend will understand that we intend carrying on experiments on several lines, one being an investigation into the peat resources of the country. I think there is a special vote somewhere for peat investigations. Then in this reorganization we may have unforeseen expenses, and while we have not been able to estimate the amount exactly that will be required, we calculated that $15,000 would be ample. I said we did not intend to increase the number of officials and I certainly meant what I said; we have no present intention of increasing the number in the department. It will take us some months I am quite sure to get properly organized.

Mr. CONMEE. I would like very much to see a larger sum for the services of this department. The Geological Department has been handicapped in the past for the want of proper facilities and means to carry on the work. This is a work of first importance to this country. If we are to have a Department of Mines I hope to see it an active department of the government because it will be dealing with the very greatest natural resource which Canada possesses to-day, although I am not going to discuss it now, as it will take some time to get it organized, if it is a live department, if it is going to be equal to the work before it it must be properly equipped. If it were not I would not have the hope I do possess in seeing this step taken. I think it is a step in the right direction, I expect to see it go ahead and I expect to see lots of money voted for it—no waste—but sufficient to accomplish the work of such a department.

Mr. FOSTER. After this confession of faith I suppose we can go on.

On section 16—restrictions upon employees.

Mr. TEMPLEMAN. This is an exact copy of section 14 of the Geological Survey Act.

Mr. BOYCE. Would the minister insert after the word 'shall' the words 'directly or indirectly.' This is covered by paragraph (d) but it is not included in paragraphs (a), (b) or (c). This will prevent the holding of lands in the name of an agent or a partnership.

Mr. TEMPLEMAN. That is the meaning.

Mr. BOYCE. Put it in the original enactment.

Mr. TEMPLEMAN. Carried.

Progress reported.

QUEBEC BRIDGE.

House went into committee to consider the following proposed resolution—Mr. Fielding.

On section 1,

1. The Governor in Council may, from time to time, advance by way of loan to the Quebec Bridge and Railway Company, hereinafter called 'the company,' a sum not exceeding six million six hundred and seventy-eight thousand two hundred dollars, for the purposes of the undertaking of the company as set forth in chapter 54 of the statutes of 1903, and the agreement, a copy of which forms the schedule thereto, which loan shall bear interest at the rate of three per centum per annum, payable half-yearly on the first day of April and the first day of October in each year.

Mr. FOSTER. The Minister (Mr. Fielding) had better give an explanation.

Hon. W. S. FIELDING (Minister of Finance). The importance of the Quebec bridge, that is to say of a new bridge to be constructed across the St. Lawrence river at or near Quebec, has been long recognized by the government and by parliament.

It has been regarded, and very properly so, as a work of a national character. At the first stage of dealing with this enterprise it was proposed to grant aid in the way of subsidies, a direct grant of money as in the case of railways. The city of

Quebec gave $300,000 ; the Quebec government, by instalments, $250,000 ; and the government of the Dominion granted by legislation a subsidy of $1,000,000. After further consideration, and having regard to the magnitude of the enterprise (for the bridge is to be one of the great bridges of the world) it was thought that the scheme could not be financed on these lines. In the session of 1903, after very full consideration, the government brought forward a measure for guaranteeing the sum which was deemed necessary to complete the enterprise. The guarantee was for the sum which is now mentioned in these resolutions, viz : $6,678,200 of guaranteed bonds. The bonds were duly guaranteed by the government and delivered to the Royal Trust Company, subject to the conditions of the Act, which were, that the proceeds of the bonds from time to time were to be applied to the construction of the bridge, upon the certificates of the government engineers. A difficulty has arisen however owing to the condition of the money market. In ordinary business transactions two names on a note are better than one, but strange to say that does not apply in the case of a government guarantee. The obligation of the railway company endorsed by the government is really not worth so much money as the direct obligation of the government itself. In other words, the government guaranteed bonds will sell for a little less than the straight government bonds. There is a difference in the classification, the one is a government bond and the other is classified as a railway security. That is true of the money market in London and elsewhere. It is an objection that sometimes may be reasonably offered to the system of the government guarantees, but nevertheless there are compensating advantages. In this case the situation was rendered more difficult by the severe monetary conditions which have prevailed. The guarantee bears interest at three per cent, and at the time the guarantee was authorized in 1903 it was presumed that the bonds would be worth somewhere about par.

Mr. FOSTER. Do the bonds carry three per cent ?

Mr. FIELDING. Three per cent interest. As hon. gentlemen are aware, the money conditions for several years past have been exceedingly severe and the consequence is that these guaranteed bonds could not have been converted at anything approaching par. If they were sold at a sacrifice, not only would the interest of the bridge enterprise suffer, but the credit of the Dominion to some extent would be prejudiced by the sale at a low price of what from one point of view is held to be a government security. For these reasons we advised the bridge company not to sell the bonds, but to arrange to raise money temporarily upon them by the best arrangements they could make at the banks. That policy was adopted and the Bank of Montreal agreed to advance from time to time, up to certain limits, the money necessary to carry on the enterprise.

Mr. FOSTER. At what rate of interest ?

Mr. FIELDING. The advance was made, I understand, at the rate of five per cent. But the banks would only advance to a limited extent. One portion of the bonds was pledged to the Bank of Montreal on a basis of eighty-five per cent. I do not mean they were sold at eighty-five per cent, but they were placed as collaterals at eighty-five per cent. A further sum was placed on the basis of only eighty per cent, so that the bridge company is not in a position to realize to the full extent the moneys which parliament contemplated should be realized at the time the guarantee was given. It becomes necessary, therefore, that the company shall receive some assistance in one form or another to enable them to carry on the work to completion. The contemplation was that the bridge would be finished in December, 1906. That has not been accomplished but the work is very well advanced, and at a reasonably early date—although works of such magnitude are necessarily slow—we may expect the bridge to be completed. It will require a considerable sum of money to enable them to do so.

Mr. FOSTER. Who forms the company ?

Mr. FIELDING. The company as originally chartered had a small amount of capital invested. I cannot give at the moment the list of shareholders, but I am not aware that there has been any change in the personnel of the company since the Act of 1903 was passed.

Mr. FOSTER. How much money have they put into the concern ?

Mr. FIELDING. They have paid up all the capital required of them, but I do not remember at the moment.

Mr. PERLEY. It was $265,000.

Mr. FIELDING. The investment of the company has not been large ; that is quite understood from the beginning. Under the original subsidy scheme, I think $374,000 was contributed by the Dominion out of its grant of $1,000,000, but when we adopted the policy of aiding them by way of guarantee, we cancelled the balance of the Dominion grant which was about $625,000, and that is no longer an obligation on the country.

We have thought it desirable that the enterprise should come into the hands of a terminal company composed of the various railway companies, and negotiations have been had between the representatives of the government and the representatives of a

number of the railway companies with a view to the establishing of a strong terminal company. However, these negotiations have not advanced——

Mr. SAM. HUGHES. They would control the bridge ?

Mr. FIELDING. The idea was they would take over the bridge, under possibly the present charter, and if not they would get a new charter.

Mr. SAM. HUGHES. There are also lines into the city of Quebec.

Mr. FIELDING. And incidental thereto, whatever terminals experience might show to be necessary. We have not under the arrangement hitherto, provided any considerable sum of money for terminals, and it may be further sums will be required for that purpose.

Mr. SAM. HUGHES. I understood that the bridge company had the right to run lines a certain distance out ?

Mr. FIELDING. Yes ; but provision was made for approaches and for connection with other lines. We have thought it very desirable that the railway companies, who have knowledge and experience of these matters, should take hold of the enterprise in some way. Whether that should be done by purchasing the bridge outright and taking the place of the present company, or whether the government should exercise its right of taking over the bridge and then lease it to the terminal company, these are questions of detail as to which we have not been able to reach a conclusion. But, either as owners or lessees, we have thought it would be well that the enterprise should come under the direction of a strong terminal company composed of the various railway interests, and of course the railway managers with their large knowledge and experience controlling the whole concern. However, we have not been able, to bring that about, and as we have not been able to work out such a scheme to a conclusion, the question came : How could we best aid this company temporarily until we are able to work out a terminal scheme and have something more definite to present to parliament. We thought the best way to deal with the matter without increasing the obligation of the Dominion, is, that we should agree to become the company's banker ; that whereas the banks were only allowing them on these debentures eighty per cent for some portion and eighty-five for the remainder, we have thought we had better stand in the position of the banks and say : We will loan them the money just as we lent it to the Montreal Harbour Board, and loan it up to the face value of the bonds. Of course, at present money is worth more than three per cent, but in dealing with Montreal harbour we placed three per cent as the rate of interest and we do the same thing in this case.

Mr. SAM. HUGHES. Has the government any supervision or audit over the moneys which it has already advanced to the bridge company ?

Mr. FIELDING. In the first place. all the plans and everything of the kind have to be subject to the approval of the Governor in Council at the first stage. Then, every item of the accounts rendered has to pass under the supervision of the chief engineer of the Department of Railways before any of the proceeds of these bonds are paid.

Mr. ARMSTRONG. Has the government any officer on the ground to inspect the building of the bridge?

Mr. FIELDING. The government have no permanent officer, but they send an officer from time to time as may be deemed necessary. A large part of the outlay is for the construction of the superstructure, the steel work of which is being built by the Phœnix Bridge Company, of Phœnixville, Pa., and the government have an officer at the works of the company keeping a check on what is done there. So that at every stage reasonable guards and checks are imposed as a temporary expedient until we are able to work out a terminal company, or until, failing that, we determine to take over the bridge, as the Act contemplates and as, indeed, was talked of when the guarantee was given. But in the meantime we have thought it wise to help the company tide over their financial difficulty by advancing the money dollar for dollar, whereas the banks will advance them only 80 or 85 per cent. Under this arrangement we do not add to the obligations of the government; we become lenders instead of guarantors, the amount being the same. No doubt ultimately the amount required for the building of the bridge will have to be somewhat increased. The contract that was made for the steel superstructure was made on the basis of the price from time to time of the steel used. Hon. gentlemen are well aware that during the last three or four years there has been a considerable advance in the price of material of that character, and consequently the original estimate will be exceeded. The substructure proved to be more expensive than was contemplated, and we will have to make provision for something more in the aggregate cost of the undertaking.

Mr. ARMSTRONG. What will be the ultimate cost of the bridge ?

Mr. FIELDING. At the time the guarantee was given the estimate of its cost was about $7.500,000. The probability is, however, that owing to the increased cost of materials, the deeper sinking of the

piers and the greater strength of the material put into what is called the suspended span, it will cost about $8,000,000.

Mr. SAM. HUGHES. What is the depth of the deepest pier below the water line and what is the height above the same?

Mr. FIELDING. The lowest member of the superstructure is 150 feet above high water and the depth of the piers is about 90 feet. It is one of the most remarkable bridge structures in the world.

Mr. SAM. HUGHES. I asked the question because I was thinking of Prince Edward Island?

Mr. MORIN. How soon does the minister think the bridge will be completed?

Mr. FIELDING. I can tell the hon. gentleman about the condition in which the work now stands. The substructure is composed of two main piers which carry the great cantilevers. There are what are called two anchor arm piers and the abutments. These constitute the substructure, and all these are done. As regards the superstructure, the greater part of the work is done, but there remains the suspended span and one cantilever arm. These are pretty well manufactured and the material is either on the ground on the shore of the St. Lawrence or on land at Phœnixville, which has been leased by the government of Canada in order that we may have control of the material on which advances are made. But we certainly cannot count on the completion of the bridge in less than two years, or it may be a little longer.

Mr. PERLEY. I am sure that we all hope that the Quebec bridge will be a great success. We know that it is one of the great bridges of the world, and I do not intend to criticise the enterprise this evening. But what the minister has told us has shown us that the method adopted by the government in dealing with this bridge has been a very unwise one. I know personally several of the directors of the company, and they are a very fine lot of men; I have nothing to say against them in any way. But if you refer to the statute, chapter 54 of 1903, under which this guarantee of $6,678,200 worth of bonds was given by the government, you will find that it provides that stock shall be paid up to the extent of $200,000 before this guarantee should be given. As a matter of fact, the amount of stock paid up in August, 1905, was $265,585.70. That amount of stock is practically of no value whatever in an enterprise of that size. It does not help the security given by the bonds in any shape or form, and it seems to me a very extraordinary thing that the government should back for such an immense sum of money a company which has such a small capital. Further than that, the subsidies which have already been given amount to $915,170. To whom do these belong?

Mr. FIELDING. They went into the enterprise.

Mr. PERLEY. If this company were selling out would the shareholders be entitled to get that in addition to the capital they have put in?

Mr. FIELDING. No, I think my hon. friend will find that the agreement provides for that. If we want to buy out the property, we do not pay for the subsidies.

Mr. PERLEY. I am glad to hear the minister say that they propose to make an arrangement for a strong company to take over the undertaking, because I think the present arrangement a poor one and the Government will have to pay the interest on the money borrowed from the Bank of Montreal at 5 per cent. If the company had a large capital, the government might give them a reasonable subsidy for the building of the bridge, but where the government is providing all the money it should certainly own the bridge or build it themselves. I am glad to hear that they propose to hand it over to a strong company composed of the various railways. For a moment I wish to call the attention of the government to the different treatment which has been meted out in the case of a bridge across the Fraser river near New Westminster in the province of British Columbia. This bridge of course is not nearly as large an undertaking as the Quebec bridge, but it is a large undertaking, costing over $1,000,000, and to a certain extent it is like the Quebec bridge, because it was too large a project for private capital, and is practically part of a Transcontinental Railway system. It is used for railway and passenger traffic, but it puts British Columbia in close connection with the Great Northern and other railways. For the purpose of explaining this matter I would like to read a portion of a letter which I have received from British Columbia :

> This bridge was built by the provincial government at a cost of over $1,100,000, and as it costs for maintenance and interest about $55,000 per annum, they have to charge tolls on vehicles and passengers. Had they received the subsidy of $300,000, they could have made this part of the traffic free. As to the bridge, what there is to be said about it may be stated in very brief compass. The work, of course, was not naturally a matter for the province to assume. Private promoters had been endeavouring for nearly twenty years to finance the proposition with the aid of a most generous subsidy guaranteed by Act of the provincial legislature, and this subsidy was yet available when the Dunsmuir government unexpectedly took the matter up, on the principle that since the governments were to be called upon for so large a proportion of the cost of the work, it would be better for the public to assume the entire responsibility and own the bridge. Up

to that time there had been no reason to doubt that the federal government would grant the usual subsidy. While the bridge was under construction, the matter was taken up at Ottawa by one of the most persistent of the promoters referred to above. Working with Mr. Morrison, the then member of parliament for this district, they secured the promise of a federal subsidy conditional on the bridge being turned over to a private company. This subsidy has been stated unofficially at $300,000. It has been the belief here that if the federal government gave a grant to the bridge, it would be conditional on its being made free to vehicular and passenger traffic; and voicing this sentiment, the board of trade sent a petition to Ottawa a few months ago.

It seems to me that the government ought to treat the province of British Columbia very liberally in a matter of this kind. We all know the nature of the country there. It is composed of many valleys, widely separated by very high mountains, and as a consequence the expenditure to which the province is put for roads and bridges is very much heavier than that of any of the other provinces for the same purpose. I notice in the statement submitted by British Columbia at the provincial conference last fall, the following comparison :

	British Columbia.	Ontario.
Provincial expenditure for roads per head per year for five years..	$2 91	$0 06 3-10
Municipal expenditure for roads per head for 1901..	1 58	1 63
Total..	$4 49	$1 69 3-10

Showing an annual sum of $2.79 7-10 per head, or a sum of $466,425 to place British Columbia on an equal footing with Ontario with respect to the item of provincial and municipal expenditure for this service alone.

This seems good reason why British Columbia ought to have been treated in a liberal manner as regards this bridge. But, as a matter of fact, what happened ? This government refused to assist the bridge at all when they found it was going to be built by the province. Then the Board of Trade of New Westminster wrote the hon. member for New Westminster (Mr. Kennedy) on the subject, and in the 'British Columbian' of January 10 last, I find the reply which that hon. gentleman gave to the Board of Trade. I shall read only a portion of his reply :

> The bridge at New Westminster, as the board well knows, is entirely a provincial matter, and the government has never subsidized any work of a purely provincial character. I discussed this matter with Sir Wilfrid and he explained all this to me.

There are some other explanations with reference to bridges across the Ottawa river and so on which do not affect this discussion ; but you will notice, Sir, that the statement is here made that this government has never subsidized any work of a purely provincial character. This of course is so different from the fact that I think the hon. gentleman must have used words he did not quite intend using. Surely he must have known that during the last few years we have been discussing in this House subsidies by this government to such works as the famous Disraeli wharf and others of a similar nature, to say nothing of an amount which I see in the railway subsidies brought in yesterday, namely :

> Towards the construction and completion of a railway bridge and approaches over the Nicolet river at Nicolet, in lieu of the subsidy granted by chapter 57 of 1903, section 3, item 1, $15,000.

These are clearly matters of a provincial character. If that is what the hon. member for New Westminster (Mr. Kennedy) meant, of course there are so many cases to be cited against his statement, that it is hardly worth while arguing it. But if he meant, on the other hand, as perhaps he did, that no subsidy was granted this bridge because it was built by the province, this seems to me a very hard application of that rule. The provincial government had been for years endeavouring to get private capital interested to build that bridge, and finally found it necessary to build the bridge itself. Surely, under the circumstances, the public there have as much right to assistance from this government as would have private individuals. I know there is a feeling in this House that many private individuals have received favours from this government which they should not ; but I did not think surely that the right hon. the Prime Minister would go so far as to say that he would have advised his government to subsidize this bridge had it been built by private individuals, who had put in a small sum of money and received a large sum in subsidies from the Dominion, but when the provincial government decided to build it, he refused to grant any subsidy. I am not this evening going to advocate the giving of subsidies by the Dominion to provincial works, but every one knows that this government has given subsidies to many works of a purely provincial character, which it ought not to have given. The government has been criticised for having done this, and I have criticised it myself, with regard, for instance, to some lakes back in Labelle county, called the Nominingue lakes, where this government is building wharfs with which the Dominion has nothing whatever to do. And since it is the policy of this government to give subsidies to works of a purely provincial character—I need not waste the time of the House by mentioning a lot of them—they ought to treat all the provinces alike, and in this matter of the

bridge across the Fraser river at New Westminster, they should give a reasonable subsidy to assist it.

Mr. FIELDING. Navigation generally is a matter which comes under the supervision of the Dominion government. A wharf may properly come within the sphere of the Dominion government often whereas a bridge would not. A bridge might be a purely local matter, coming within municipal or provincial control, whereas a wharf, having relation to navigation, might be properly regarded as a Dominion work. However I need not dwell upon that point. It has been the policy of governments, under all parties, for some years, to grant aid to railways, and of course we cannot run a railway across a stream without providing a bridge. Incidentally therefore a bridge on a line of railway has been subsidized, and that policy has been carried out throughout the Dominion generally, all provinces treated alike. So far the government have felt some hesitation in consenting to subsidize provincial governments which have entered upon any undertaking. There is a certain plausibility in the statement of the hon. gentleman that, if the Dominion government grants a subsidy to a railway bridge which is constructed by a company, why should it not give a subsidy when the provincial government constructs a similar bridge? But the other side of the argument is that if the provincial governments wish to undertake words of that kind at their own expense they should be allowed to do it. They do not need aid as much as a private enterprise would. Take an illustration: Application was made some years ago for a grant in aid of the Temiskaming and Northern Ontario Railway, which is a work of the Ontario government. The Dominion government felt that if the province of Ontario wished to take up an enterprise of that kind on its own credit, it should be allowed to do so, but it should not come to the Dominion government to seek aid. At the same time, I admit, that if a railway company were constructing that road, it is probable that it would receive the usual Dominion aid. But this was the view taken by our government when the late government of Ontario presented that claim.

Mr. SAM. HUGHES. But you changed your mind about that and are going to subsidize it?

Mr. FIELDING. I have not said whether we are or not. I have given the ground taken against the claim when it was entered by the late government. The present government of Ontario have advanced a claim to this subsidy, but it has not been decided to change the policy of the government in that respect. I do not undertake to say anything as to the future, but, so far as the present is concerned, no determination has been reached to aid that road.

Mr. SAM. HUGHES. Why, they are going to give you a connecting link with the Transcontinental.

Mr. FIELDING. I grant all that. We were approached informally with a view to ascertaining whether we would assist the government of Nova Scotia to build a certain line of railway which it was urged very strongly to undertake. With the example of what had occurred in the case of Ontario before me, I told my Nova Scotia friends that I thought they had but a small chance of securing the aid they desired. The matter has not come before us in a formal way, and so has not been formally refused.

If you take the view that the bridge is of considerable size and the Dominion government provide for it, the question arises, where are you going to draw the line? The provincial governments are building bridges, some of them large and fine structures. If you say that because the provincial government and the municipalities want a nice bridge, with fine tracks for vehicular traffic, therefore the Dominion government should give aid, you are opening a door which may admit more than is intended. I am not expressing a final judgment, but simply explaining the principle upon which the government acted in the case brought to my notice from Argenteuil (Mr. Perley).

Mr. KENNEDY. I am thankful to the hon. gentleman from Argenteuil (Mr. Perley) for championing the cause of British Columbia. I would back up any recommendation of that kind that would have any influence with the government to induce them to make a grant to such a bridge for the sake of the people who have to pay toll on every thing that goes across that bridge. If a farmer crosses with a load of pigs in a wagon he has to pay so much for each pig, and if a passenger goes over on foot he has to pay.

Mr. PERLEY. Have the railways to pay charges?

Mr. KENNEDY. Certainly. I do not know how much they pay. There is only one road using the bridge at present, the Great Northern. There are three passenger trains a day each way, and freight trains also. The farmers on the south side of the river who wish to come to New Westminster or Vancouver have to cross the bridge, and, as I have said, have to pay toll. I would like to see the tolls removed. We are told by our political opponents that the only way to get the tolls removed is, to get the Dominion to grant a subsidy to the bridge. I approached Sir Wilfrid Laurier about that when I came here first in the early part of the session. He told me what has

already been read in the letter. I do not know that I heard the letter sufficiently well to know whether it was a true copy of the one I sent to the board of trade or not. I dare say that it is although I must say that many of my statements have been badly garbled by the gentleman who brought that matter before the board of trade in New Westminster, who was the defeated candidate in the last election, and who is never done abusing me ; he abuses me most unmercifully and most unmanly ; however, I will let that pass, it does not hurt me. I still hope that the government will see their way to do something in this matter, because it would be a great help to the people in my district. I suppose that when more railways use the bridge, as we expect they will in future, the provincial government will be able to remove the tolls on their own account. But if this could be done at once, it would certainly be a great help to the people there. I should be the last to throw any thing in the way of getting a grant to this bridge, but will back up any endeavour towards a grant. I have done all that I could, but the statement of Sir Wilfrid Laurier looked so reasonable that I could not say anything against it. He said that a provincial work should be carried on by the provincial government.

Mr. PERLEY. I would suggest to the Minister of Finance that a simpler way than the one he has suggested would be for this government to stop subsidizing works of a purely provincial character whether they are made by the province or not. This government is helping to build works of a purely provincial character.

Mr. FIELDING. It is hard to define what is purely provincial.

Mr. PERLEY. I know of some works built and aided by this government concerning which the hon. minister himself would not disagree as to their provincial character. On the Saguenay river, the government has built piers and booms purely for the use of certain lumbermen. That cannot, by any stretch of the imagination, be made any thing else than of a private and provincial character,—private works, and all within one province.

Mr. FIELDING. Are not the works the hon. gentleman (Mr. Perley) refers to self-sustaining through the tolls they yield ?

Mr. PERLEY. No, I had intended making some remarks on this subject during the present session, but, as we desire to bring the session to a close, I decided to leave the matter over to next session.

Mr. SPROULE. If I understand the minister (Mr. Fielding), the substructure is not finished ?

Mr. FIELDING. It is finished, and all the approaches, except about $55,000. That is, the work remaining to be done is $55,000 on the approaches and the remainder of the steel superstructure.

Mr. SPROULE. What is the steel superstructure to cost ?

Mr. FIELDING. The original estimate was $4,760,000. It will probably cost somewhat more, for the reasons I have given.

Mr. SPROULE. How much of the loan that we provided for in the Act of 1903 is used ?

Mr. FIELDING. The bonds released from the Trust Company amount to $4,812,-855. Of course, they were only taken by the bank at the discount which I have explained.

Mr. SPROULE. There is that much spent already ?

Mr. FIELDING. Yes.

Mr. SPROULE. I notice by that Act that the substructure and approaches on the said bridge had been completed and the portion of the superstructure has been constructed in 1903.

Mr. FIELDING. That is right.

Mr. SPROULE. Uuless there were some debts this money would not be required, it was not required to build the substructure.

Mr. FIELDING. There were debts which had to be provided for.

Mr. SPROULE. Has any of this money gone into the construction of the railway portions of the bridge?

Mr. FIELDING. Only on the approaches to the bridge.

Mr. SPROULE. How much ?

Mr. FIELDING. The estimate of the approaches was in round numbers $1,000,000 and that work has all been done and the money expended except $55,000.

Mr. SPROULE. It did not exceed that ?

Mr. FIELDING. I would not be too positive on that point, but I would be glad at a later stage to furnish the information.

Mr. SPROULE. The government has a right to appoint three directors on the board. Have they availed themselves of that ?

Mr. FIELDING. Yes.

Mr. SPROULE. The government also had the right to inspect the books and see that the money was properly expended ?

Mr. FIELDING. Yes.

Mr. SPROULE. Have they taken the trouble to do that ?

Mr. FIELDING. Yes. The accountant examined the books and accounts.

Mr. SPROULE. To what extent ?

Mr. FIELDING. As fully as he wished to.

Mr. SPROULE. I am asking these questions because of the constant rumours that a great deal of this money has been filtered away into other channels instead of into the bridge.

Mr. FIELDING. I do not think there is any warrant for that.

Mr. SPROULE. The minister says there is no warrant but we have been told this over and over again by men who should be in a position to know something about it, and hence there is a little suspicion that the money granted for the purpose, $6,678,200, did not go into the bridge. The company only put into the bridge $56,000, whereas I understood they were to have paid up stock of $200,000.

Mr. FIELDING. I think they afterwards completed that condition though.

Mr. SPROULE. That was paid in 1903, have they paid any more since ?

Mr. FIELDING. They paid up the sum required by the Act.

Mr. SPROULE. Taking the various amounts granted by the province and city of Quebec and the Dominion together they would be, I take it, independent of the amount of bonds which we guarantee.

Mr. FIELDING. My hon. friend missed a remark of mine, that of the $1,000,000 only $374,000 was paid; the remainder was cancelled and has ceased to be an obligation of the Dominion government; the company never received it.

Mr. SPROULE. They did not receive the balance of it ?

Mr. FIELDING. No.

Mr. SPROULE. Then we would require to know how much has actually gone into the substructure, and we should have an estimate of the cost of the bridge as a whole, and to what extent it exceeded the estimate of its cost in the first place. We should also know how much has been spent on the construction of the railway approaches, their length and what they will cost. We should also have more information as to the examination of the books and a memorandum of how the money has gone, because there are so many of these rumours that it is difficult to understand unless there was something rotten about the whole concern, how so much money could be spent on it.

Mr. FIELDING. That is very ungenerous.

Mr. SPROULE. It may be ungenerous, but we have learned from experience in parliament here in connection with public works to be a little suspicious. It may be a little ungenerous but we are not going beyond our rights in this House in being suspicious and that makes us desire to go into it more carefully than we would otherwise do.

Mr. FIELDING. The questions the hon. gentleman has put are proper questions and when the Bill comes up for third reading I shall endeavour to supply the information. I am not aware of anything that justifies the suspicion that there is anything wrong with the affairs of the Quebec bridge. On the contrary I have every reason to believe that the officials of the department have exercised a careful supervision and whatever has been done has been done in good faith and to good advantage. However, the questions my hon. friend has put are reasonable and before I move the third reading I shall endeavour to procure the information.

Mr. FOSTER. We want the information when you go into committee.

Mr. FIELDING. I am not particular about that, at a convenient time the information asked for this evening will be obtained and furnished.

Mr. FOSTER. If I understood the minister correctly, none of these bonds have been actually sold, simply held as collateral.

Mr. FIELDING. That is correct, and they are all to come into the hands of the government.

Mr. FOSTER. There have been no sales whatever.

Mr. FIELDING. None whatever.

Mr. FOSTER. And consequently no brokerage or anything like that ?

Mr. FIELDING. No sale was made.

Mr. FOSTER. Just five per cent is what the Bank of Montreal has charged.

Mr. FIELDING. There has been no sale and there can be no brokerage, and the officers have informed me that five per cent was the rate of interest. I am not aware of any other charge but I shall ascertain if there is any.

Mr. ARMSTRONG. Is the $1,000,000 spent on the approaches in addition to the $8,000,000 ?

Mr. FIELDING. No, it is included in the $8,000,000.

Mr. ARMSTRONG. Is it true that no work has been done on the approaches on the north shore ?

Mr. FIELDING. I think my hon. friend's information is not correct; there has been very considerable work done on the north shore.

Mr. LENNOX. The points mentioned by the hon. member for East Grey (Mr. Sproule) cover nearly all the points to which I wished to call attention. I did not quite understand about the auditing of these accounts. I think it is important that as complete an account of this should be furnished in some way to the government and ultimately to the House as in reference to any other public work of the government, although this is not directly done as a government work. I do not know whether the government have a detailed and specific account of this, such as a contractor would have who was keeping track of a work which he was carrying on, but the government should have something of that kind and if not they should obtain such an account, because otherwise, as the hon. member for East Grey (Mr. Sproule) says, whether well-founded or not there will be a grave suspicion that there is something wrong. I would like the minister before we come to the committee stage and at as early a date as possible to give us a clear statement of how much money has actually been expended upon that bridge or in connection with that bridge to this date, of all the liabilities outside of what has been actually paid out and how much of this sum of $6,678,200 will be available for future work or for further liabilities in connection with the bridge; in other words, how much of this is eaten up at the present time?

Mr. FIELDING. These are proper questions and I will see that the information is furnished.

Mr. FOSTER. The discussion, I suppose, might wait until then?

Mr. FIELDING. No, we had better report the resolution.

Mr. FOSTER. I mean to report the resolution.

Mr. FIELDING. I will introduce the Bill but before it goes any farther I will get the information.

Resolution reported, read the second time and agreed to.

Mr. FIELDING moved for leave to introduce Bill (No. 169) to authorize a loan to the Quebec Bridge and Railway Company.

Motion agreed to, and Bill read the first time.

Mr. FIELDING moved the adjournment of the House.

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

Mr. FIELDING. We will take up some Bills and then go into supply.

Mr. FOSTER. Which supply?

Mr. FIELDING. The Minister of the Interior, probably the Minister of Agriculture and perhaps Railways, as much as we can get through with.

Mr. FOSTER. The Minister of the Interior comes first.

Mr. FIELDING. The Minister of the Interior comes first.

Motion agreed to, and House adjourned at 11.40 p.m.

HOUSE OF COMMONS.

SATURDAY, April 20, 1907.

The SPEAKER took the Chair at Eleven o'clock.

RESIGNATION OF HON. C. S. HYMAN.

Mr. SPEAKER. I have the honour to inform the House that I have received the resignation of the hon. member for London (Mr. Hyman) in the following terms:

Hotel del Coronado,
Coronado Beach, California,
April 11, 1907.

Hon. R. F. Sutherland,
Speaker, House of Commons, Ottawa.

I beg herewith to tender my resignation as member of the House of Commons for the electoral division of London.

Yours truly,
(Sgd.) C. S. HYMAN.

Witnesses—
A. D. Clark,
J. J. Hernan.

I have issued my warrant to the Clerk of the Crown in Chancery to make out a new writ of election for the said electoral district of London.

PRIVATE BILLS COMMITTEE.

Mr. DUNCAN ROSS (Yale-Cariboo) moved that the Committee on Miscellaneous Private Bills be granted leave to sit during the sittings of the House of Commons.

Mr. R. L. BORDEN. Is there any considerable amount of business before the committee still?

Mr. DUNCAN ROSS. I do not think so. But there are one or two Bills. It seems absolutely impossible to get a sitting before eleven o'clock. Meetings have been called, but a quorum has not turned up. So we think it necessary to move this motion in order to get a sitting of the committee.

Motion agreed to.

DEPARTMENT OF RAILWAYS AND CANALS ACT AMENDMENT.

Hon. W. S. FIELDING (Acting Minister of Railways and Canals) moved for leave to introduce Bill (No. 170) to amend the

Department of Railways and Canals Act. He said: This is a measure which is represented by the officials of the department to be necessary to enable them to impose penalties in case of damages to the canal property.

Motion agreed to, and Bill read the first time.

QUESTIONS.

MR. P. M. DRAPER.

Mr. BENNETT—by Mr. Blain—asked:

1. What position does P. M. Draper hold in the Printing Bureau?
2. What is his salary and what are his duties?
3. Has said Draper been recently promoted in the said Bureau? If so, what position did he formerly occupy therein, and what was his then salary?
4. If lately promoted, who held the position now held by said Draper before his promotion, or is the office a new creation?
5. Who has been appointed to the position formerly held by said Draper, and what salary is paid to said Draper's successor?

Hon. W. S. FIELDING (Minister of Finance):

1. Chief foreman.

2. Salary of $1,500 a year. The duties are an extension of his present duties, inasmuch as his responsibility will extend beyond his own room, mainly with a view of expediting the work and preventing any portion from being overlaid and getting into arrears.

3. The promotion was on April 1st. He was foreman of the parliamentary room alone, and his salary was $1,300.

4. The office is a new one as regards the extension of responsibility.

5. No new appointment has been made. Mr. Draper is still holding his old position, but with extended duties.

INDIAN LANDS, DISTRICT OF NIPISSING.

Mr. BOYCE—by Mr. Blain—asked:

1. When was the Indian reserve in the district of Nipissing, lying between North Bay and Sturgeon Falls, opened for settlement?
2. What were the terms of the surrender?
3. Upon what representations was the reserve surrendered, and who negotiated with the government, and with the Indians, respectively, for the surrender?

Hon. FRANK OLIVER (Minister of the Interior):

1. On the 24th of January last, 67,651 acres of land on the Nipissing Indian reserve lying north of the Canadian Pacific Railway line were surrendered to the Crown, which land is being subdivided into lots with a view to such disposition thereof as may be determined upon.

2. The land was surrendered to the Crown by the Nipissing Band of Indians to be sold for their benefit, on the following conditions:

(a) That a road allowance be provided for from the east boundary, paralleling the Canadian Pacific Railway, to the west boundary of the said reserve.

(b) That each member of the band shall receive $100 cash on completion of surrender, and the land shall not be sold for less than $2 per acre.

(c) That the first and second chiefs shall receive $1,000 each as full payment for themselves and families.

3. The Board of Trade of North Bay, the corporations of North Bay and Sturgeon Falls, and the settlers of North Bay, Sturgeon Falls and the townships of Springer and Widdifield represented to the department the desirability of having the land in question opened for settlement. The surrender was negotiated by the local Indian agent, Mr. George P. Cockburn, of Sturgeon Falls, who acted for the superintendent general in taking the surrender under the provisions of the Indian Act.

INTERCOLONIAL CARS IN THE UNITED STATES.

Mr. AMES—by Mr. Blain—asked:

1. How many Intercolonial Railway cars are at present in use by the railways of the United States?
2. What steps are being taken to secure the return of these cars to Canada?

Hon. W. S. FIELDING (Acting Minister of Railways and Canals):

1. On the tenth of the present month there were 2,246 cars belonging to the Intercolonial Railway, on the railways of the United States.

2. Every thing possible is being done to get the Intercolonial cars returned, by writing, and telegraphing the different railways and by sending tracers after them.

LIEUTENANT COLONEL H. SMITH.

Mr. NORTHRUP asked:

1. When did Lieutenant Colonel H. Smith cease to draw pay as a member of the Medals Board?
2. How long did he draw such pay?
3. What position has he held in the service since he ceased to draw such pay, and what before?
4. What pay did he receive before (a) as member of Medals Board; (b) for other services?
5. What pay is he now receiving?

Hon. W. S. FIELDING (for the Minister of Militia and Defence) Lieutenant Colonel Smith has been employed at headquarters on special duty from January 1, 1902. He has never been paid anything as a member of the Medals Board, but as an officer on special duty at headquarters, one of those duties being the work pertaining to his position as president of the Medals Board. His rates of pay and allowances have been from January 1, 1902, to October 31, 1905, $4.87 per diem pay and $2.50 per diem allowances from November 1, 1905, to the

present time $5 per diem pay and $2 per diem allowances.

NORTH LAKE POST OFFICE, PRINCE EDWARD ISLAND.

Mr. A. A. McLEAN—by Mr. William Wright—asked :

1. Has the location of the post office at North Lake, Prince Edward Island, been changed since 1st November, 1904 ?
2. If so, when was the change made, and at whose suggestion ?
3. Was any investigation made by the department before making change ?
4. How far is the present location distant from the original location ?
5. Who was the postmaster previous to the change ?
6. Who is the present postmaster ?
7. Have any petitions or letters been received from the inhabitants of North Lake by the Post Office Department protesting the change of location ?
8. If so, did the government take any steps to verify the statements made by the petitioning inhabitants in the protest against the removal ?
9. What action does the government intend to take to give proper post office accommodation to the inhabitants of North Lake ?

Hon. RODOLPHE LEMIEUX (Postmaster General) :

1. Yes.
2. On 1st of April, 1905, on recommendation of Mr. J. J. Hughes, member of parliament.
3. An investigation was not considered necessary, in view of information received that it was desirable to remove the post office to a more central and convenient location.
4. The department cannot say definitely the distance but is assured that the new site is much more central and convenient to the whole people than the old one.
5. Elisha B. Morrow.
6. George Macdonald.
7. Communications have been received since the change of site was made, objecting to the change.
8. There has been no further action in the matter.
9. As the government is of the opinion that the change made has been in the interest of the people, no further action is contemplated.

ORANGEVILLE POST OFFICE.

Mr. BARR asked :

Has the vacancy in the post office in Orangeville, Ontario, caused by the death of the postmaster, been filled ? If so, by whom ? If not, who has charge of said post office ?

Hon. RODOLPHE LEMIEUX (Postmaster General). The vacancy in the postmastership of Orangeville, Ontario, has not yet been filled. Since the postmaster's death, on the 10th instant, the post office has been in charge of the assistant postmaster, Mr. Percy Bradley.

POST OFFICE AT LAKEVILLE, PRINCE EDWARD ISLAND.

Mr. A. A. McLEAN—By Mr. Blain—asked :

1. When was the change made in the location of the post office at Lakeville, Prince Edward Island, and at whose suggestion ?
2. Did the Post Office Department make any investigation before removing the post office from where it had been established thirty years ago ?
3. Is the Post Office Department aware that over nine-tenths of the inhabitants of the district are opposed to the removal of the office from its former location ?
4. Has any change been made in the office of postmaster at Lakeville, since November, 1904 ? If so, for what cause ?
5. Have any petitions or letters from the inhabitants of Lakeville been received by the Post Office Department protesting against the change of location and praying for the return of the office to its original location ?
6. Did the department make any investigation since the receipt of said petitions and letters ? If so, what was the nature of such investigation ?
7. What action does the government intend to take to remedy the grievance of the inhabitants of Lakeville ?

Hon. RODOLPHE LEMIEUX (Postmaster General) :

1. On the 1st June, 1905.
2. Yes.
3. No representations whatever have been made, to that effect.
4. Yes, as stated, on the 1st June, 1905, it having been ascertained, upon official inquiry, that the post office was not being satisfactorily managed.
5, 6, 7. No objection to the change, nor complaint regarding the new site, has been received at the department.

POSTMASTER AT SOUTHPORT, PRINCE EDWARD ISLAND.

Mr. A. A. McLEAN—By Mr. Blain—asked :

1. Who was the postmaster at Southport, Prince Edward Island, in the month of May, 1905 ? Was such postmaster a person of the age of 21 years ?
2. Did said postmaster furnish any security to the government or Post Office Department for the faithful discharge of his duties ?
3. Was not a registered letter addressed to Frederick Masters received at said post office in the month of May or early in June, 1905 ?
4. Did not the post office inspector at Charlottetown report the loss of the letter to the department at Ottawa ?
5. Did the department make any attempt to collect the contents of the letter from the postmaster or his securities, and did they succeed in collecting the contents ?
6. What reasons do the department give for failing to pay over the contents of the letter to Mr. Masters ?
7. In case the Post Office Department appoints an official under age, is not the government responsible for loss sustained by the public

by reason of the neglect or misconduct of the official ? If so, why is not this claim paid ?

Hon. RODOLPHE LEMIEUX (Postmaster General) :

1. Alexander Walker. The postmaster was about 20 years of age. He was the only person at the time who was willing to assume charge of the office, and as it was necessary in order to meet the postal needs of the district, that the post office should be maintained, it was kept open under his charge.

2. Yes. He was secured under the Post Office Guarantee Fund.

3. Yes, on 29th May, 1905.

4. Yes.

5. Mr. Alexander had resigned the postmastership before the loss of this registered letter was reported to the department. The department, however, endeavoured to collect the contents from him but was unsuccessful, and under the circumstances the amount of the loss was made good out of the Post Office Guarantee Fund.

6. Value of contents of letter has been paid over to Mr. Masters and his receipt is on file in the department.

7. See answer to number 6.

IMPROVEMENTS TO LONDON POST OFFICE.

Mr. ELSON asked :

1. What has been the cost of building the new addition and making improvements to the London post office during the last three years?

2. Is the work of improvement yet completed?

Hon. SYDNEY FISHER (Acting Minister of Public Works) :

1. $45,732.83.

2. Yes.

INSURANCE COMMISSION—BILL.

Hon. GEO. E. FOSTER (North Toronto.) Before the Orders of the Day are called, I would like to ask the Minister of Finance (Mr. Fielding) if there are any copies of the Bill which was recommended by the Insurance Commission. It seems impossible to get any copies of it ; there are many inquiries.

Hon. W. S. FIELDING (Minister of Finance.) I understood that every copy of the report was accompanied by a copy of the Bill. If there is an insufficiency printed, I will give directions to have it remedied.

Mr. FOSTER. I think there ought to be, because all the insurance companies are interested.

INQUIRY FOR RETURNS.

Mr. FOSTER. On January 14th I called for a return with reference to telegraph lines, which has not been brought down. We have some $11,000,000 of estimates chucked at us here in the last days of the session, and this is an important piece of information, and I want it before we take up these items.

Mr. FIELDING. The information given me a few days ago by the Deputy Minister was that it would take about two weeks to get that return ready. That was on the 12th of April, so it ought to be ready in about a week. I will see that it is pushed forward. In regard to returns generally, since the matter was last mentioned I gave special instructions to have every effort put forth to bring down the returns called for. Quite a number have been brought down ; there are several which I understand require so much labour that they cannot be brought down this session. I am still pressing the departments. If there is any particular return that any hon. gentleman is specially interested in and he will let me know in the next day or two, I will make special inquiry concerning it. Quite a number of returns previously mentioned are now on the table, and others are being prepared as quickly as possible.

SHORTAGE OF CARS IN THE NORTH-WEST.

Mr. FOSTER. Has the Minister of Finance any knowledge from the Railway Department of the work that has been done by Mr. Dillinger, who was sent west I think in connection with the shortage of cars. There was a peculiar telegram published in the newspapers this morning which recites an incident that occurred in the Winnipeg Board of Trade whom Mr. Dillinger was supposed to meet and give them some information. It does not appear to have been very successful. I do not know how much reliance is to be placed on the telegram, but it states that the meeting broke up in disorder and there was great dissatisfaction. It appears that he was not in a position to give them any information.

Mr. FIELDING. Mr. Dillinger is an officer appointed by the Railway Commission, and of course in an indirect way comes under our control. But I will make inquiry at once of the Chairman of the Railway Commission, as to the facts of the case.

THIRD READING.

Bill (No. 111) respecting the inspection of electricity.—Mr. Templeman.

DEPARTMENT OF MINES.

House again in committee on Bill (No. 139) to create a Department of Mines.—Mr. Templeman.

On section 3,

Mr. TEMPLEMAN. This section was permitted to stand, and on the suggestion of the hon. member for East Grey (Mr. Sproule) I have adopted the wording of the Labour Act. I propose to amend the de-

finition clause in subsection 2 and instead of saying that 'Minister means Minister of Mines,' I propose to say that:

Minister means such member of His Majesty's Privy Council of Canada to whom, for the time being, the Governor in Council may assign the carrying out of the provisions of this Act.

Mr. BERGERON. That means that the Minister of Mines may be the minister of another department?

Mr. TEMPLEMAN. Yes.

Mr. R. L. BORDEN. The amendment of the minister is not very happily worded. It says 'such member to whom.' Would it not be better to say 'the member to whom'?

Mr. TEMPLEMAN. The suggestion of the hon. member for East Grey (Mr. Sproule) was that the wording of the Conciliation Act should be adopted, which says:

The expression 'minister' means the member of Her Majesty's Privy Council for Canada to whom, &c.

Mr. R. L. BORDEN. That is not the point. That is the way it should be expressed. The minister here uses the expression 'such member to whom.' You want to use good English, that is all.

Mr. TEMPLEMAN. I am glad the hon. gentleman has called it to my notice.

Mr. LENNOX. What we had in contemplation last night was to amend section 3, and I would call the minister's attention to the fact that if he strikes out section 3 altogether he has no creation of a Department of Mines at all. Section 3 provides for a department of the civil service to be called the Department of Mines and then section 4 provides that the department shall administer the laws and so on.

Mr. TEMPLEMAN. I propose making a slight amendment to section 4 to cover that point.

Mr. LENNOX. What I was going to propose was to leave the minister as he is defined in section 2 and to strike out of section 3 all the words after 'of' in the third line. 'A member of the King's Privy Council for Canada' and substitute 'the head of one of the present departments of the government of Canada.' I will just pass this over to the minister and he can consider it.

Mr. TEMPLEMAN. My hon. friend is just trying to do in another way what I am trying to do and it will have practically the same effect.

Mr. LENNOX. I am not at all sure that the minister meets it by the other amendment which he proposes.

Mr. R. L. BORDEN. May I point out that subsection 3 does not affect what the minister has just now mentioned. He provides under subsection (b) of section 2, as follows:—

'Minister' means the member of His Majesty's Privy Council for Canada to whom, for the time being, the Governor in Council may assign the carrying out of the provisions of this Act.

That leaves it still perfectly open to create another minister, an additional portfolio. Such an intention is also perfectly consistent with the language of section 3. What my hon. friend from South Simcoe (Mr. Lennox) proposes is that you shall adopt in section 3 the words which are found in the statute creating the Department of Indian Affairs and which words make it impossible to create another portfolio or an additional minister of the Crown. The section would then read in this way:—

There shall be a department of the civil service to be called the Department of Mines, which shall be under the control and management of the head of one of the present departments of the government of Canada, who shall be named from time to time for that purpose by the Governor in Council, and who shall be called 'the Minister of Mines.'

Language of that kind would carry out what the minister declares to be the intention, namely, that there shall be no additional minister, but that one of the present ministers of the Crown, the head of a department of the government, shall also be Minister of Mines.

Mr. TEMPLEMAN. What clause of the Indian Act?

Mr. R. L. BORDEN. Section 5, I think.

Mr. TEMPLEMAN. I am of the opinion that the amendment I have proposed covers the point. I have made this amendment very largely at the suggestion of the hon. member for East Grey (Mr. Sproule) to cover the very objection which was raised last evening. I am not particular about the form of the amendment. What I want to accomplish is to establish a Department of Mines that will be administered by one of the ministers of the Crown holding another portfolio.

Mr. BERGERON. You do not want to increase the number of ministers?

Mr. TEMPLEMAN. Quite true.

Mr. R. L. BORDEN. It seems to me that it would answer the purpose very much better if the hon. minister accepted the amendment of the hon. member for South Simcoe. If the minister's suggestion is carried out the statute will not expressly create a Department of Mines. It will refer to a Department of Mines but it will not expressly create one. The amendment which we offer expressly creates a Department of Mines and then it provides that the Minister of Mines shall be a min-

ister in charge of some other department, that there shall be another Department of State but that there shall not be another Minister of State. It seems to me that there cannot be any doubt about that being the proper course to take.

Mr. LENNOX. I understood yesterday from the minister and I also understood from the remarks of the hon. member for Yale-Cariboo (Mr. Ross) that one of the distinctive objects in view was the creation of a Department of Mines and section 3 is the only section which does distinctly create that department. Now the minister proposes to eliminate that, and if the department exists at all, it will only be by implication from other sections. The minister also said last night that he was quite willing to have any amendment which would make it perfectly clear that this would be under the charge of an existing minister. The amendment which I propose carries that out definitely by introducing into section 3, which creates a Department of Mines, a provision that it shall be under the management and control of the head of one of the present departments of the government of Canada.

Mr. TEMPLEMAN. If it will save time I am willing to accept the suggestion of my hon. friend, and I will, therefore, move now in substitution of my former motion that clause 3 be amended by striking out the words 'a member of the King's Privy Council for Canada' in the third line and substituting therefor the words 'the head of one of the present departments of the government of Canada.'

Mr. R. L. BORDEN. That makes it perfectly satisfactory.

Section, as amended, agreed to.

Bill reported, read the third time, and passed.

EXCHEQUER COURT—SALARY OF REGISTRAR.

House went into committee to consider the following proposed resolution:—

Resolved, that it is expedient to provide that the salary of any person who may hereafter be appointed registrar of the Exchequer Court of Canada, shall, upon appointment, be two thousand five hundred dollars per annum, with an annual increase thereafter of one hundred dollars, up to a maximum of three thousand dollars per annum; and that the salary of the present registrar, so long as he remains in office, shall be the said maximum of three thousand dollars per annum.—Mr. Aylesworth.

Hon. A. B. AYLESWORTH (Minister of Justice). The practical effort of the adoption of this resolution would be to increase at once the salary of the present registrar of the Exchequer Court from $2,400 to $3,000 a year. After a great deal of consideration, it seemed only justice that the gentleman who is now the occupant of that office should receive this increase. In 1887 when the court was reorganized, Mr. Audette was appointed at a salary of $2,000, and for the last twenty years he has been registrar of the court. Some few years ago the salary was increased to $2,400. The registrar of the Exchequer Court is not within the Civil Service Act, and when the salaries of civil servants were increased generally in 1903, neither his salary nor that of the registrar of the Supreme Court was increased. In the same session, however, a special statute was passed increasing the salary of the registrar of the Supreme Court by $800, making his salary $4,000, which he has since enjoyed. By comparison, that seems to bear hardly upon the registrar of the Exchequer Court. Apart from any consideration of that kind, the situation which presents itself in the Court of Exchequer is anomalous. Mr. Audette receives a fixed salary of $2,400, while his assistant, who has the rank of chief clerk, will, if he remains in office a few years longer, receive, by the statutory annual increases, $2,500. That condition of things would not conduce to the importance, or the dignity, or efficiency of the registrar's office. In the increase of business which has come to the court since it was established, the registrar has now come to have a very important and responsible position. To illustrate, the amount of money on deposit under his immediate control and upon his actual responsibility has, not long since, reached the large sum of over $1,000,000. There has been added to the jurisdiction of the court lately, the authority to act in the winding-up of insolvent railway companies and that has led to a very large increase of the registrar's work. In the case of the Quebec Southern Railway Company, which was before that court not long since and which was referred by the judge to the registrar, there were over 300 separate claims for adjudication; one-third of them practically amounting to separate causes of action and to contested suits which raised questions of very much importance both as to amount, and as to the difficulty of disposing of them. The registrar, in the increase of the work of the court, has been performing the duties of special referee in many cases coming on for trial before the judge, and in cases where the witnesses are French speaking the judge of the court has for some time past referred the actions almost invariably to the registrar. Consequently, Mr. Audette has been exercising very important functions, and in cases which have not been referred to him and where the witnesses are unable to speak English and have to give their evidence in French, the registrar has for twenty years acted as interpreter without any additional remuneration being received or sought. In

these circumstances, his position being of such considerable importance, it seemed no more than just that his salary should be increased to $3,000, and it was thought in view of the undoubted increase in the expenses of living and the increased business of the court, that any person appointed in future to the position of registrar should commence with a salary of $2,500, increasing annually to a maximum of $3,000.

Mr. R. L. BORDEN. I do not think the proposal is an unreasonable one, and, so far as the present holder of the office is concerned, I know from personal experience as a member of the bar practising for many years in that court he is a very capable, a very faithful, and a very diligent officer. I think the proposal is one that should commend itself to the committee.

Mr. NORTHRUP. Can the Minister of Justice inform us if this is the same man who acted in the case of Dodge and the King?

Mr. R. L. BORDEN. No. That was a special officer.

Resolution reported and agreed to.

Mr. AYLESWORTH moved for leave to introduce Bill (No. 170) to amend the Exchequer Court Act.

Motion agreed to, and Bill read the first time and the second time.

SUPPLY.

House in Committee of Supply.

Dominion Lands, chargeable to capital—surveys, examination of survey returns, printing of plans, including $15,000 for irrigation surveys, &c., $800,000.

Mr. ARMSTRONG. Can the minister give us any information as to how many men are employed in this branch of the department?

Hon. FRANK OLIVER (Minister of the Interior). I am not able at the moment to say how many are employed, because the greater part of this money is expended on survey parties, which may be larger or smaller, from time to time. It might be of interest to the committee to know just what survey work it is proposed to provide for out of this vote. There will be three parties for the survey of base lines and of part of the sixth meridian, at $12,500 each, or a total of $37,500. There will be one party for the survey of the fifth meridian to the Peace river, $12,500.

Mr. FOSTER. From what point south do you commence the survey?

Mr. OLIVER. The meridian was surveyed many years ago for some distance north. This is to continue the survey of that meridian due north to the latitude of the base line upon which the Peace river surveys are made, so as to give us a continuous meridian line and a continuous base line connecting the surveys on the Saskatchewan with the surveys on the Peace river.

Mr. FOSTER. That meridian is surveyed now north of Edmonton?

Mr. OLIVER. Yes, for a considerable distance—I think to a point north of the Lesser Slave lake.

One party for surveying base lines in Manitoba $12,500.

Mr. SAM. HUGHES. Why is it necessary to have base lines surveyed in Manitoba now? Has not that been all done?

Mr. OLIVER. No, there is an immense area out of which all governments have been surveying that portion which was most likely to come into use the soonest. We have extended the base lines so far and this is for surveys from those base lines. As settlement extends, we have to extend the base lines and meridian lines in every direction. The position with regard to the survey is this: We have the heart of the country surveyed and now we are surveying on the outside of the circle, and that circle is increasing each year.

Mr. FOSTER. In other words you are surveying around the periphery.

Mr. OLIVER. One party for surveying 3,500,000 acres in the Peace river district, British Columbia, $12,500.

Mr. SAM. HUGHES. These lands have not been given any company?

Mr. OLIVER. No.

Mr. SAM. HUGHES. How about the Vermilion Land Company at the mouth of Peace river? They went in some years ago and got an extra concession.

Mr. OLIVER. There is one land concession in the Peace river, the papers with regard to which were brought down last session.

Mr. SAM. HUGHES. That is near the Vermilion?

Mr. OLIVER. No, it is on the Smoky river.

Mr. SAM. HUGHES. They were sold land at $1 an acre.

Mr. OLIVER. Provided they fulfilled certain conditions. The area is four or six townships square and is cut by the Smoky river and one corner overlaps the Peace river. It is due west of Lesser Slave lake.

Three parties for subdivision surveys in Southern Alberta at $8,000 each or $24,000. One party for subdivisional surveys between Lesser Slave lake and Peace river, $8,000;

one party for surveying outlines of Saskatchewan, $8,000; seven parties for miscellaneous surveys and resurveys at $8,000 each, $56,000; three parties for subdivision surveys in British Columbia at $8,000 each, $24,000; one party for triangulation in British Columbia, $8,000. These are the surveys which are carried on by day's labour. We hire the surveyors and are responsible for the whole expenditure. There are subdivision surveys under contract, namely:

Fifty-four townships in southeastern Manitoba, $96,000.

Mr. SAM. HUGHES. These are being surveyed for timber?

Mr. OLIVER. No. The Manitoba government has been pressing particularly for additional surveys of the swamp lands to which they become entitled as soon as the lands have been surveyed and inspected. We have not been able hitherto to provide for those surveys, but we are going on surveying each year and are doing a little more this year than previous years.

Forty-four townships near Lakes Manitoba and Winnipeg	$75,000
Nineteen townships on Canadian Northern Railway in Saskatchewan	38,000
Four townships near Nut lake, Saskatchewan	8,000
Seventeen townships near Prince Albert, Saskatchewan	34,000
Twenty-nine townships south of Moosejaw, Saskatchewan	12,000
Six townships at Wood mountain	2,500
Fifty-one townships near Reed Deer river, Alberta	21,000

This is a portion not surveyed lying between the Canadian Pacific Railway and Canadian Northern Railway. When this is surveyed everything will be covered.

Mr. FOSTER. East of Calgary and Edmonton.

Mr. OLIVER. Yes, there is a large area unsurveyed and settlement is pressing to have this work done.

Six townships east of Athabaska landing, $12,000.

Fifty townships north and west of Edmonton, $100,000.

That is considered necessary because of the Grand Trunk Pacific construction between Edmonton and the Rocky mountains. Up to that point we grant a total of $398,500, half of which is for day work and half contract. Then besides we have one inspector of surveys and party at $6,000; three at $7,000 each; one topographer and party and office expenses, $7,000; irrigation surveys, $16,000; Yukon surveys, $18,000; employees at Ottawa, $120,000; iron posts, $3,000; stationery, printing, &c., $7,500.

Mr. S. J. JACKSON. I did not understand the minister to include any amount for surveys in eastern Manitoba? Is there an amount for that purpose?

Mr. OLIVER. I have here, for fifty-four townships in southeastern Manitoba, $96,000; for forty-four townships near Lake Manitoba and Winnipeg, $70,000.

Mr, S. J. JACKSON. And east of Lake Winnipeg?

Mr. OLIVER. Nothing.

Mr. S. J. JACKSON. I would point out that in the eastern part of my constituency we have a district a hundred miles by fifty miles, practically unsettled. I think it would be advisable for the government to send a proportion of our immigrants to that country rather than to the prairies where there is likely to be a shortage of fuel, and thus have the people subjected to hardship. East of Lake Winnipeg there is a first-class soil, and the people could settle along rivers where there is fish, the country being an excellent one and most attractive for many settlers of the poorer class. In winter they would be employed in getting out cordwood. We have the St. Andrews' locks, to be finished in a year or two, which will afford means of communication. There are millions of cords of wood on Lake Winnipeg which will be required by the people of Winnipeg city. I would suggest to the minister that he consider the advisbility of subdividing fifty or sixty townships along the shore of Lake Winnipeg and back from the lake and along the rivers. There are exhausted timber limits there which can be cut over for cordwood. The settlers would find this a good thing to have, and many people from eastern Canada would prefer to settle there rather than on the open prairie.

Mr. SAM. HUGHES. Some years ago, I took the liberty of pointing out that, in addition to the wealth of timber of this locality, there is a great deal of good farming land east of Lake Winnipeg. Now, Lake Winnipeg is a shallow lake, the average depth being not more than sixty or seventy feet. The result is that in summer it becomes warmer than most lakes of its size. In the fall it retains this heat, and, the prevailing winds being from the west and northwest, the air is tempered by passing over the water. I am told by travellers and explorers that, on the eastern part of the lake referred to by the hon. member for Selkirk (Mr. S. J. Jackson), the country is free from frost for several weeks after the western country is closed up. In a few years this section will be well settled.

Mr. S. J. JACKSON. I know farmers in our district close to the lakes where they have never had frozen crops.

Mr. OLIVER. There is no doubt that we shall have to take that up another year. But everybody will agree, that, for the present, it is very desirable that we should close up that area of south-eastern Manitoba so that we shall be able to get a satisfactory settle-

ment with the province with regard to swamp lands.

Mr. FOSTER. A large part of this surveying is done by day's work. I understand the contract system, but I do not understand the other? Would the minister be kind enough to explain, generally, the procedure in that matter?

Mr. OLIVER. I am afraid I am not able to give all the details that the hon. gentleman (Mr. Foster) would like, but I have some facts, and if he wishes, the others can be given later on.

Mr. FOSTER. I suppose the first thing is to select a surveyor?

Mr. OLIVER. There are, of course, certain surveyors who come up to the requirements of the survey provisions of the Dominion Lands' Act. Out of that number we select such as we see fit, being guided by the demand, the qualifications of the men, and so on. The rate of pay for the surveyors for block-out lines, and special surveys, such as base lines and all the surveys upon which most depends and in which accuracy is most needed, is $7.50 a day, while in the field or in the office preparing their returns. They get an allowance also of $2.35 a day while in the field, making a total of $9.85 a day while in the field. When the surveyor is in the office his living allowance is $1 a day, making his total pay while in the office, $8.50. The allowance for rations to the assistant is 90 cents a day, and to the other members of the party, 65 cents a day.

Mr. FOSTER. What is the daily pay of the assistant and the others?

Mr. OLIVER. I have not that here. For ordinary surveys, subdivisions and so on upon whose accuracy so much does not depend, the pay of the surveyor in the field is $6.50 a day, with living allowance as in the other case. The rates allowed for surveys under contract are as follows:

	Per mile.
First class prairie	$ 7 00
Second class poplar and soft woods and prairie	13 00
Third class continuous woods, heavy underbrush	21 00
Extra rate for traverse lines	10 00
	Per pit
Allowance for pits and mounds in prairie	0 25
Allowance for pits and mounds in woods	0 40
	Per mile.
Allowance for astronomical determinations	15 00
Allowance for crossing marshes and rivers	4 00

Mr. FOSTER. Who determines whether it is open prairie or brush?

Mr. OLIVER. The surveyor makes his claim, and of course, his field notes show the character of the country. Of course, everything is subject to be inspected and checked —not only the survey, but the surveyor's claim as to the character of the country.

Mr. SAM. HUGHES. It would take very little extra work for these surveyors, in making the boundaries, to make more extended notes of the physical features of the country. I have often thought that the field notes might give a great deal more data than they do and without much extra trouble. For instance, where the line crosses a deep ravine, what is there to prevent them from marking that ravine on the map and giving its depth? I merely make this suggestion in respect to the township maps, that much more data could be noted upon them than we are now provided with.

Mr. OLIVER. The large township map could set out the physical features of the country.

Mr. FOSTER. I think that is a very good plain. You are out of initial expenses If a man is travelling over the ground and he notes these things and sees them, he can jot them down and put them where they will be useful. A great deal of pertinent information might be added without much trouble. Now you put your contract man on, and he gets so much per mile, then you are entirely rid of him with regard to all outfitting and all expense of every kind. He gets his own horses, his own food and outfit. Now, with reference to the principal men whom you pay—I do not know what the usual thing is, but I suppose these people cannot be surveying all the year, and they must be paid a pretty good rate while the survey lasts. It looks as if when you get up to $8 or $9 a day, it is a pretty good pay for a surveyor. But I suppose that is like some other trades, there is a great deal of the time when they are not engaged in surveying. But then the other point comes in; a number of those are in the inside work, after they get the outside work through, I notice their pay is also pretty large. You give them a living allowance and you give them pay about the same. Now, take one of these surveyors who is on the work, take his inside work and outside work, is he not employed nearly the whole year?

Mr. OLIVER. I think they are employed about nine months in the year, sometimes more, depending on circumstances. It takes them nearly as long to reproduce the results of their summer's work as to do the work.

Mr. FOSTER. If that is so, you are really paying these men a pretty handsome salary; it would foot up to about $2,500 a year if they were nine months engaged. I suppose for a professional man that is not too much. Then, with reference to the day's work people. You hire your surveyor, I suppose, and you hire an assistant as well. Then do they outfit themselves, bed and board and everything, out of those living expenses?

Mr. OLIVER. There is an outfit allowed, meaning by that, camp appliances, bedding and cooking utensils. But they look after their own food.

Mr. FOSTER. You provide them with food and you give them so much a day, you give them so much for living expenses, and that runs from 65 to 90 cents a day, and $2.75 for the head surveyor.

Mr. SAM. HUGHES. An engineer who goes in there and does his duty in surveying those townships is not too highly paid. With the addition of the little field notes I have drawn attention to, I am satisfied his survey would be very much more useful. The pay of nearly all these men is none too high.

Mr. FOSTER. I am not objecting at all about the pay.

Mr. OLIVER. The camp equipment is generally sold at the end of the season, tent and all, by auction.

Mr. SAM. HUGHES. Can the minister explain when he uses the one system of contract, and when the other system of employment?

Mr. OLIVER. The contract system is only used in subdividing the townships; that is to say, we employ these men on day's pay to run meridian lines, then we employ men on day's pay to run the base line; then we employ men on day's pay to run the outlines, who lay out the boundaries of the township. Then, that having been done, we employ men by contract to run the lines subdividing the sections within the township. If an error is made there it does not involve very serious consequences, whereas an incorrect survey of a base line or a meridian line would cause a serious difficulty in many townships.

Mr. STAPLES. Do you ever send out surveyors to replace the stakes that have been obliterated in certain townships? For instance, in the county of Macdonald there are several townships that have been swept over by fire and the stakes are completely obliterated; you will have considerable difficulty to ascertain where the boundary lines are. Do the department furnish surveys for that purpose?

Mr. OLIVER. Yes, we do, under such circumstances as stated by my hon. friend. We do make resurveys. One of these items under the heading of 'Miscellaneous Surveys' includes resurveys. But in the absence of the Surveyor General, I cannot speak definitely on this point. But there are very serious difficulties arising when we make a resurvey. A man who has accepted the survey that was made at first is very apt to resent a resurvey if that would in any degree affect the holding that he had already, and certainly if a man has secured his patent according to the old survey, I do not think we have any right to interfere with the original survey.

Mr. STAPLES. In this case the lines are completely obliterated and people cannot locate them. That particular locality is being settled up very quickly, they require the construction of roads and they are anxious to have the lines properly defined. There is a great deal of improvement going on this summer, appropriations have been made for the purpose of constructing roads there and I thought that all that would be necessary would be to have one of the surveyors sent out to do the work.

Mr. OLIVER. I do not know whether the case that my hon. friend mentions is one of those that we have in mind or not, but of course each case would have to rest upon its merits. It depends on the amount of destruction that has occurred to the old lines. If everything has been absolutely obliterated we would have to make a survey, but if there has only been a partial obliteration it is possible that the people can get along without a survey.

Mr. SAM. HUGHES. In the old days they used to put down wooden stakes.

Mr. S. J. JACKSON. It does not seem to be the policy of the department to make resurveys because I have had applications in for two years, and I have not been able to get many of them made. It has not been the policy in the past or at least since the present minister came in as I have not been able to get many townships resurveyed. It is in a bush country. In a bush country they are not quite so careful to put up mounds as they are on the prairie. I did get a township resurveyed two years ago but before it was undertaken the Surveyor General sent me a list of the men who were settled in that township and he asked me to send to them and get them to sign an agreement that in case the resurvey interfered with the old survey they would not hold the government liable for any damage that might occur. I do not think it has been the policy of the department in the past to make resurveys.

Mr. STAPLES. There is no doubt that it will depend on the merits of the case as to whether they send out a surveyor or not, and I am quite satisfied that the explanation which I have given in regard to the locality which I have named will be regarded as a sufficient warrant for sending out a surveyor. They are anxious to undertake considerable road making and I think it would be well to locate the lines thoroughly before they undertake this work. They completed a road last summer and there is a dispute as to whether it is on the road allowance at all or not. This particular locality was swamp land on which there was a very heavy growth of willow and grass and the

stakes are burned out. Two townships in particular are in the condition I speak of. I will make application if the minister will tell me to whom I should apply.

Mr. S. J. JACKSON. I would like to ask the minister if in a bush country the surveyor is instructed to put up a large mound the same as on the prairie. If these mounds are put up, even if the posts are burned out, the mounds remain.

Mr. OLIVER. There is no doubt that the posts are supposed to be mounted in the woods as well as on the prairie, but in the soft mucky soil that exists in many places in the woods the mound is partially destroyed.

Mr. S. J. JACKSON. Are you putting in iron posts as a rule now?

Mr. OLIVER. Yes.

Mr. S. J. JACKSON. At every section?

Mr. OLIVER. Yes.

Mr. S. J. JACKSON. At the half mile too?

Mr. OLIVER. Not at the half mile.

Mr. S. J. JACKSON. Just the mile?

Mr. OLIVER. Just the mile. If a township is fully settled by people it does not become the duty of the Dominion government to make a resurvey, because the land has passed out of the hands of the Dominion government. Then it becomes the business of the provincial government or the people themselves. But, if there is a considerable part of a township not taken up by settlers, inasmuch as the Dominion is responsible for the administration of Dominion lands, it is necessary that the Dominion should take proper means to enable them to find their boundaries. The Surveyor General is the official to apply to in that connection.

Dominion Lands, chargeable to income—protection of timber in Manitoba, Saskatchewan, Alberta, the Northwest Territories, and the railway belt in British Columbia ; tree culture in Manitoba, Saskatchewan and Alberta, and inspection and management of forest reserves, $83,000.

Mr. FOSTER. I would like the minister to give an explanation of that item, what is being done, and what new work is being undertaken?

Mr. OLIVER. I will first read the following statement :

Dominion Lands income—outside service salaries.

Amount asked in main estimates for the fiscal year 1907-8, $250,000.

The sum of $170,000 was voted for the fiscal year 1906-7 (a period of nine months) in connection with Dominion lands income, outside service salaries, and, at that rate, the amount of $226,666.66 would have been required for a period of twelve months.

The sum of $250,000 is asked in the main estimates for the fiscal year 1907-8, an increase of $23,333.34 for a corresponding period of twelve months.

The increase is chiefly due to the following cases :

1. To the great increase in the work connected with land matters at Ottawa which has necessitated many additions to the staff. This may be illustrated by the fact that 177,358 letters were written during 1906 in the Commissioner of Dominion Lands Branch at Ottawa, as against 122,856 in 1905, an increase of over 44 per cent; 15,081 applications for patent were dealt with in 1906 as against 10,197 in 1905 an increase of over 47 per cent; 11,817 new applications for patent were recorded in 1906 as against 7,698 in 1905, an increase of over 53 per cent ; 9,623 certificates of recommendation were issued in 1906 as against 6,788 in 1905, an increase of over 41 per cent; 12,370 letters patent were issued during the fiscal year 1905-6 as against 8,798 in 1904-5, an increase of over 40 per cent. The additions to the staff show an aggregate increase of $10,665.

2. Increase in salaries. The increase in the cost of living in the west, and more especially the great opportunities in the way of outside positions offered to young men possessed of a good education, have made it necessary to raise to a certain extent the scale of salaries of some of the 215 officials employed in the western provinces. A few annual increases have also been granted to some of the clerks at the head office. The total increase in salaries granted amounts to $9,900.

The trend of settlement has rendered it necessary to open subagencies at the following places to facilitate business transactions with the settlers, namely : Strasburg, Saskatchewan; North Battleford, Saskatchewan ; Herbert, Saskatchewan ; Stettler, Alberta ; Daysland, Alberta ; Lac Ste. Anne, Alberta ; Pembina Crossing, Alberta, and Eddison, Alberta. The total annual salaries paid to these subagents amounts to $2,760, total increases, $23,325.

Mr. FOSTER. What has been done in the way of protecting timber, tree culture and the protection of the forest reserves ; is there an extension of that service ?

Mr. OLIVER. Mr. Stewart who organized the tree culture and forest protection service severed his connection with the department some months ago as he received more attractive inducements elsewhere. Mr. Craig, the gentleman more particularly connected with tree culture in the west, has also done the same thing. We have replaced Mr. Stewart by Mr. R. H. Campbell who was at the head of the timber and mines branch and who was secretary of the Forestry Association of the Dominion. He is at the moment discharging the duty of the two positions, and his salary is $2,500. Mr. Stewart's salary was $3,000. We have not yet been able to replace Mr. Craig. As my hon. friend will see, his resignation somewhat disarranged matters and we have not made new arrangements yet. We hope in due course to make an expansion of the work according to the requirements of the country.

Mr. FOSTER. What took Mr. Stewart away ?

Mr. OLIVER. He is managing director of a large lumber concern in the province of Quebec.

Mr. FOSTER. The Dominion of Canada has just as large revenue and as great needs as any lumber company, and it is a question as to whether the country ought to be deprived of the services of the proper man for the sake of a few thousands of salary. It is not easy to get the proper man for certain kinds of work. A man who was really the man for the position, ought not to be allowed to go out of the service of the country if any reasonable inducement would keep him, because as the minister says, it is disorganizing the whole service, and you may not have another man in training, although that ought to be kept in view. If it is a mere difference in salary of a few thousand dollars, and the man is the man, it is poor economy for the Dominion to allow his services to be taken away. In the case of experts of that kind, I do not think the House would feel like cheese-paring. If the man was the proper man, the ordinary run of wages might have to be raised in order to keep him.

Mr. OLIVER. The hon. gentleman has taken a very fair view of the question and while we have tried to do all we could within the limits set by precedent, we find that in all our service we are being hampered in that respect. Under present conditions in the country, really good men whom the country needs most, can do better by severing their connection with the government in view of the scale of salaries we pay at the present time. That is a question well worthy the consideration of parliament. How we are going to solve the difficulty I do not know. In Mr. Stewart's case, the inducements to leave the service were such that we could hardly expect to meet them without disarranging the basis of employment of the service generally. It must be recognized that if we are going to retain in our service the men we need most we must pay them better than we do now.

Mr. FOSTER. I have from year to year called the attention of the minister to the system on which these appropriations are prepared, and I trust he will direct the attention of his department to the matter next year. In this appropriation we have contingencies, advertising, &c., and salaries, all in a lump into one vote of $163,333. That money is expended for various services, and the particular services ought to be detailed in the estimate so as to give the House a comparative idea of what is spent in each of these branches. That would also act as a deterrent in the matter of expense. It is possible in a vote of that kind for the minister to use up the whole of it in advertising. The House has a right to know how much money is appropriated for each one of these positions. This tendency of putting these items in a lump sum does not make towards good finance.

Mr. OLIVER. There is a good deal to be said in favour of what the hon. member has said, but I am only following the custom that has prevailed.

Mr. FOSTER. I would correct my hon. friend there. There has never been a time when you could not find divided votes under a general head, without their being specified; but the tendency is to come further and further down to a lump vote without specifications. A comparison between now and ten years ago, and still more between now and fifteen years ago, will show how that is worked.

Mr. OLIVER. For my part, I have no objection to dividing up the vote for Dominion lands.

Mr. FOSTER. What I consider a very great abuse sprang up because of that general vote on immigration. The House did not expect when you were putting through that vote, that you would be empowered by it to make a contract with a company for ten years involving an expenditure of hundreds of thousands of dollars. That is something on which there should be a policy settled by the House.

Mr. BERGERON. What does my hon. friend intend to do with regard to the protection of timber against fires?

Mr. OLIVER. That is one part of the duties of the Forestry branch. The other part is to do what may be done within reasonable limits for the reproduction of timber. Of course, the requirements of that western country are so immense that if I asked parliament for a sum that would be adequate to meet the actual requirements, it would probably stagger parliament. I must admit that we are only working around the edge, although we are doing some good. For my own part, I am a little doubtful as to how far we can go into the matter thoroughly, and economically. We have in that country immense areas of wood which have a peculiar value because of their proximity to correspondingly immense areas of prairie, and the wood is at times destroyed by the millions of dollars worth. The question is to get any means to prevent that. We might spend an enormous amount of money and yet not secure the protection we would wish.

Mr. BERGERON. What are the means taken to prevent these burnt areas of wood?

Mr. OLIVER. We employ forest rangers from time to time, during the season when fires are likely to take place, and they are expected as far as possible to see that fires are put out and are not allowed to run. When a fire once gets a start it is practically impossible to stop it. The most we can do is to caution or punish people who cause fires to start. The regulations with regard to forest fires are those of the provinces, and these men whom we employ are special police to apply those regulations.

Mr. BERGERON. It is a sad sight to see those immense areas of wood destroyed by fire.

Mr. OLIVER. It is very terrible, in view of the needs of that country for wood. The actual loss there from forest fires is probably altogether beyond the appreciation of even my hon. friend. A series of wet years are followed by a series of dry years. During the wet years there is a rank growth, and during the dry years the conditions are very favourable to fires, and then the destruction is something terrible.

At one o'clock committee took recess.

Committee resumed at three o'clock.

Dominion astronomical survey—salaries of technical officers and clerks, $15,305.

Mr. BERGERON. Is that the ordinary amount ?

Mr. OLIVER. Yes, with the statutory increase. The employees are : J. S. Plaskett, astronomer, present salary $2,050, increased to $2,087.50, being the statutory increase. J. Macara, chief computer, $1,850, increased to $1,887.50. Louis Gauthier, keeper of records, increased from $1,850 to $1,887.50. E. Simpson, secretary of council, increased from $1,550 to $1,587.50. R. M. Stewart, B.A., astronomer in charge of time service, present salary $1,350, increase $187.50.

Mr. BERGERON. Why this increase ?

Mr. OLIVER. I can hardly explain fully. It is intended to increase Mr. Stewart's salary to $1,600, or an increase of $250. F. A. McDiarmid to $1,450 ; and W. M. Tobey to $1,400.

Professor King reports that these men are very competent and that he has to pay these salaries for scientific men or he could not get the work done.

Mr. BERGERON. Will they be entitled to the statutory increase afterwards ?

Mr. OLIVER. Yes.

Mr. BERGERON. What will be the maximum of their salary?

Mr. OLIVER. It will be $1,900, which is the maximum of a first-class clerk.

Mr. BERGERON. How many altogether ?

Mr. OLIVER. Ten.

Mr. BERGERON. What is the work of that observatory ?

Mr. OLIVER. I am not able to say what the work of the observatory is. Dr. King has control of the boundary and astronomical survey which regulates the boundaries between Canada and the United States. That is what is called field work and then there is the work done in the observatory.

Mr. BERGERON. When they go on surveys they are paid all their expenses?

Mr. OLIVER. Yes.

Mr. BERGERON. Before we pass this item, I think we ought to have more particulars as to what really is the work done. The minister does not seem to know.

Mr. OLIVER. I am sorry that Dr. King is not here. He was here the night before last for the purpose of affording all the information that might be required. I cannot explain very well the technical or scientific work done in the observatory, but the operations in the field I am prepared to explain.

Dominion astronomical observatory—salaries of technical officers and clerks..	$ 15,305
Astronomical surveys — investigations and demarcations of the exterior boundaries of Canada, and the astronomical and geodetic work of the Department of the Interior, including contingent expenses of the Dominion astronomical observatory. Salaries of surveyors, their assistants, and temporary employees in the observatory may be paid out of this vote at rates exceeding $500 per annum, notwithstanding anything in the Civil Service Act..	244,000
	259,305

Mr. OLIVER. The survey of the boundary between the United States and Canada in British Columbia requires $35,000. This work consists of a resurvey and the placing of new monuments on the 49th parallel, under the agreement of 1902 with the United States. The operations so far have been confined to the portion of the boundary west of the summit of the Rocky mountains. There are monuments of stone and posts of bronze. The work has been very difficult from the mountainous character of the country. It is expected the mountainous portion will be fully completed this summer. All salaries of surveyors are covered by the amount stated, except that of the chief surveyor. Then for the Canadian and Alaska boundary, under the award of

1893, $41,000. This work consists of the demarcation of the boundary line near the Pacific coast, as defined by the tribunal of 1903. The work is difficult and slow, owing to the extremely mountainous character of the country. During the last three years the line has been surveyed at the most accessible places, but they have not yet reached those regions which are not on the regular routes of travel. Four survey parties are employed on the work, the United States employing a similar number. This boundary line follows partly the summit of the mountain range and partly the sinuosities of the coast, at a certain distance from the coast. So it is a most intricate piece of work. The two survey parties work in conjunction, so that the result will be satisfactory to both countries. The hon. gentleman can understand that a demarcation which is necessary at the summit of a mountain range covered with perpetual snow is a somewhat difficult operation, and involves the transport of supplies and instruments. There are four surveyors, each surveyor having under him a party of men. Then there are operations being carried on on the international boundary line between Quebec and New Brunswick and the adjacent states requiring $25,000. That is similar to the work on the 29th parallel, and consists in resurveying and remonumenting the international boundary line. The United States was asked by Canada in 1900 to co-operate with this work. An agreement was reached last year, and the work begun in August last on the northeast corner of the state of Vermont. The Canadian and the United States surveyors are employed in working together. About 35 miles have been marked. Then $50,000 is asked for demarking the 141st meridian between Alaska and the Yukon. Last year a convention was made with the United States for the survey of this line. The commissioners have been appointed, Mr. King on behalf of Canada and Mr. Jittman on behalf of the United States. They have already completed the division to a point at the crossing of the Yukon river. It is proposed during the coming season to survey a line south with all speed, to reach the head of the White river, where it is understood mining operations are carried on close to the boundary line.

Mr. BERGERON. The hon. gentleman need not read these details. I want to know how many parties we have out altogether, when did they commence work and when did they finish?

Mr. OLIVER. There are no parties out at the present time. They work only during the summer season, and they have not started on the spring's work. They send their work here to the Dominion observatory, where the officers condense it and prepare it for the report—is that correct?

Mr. OLIVER.

Mr. BERGERON. That is as I understand it.

Mr. HENDERSON. What is the object of resurveying the line between Vermont and the province of Quebec? I thought that had been done and iron stakes driven long ago to mark the line.

Mr. OLIVER. It was done long ago, but, for some reason, the line was not satisfactory to the two countries concerned. I have already stated that an agreement was arrived at between Canada and the United States a year or two ago to have a resurvey. Arrangements were finally concluded only last year and we are asking for a vote this year to carry out the work.

Mr. HENDERSON. Is any change being made in the boundary line?

Mr. OLIVER. No. There may possibly have been inaccuracies in the original description, or the line as originally defined may have become defaced in one way or another—the monuments or marks may have been lost, so that renewal of them is necessary. And for all this it is necessary to actually and accurately relocate the line.

Mr. HENDERSON. At any place where I have been on the boundary I have found iron stakes driven which seemed to me to be of a permanent character and sufficient for a great length of time. I should dislike it very much if we were giving away a part of our territory.

Mr. OLIVER. I am not in a position to discuss that feature of the case. I assume that the matter received due consideration at the time. I am merely informing the House that the two governents having come to the conclusion that the work was necessary this vote is asked to carry out the work.

Government of the Northwest Territories—	
Salary of Fred. White as Commissioner of the Northwest Territories, notwithstanding anything in the Civil Service Act..	$1,000
Clerical assistance, notwithstanding anything in the Civil Service Act..	600
Schools..	2,500
Relief to destitute..	500
Maintenance of insane patients..	1,000
Maintenance of prisoners..	1,000
Miscellaneous expenses..	1,400
Total..	8,000

Mr. BERGERON. What is now called the Northwest Territories?

Mr. OLIVER. That residue of the Dominion which is not included in the organized government of the provinces or the Yukon Territory.

Mr. BERGERON. What population has it ?

Mr. OLIVER. I have no definite information on that point. I believe there is an

estimated population of the census. At one time this was described as the territories of Mackenzie, Keewatin, Franklin and Ungava.

Mr. BERGERON. That is under the Department of the Interior?

Mr. OLIVER. Yes.

Mr. BERGERON. What has Mr. White to do with it?

Mr. OLIVER. He is a commissioner.

Mr. BERGERON. He occupies the two positions?

Mr. OLIVER. Yes.

Government of the Northwest Territories—Salary of Fred. White as Commissioner of the Northwest Territories from 1st September, 1905, to the 31st of March, 1907, at $1,000 per annum, notwithstanding anything in the Civil Service Act, $1,583.33.

Mr. BLAIN. Is this the same salary as before?

Mr. OLIVER. This is to give Mr. White the amount which had accrued to him, but for which provision was not made.

Miscellaneous—maintenance, construction of roads, bridges and other necessary works in connection with the Hot Spring reservation near Banff station, Alberta, $34,000.

Mr. SPROULE. There seems to be quite an increase here?

Mr. OLIVER. The sum of $21,285 was voted for the nine months ending the 31st of March, 1907, being at the rate of $28,380 per annum. This vote for the next fiscal year is $34,000, an increase of $5,600 for the current year. Of this estimate the sum of $19,000 is for maintenance and $15,000 for new work. The revenue of the park from all sources is $14,044.55 for the fiscal year 1904-5.

Mr. BERGERON. How is that made up?

Mr. OLIVER. There are many sources. The rent yields $4,155.75—that is for the leased grounds—timber dues, $1,405.57; water rates, $200; cave and basin (tickets) $1,885.75; hot springs (tickets), $719.50. There are revenues also from dog licenses, livery licenses and so on.

Mr. SAM. HUGHES. Does the government control this sulphur hot water?

Mr. OLIVER. Yes, they control the water, and it is on that account that the income is received from sale of tickets.

Mr. SAM. HUGHES. Does the government own the buildings?

Mr. OLIVER. Yes, the government owns the buildings at the cave and basin and also at the hot springs.

Mr. BERGERON. You have to pay salaries to the employees I suppose?

Mr. OLIVER. Yes, that comes under the vote for maintenance.

Construction of roads, bridle paths, and other necessary works, in connection with the Yoho Park and immediate vicinity, $10,000.

Mr. BERGERON. Where is this park?

Mr. OLIVER. While Banff park is on the east side of the summit Yoho park is on the west side. Yoho park, therefore, is in British Columbia and under different jurisdiction from the other. The Dominion government has retained to itself certain special authority in the government and control of Banff park which it does not have in Yoho park, which is under British Columbia authority. Therefore, though the parks adjoin, it is not well to include them as being actually one park.

Mr. BERGERON. Banff park, then, is in Alberta? Is there not also the local government there?

Mr. OLIVER. Of course, there are points at which the jurisdiction of the province and the Dominion in the park necessarily touch. So far we have not had any difficulty.

Mr. SAM. HUGHES. Who controls the liquor licenses?

Mr. OLIVER. The local government.

Mr. SAM. HUGHES. Is that near Field?

Mr. OLIVER. Field is the capital, so to speak, of Yoho park. It is said that the scenic attractions are greater than in Banff park.

Cost of litigation, $11,000.

Mr. BOYCE. What litigation is this?

Mr. OLIVER. The sum of $250 was voted for the nine months ending 31st March, 1907, which is at the rate of $11,000 per annum. No increase is therefore asked for the next fiscal year. The money is required to pay costs of matters relating to disputed cases in connection with Dominion lands, timber and grazing leases in Manitoba, Alberta and Saskatchewan, mining cases in the Yukon Territory, or other questions which may arise during the period for which this estimate is prepared.

Mr. SPROULE. Is it out of this that you paid the Blairmore case?

Mr. OLIVER. It is not out of this vote but out of a corresponding vote that that was paid.

Mr. HENDERSON. Blairmore has nothing to do with the park?

Mr. OLIVER. No, we have passed from the park.

Mr. SAM. HUGHES. Are the waters of Lake Louise included in Banff park?

Mr. OLIVER. Yes, Banff park runs to the summit of the Rockies.

Mr. BERGERON. I thought the Canadian Pacific Railway owned the chalet on Lake Louise ?

Mr. OLIVER. Yes. We have done nothing at Lake Louise except to build the road. They provide the buildings. In fact, most of the Dominion government's work in the park is the improvement of roads and where they step aside from that is in dealing with the hot springs and in controlling the little town which is specially under their jurisdiction and not under provincial jurisdiction.

Mr. BERGERON. I suppose the government keeps the roads in order ?

Mr. OLIVER. Yes.

Engraving, lithographing and printing maps of the Dominion and the Northwest Territories, $40,000.

Mr. BERGERON. I hope my hon. friend will keep that work up, I think it is a very useful one and I wish that copies of these maps were sent to every school in the country. That is the best way to teach children what kind of a country we have.

Mr. DANIEL. How many maps does this amount provide for ?

Mr. SPROULE. What distribution of these maps do you make ?

Mr. BERGERON. The department has been very kind in so far as I know in supplying these maps to schools and educational institutions throughout the country. The maps which I procured from the department I sent to schools in my county and the teachers could not say too much in appreciation of them, because the children are very fond of looking at them and they learn a great deal from them.

Mr. SPROULE. What disposition do you make of the atlas ?

Mr. OLIVER. We have not yet arranged our system of distribution. The atlas is so very expensive and is of such a character that I do not think we will be able to make a distribution to what I might call private persons. What we propose to do is to distribute it amongst educational institutions, beginning at the top and going down as far as we have atlases to go.

Mr. SPROULE. What number have you issued ?

Mr. OLIVER. We gave an order for the printing of 6,000 and we have the issue now under order for binding, but of course we only get them from time to time. We got the first instalment a little while ago which was distributed amongst members and senators and we expect another instalment shortly. When that instalment arrives we will have our arrangements made as to what will be distributed, and the distribution will be made on that basis. If possible we will include public libraries of the larger and more important class, but I think, owing to the character of the atlas, it will be of more use to educational institutions than to any one else.

Mr. SPROULE. You are only getting out 6,000 in all ?

Mr. OLIVER. Yes.

Mr. SINCLAIR. I would like to draw the minister's attention to the fact that the school map pays very little attention to the eastern coast of Canada. It is chiefly made for the west and complaints have reached me that some important places on the Atlantic coast are not noticed at all on this map. For instance, there is a great harbour in my own county known as Country harbour, one of the best harbours on the Atlantic coast. There are a few great harbours in Nova Scotia, such as Halifax, Sydney, Louisburg and Country Harbour. There is an absolute blank at the place where Country harbour ought to be and a number of other large harbours on the coast of Nova Scotia are not noticed at all. In some places that I know of teachers have refused to hang the map in the schoolhouse because it ignores important places in eastern Canada, and I hope the minister will find some person who has a little more geographical knowledge of eastern Canada.

Mr. BERGERON. If you send them a copy of the estimates they will know where all the wharfs and harbours are.

Mr. DANIEL. I noticed that one of the maps in the atlas was supposed to contain the racial characteristics of the people who inhabit the different counties of the various provinces. I noticed that St. John county was painted green. I looked to see what that meant and it meant that the county of St. John was inhabited by Irishmen. While there are a number of Irish in the county of St. John they are far from being the majority and every one knows that the city of St. John itself was settled by Loyalists. If the other counties of the Dominion are no more correct as far as the racial characteristics of their populations are concerned, then I think it will lead to misunderstanding rather than to the dissemination of correct information.

Mr. ARMSTRONG. If my hon. friend is attempting to cast any reflection in any way upon the Irish I wish to make an objection.

Mr. SPROULE. I think I have just ground for complaining because I know there are a lot of Orangemen down there and I think there should be something to indicate that.

Mr. DANIEL. As far as the Orangemen are concerned I think they are mostly Irishmen as well.

Mr. BERGERON. But there is a little bit of yellow among the green.

Mr. OLIVER. In looking over that map I noticed a little thing similar to what my

hon. friend points out and the way it arises is this : The geographer has taken the census and coloured the different districts according to his classification in accordance with the majority in each area. He has made a division of English, Scotch, Irish, French and German, and by dividing the English, Scotch and Irish separately it rather gives the impression that possibly the German or French are in the majority over the English when it is not the case. He has made a good attempt to give a great deal of information in very plain form, but perhaps his attempt is not as successful as we would wish it to be. However, that is how it occurs.

Mr. BERGERON. What is the colour of the French-Canadian ?

Mr. OLIVER. I do not know, really. But that is how he made the division.

Immigration—additional amount required for general immigration expenses, including British and continental bonuses and commissions, $100,000.

Mr. BERGERON. Where does this money go ?

Mr. OLIVER. The continental bonuses, $25,000 ; British bonuses, $25,000 ; commission and expenses locating farm labourers, eastern Canada, $50,000.

Mr. BERGERON. Nothing for the North Atlantic Trading Company ?

Mr. OLIVER. No.

Mr. SPROULE. What are you going to do about the North Atlantic Trading Company ?

Mr. OLIVER. We are going to pay them all we owe them, and that is all.

Mr. SPROULE. They claim the right to continue under their agreement ; what is the government going to do about that?

Mr. OLIVER. We declined to take that view. We gave them notice that on a certain day we would not pay bonuses on immigrants arriving in Canada under their auspices, and it is for them to make the next move.

Mr. SPROULE. Is the date up ?

Mr. OLIVER. Yes, since the 1st of November.

Mr. BERGERON. When you say you will pay them all you owe them; does that include printing ?

Mr. OLIVER. No.

Mr. BERGERON. What amount do you owe ?

Mr. OLIVER. They claim we owe them on 1,500 immigrants and we do not admit that. That is the amount in dispute but we hope to have it settled shortly.

Mr. BENNETT. What will they do if you don't pay them ; suicide ?

Expenses of deporting undesirable immigrants, $2,000.

Mr. SPROULE. How many were deported ?

Mr. OLIVER. A day or two ago there were 137 so far. Under the Act of last session we were allowed to go back two years to deport undesirable immigrants, and it is not likely we will have to make as large a deportation in the future.

Mr. SPROULE. If you do not exercise greater caution than you do, you will.

Mr. OLIVER. The fact that we are taking active steps to deport, will I think deter charitable institutions and others from sending undesirables.

Mr. BERGERON. I suppose your agents are ordered to be careful that no undesirable immigrants come in ?

Mr. OLIVER. Undoubtedly, but in the hurry of examination at the ports we may not detect them all.

Expenses incidental to freight blockade in western provinces ; fuel, provisions and seed grain, $30,000.

Mr. BERGERON. How did you ascertain this amount ?

Mr. OLIVER. This undertaking was entered into in February last, and while the accounts are not altogether closed, we have an idea that this will meet the expense.

Mr. SPROULE. By whom is the expenditure controlled ?

Mr. OLIVER. By Mr. Scott of the immigration branch here, and Mr. C. W. Speers has had active control.

Mr. SPROULE. Are you buying much seed grain ?

Mr. OLIVER. 10,000 bushels of oats, 5,000 bushels of wheat and 3,000 bushels of potatoes.

Government of the Yukon Territory, $100,000.

Mr. BENNETT. Have you a governor yet for the Yukon, or are the advertisements still out ?

Mr. OLIVER. We have not opened the tenders yet.

Mr. BERGERON. When are you going to appoint him ?

Mr. OLIVER. In plenty of time to get in by the opening of navigation.

Mr. BERGERON. Things seem to be going on pretty well there.

Mr. OLIVER. The country was very well run under the late commissioner, and it can keep on going for a little while.

Mr. SPROULE. Last session I brought to the attention of the Prime Minister a somewhat lengthy complaint in regard to the administration of justice in the Yukon and he promised to look into it. Were it not that we are drawing so close to the end of the session, I would ask the Minister of the Interior to give us a history of that matter.

Amount required to pay balance of accounts in connection with the construction of a waterworks and sewerage system at Banff, Alberta, $14,000.

Mr. DANIEL. Will the minister explain how it is that the Dominion government is providing water and sewerage works in one of the provinces of the Dominion?

Mr. OLIVER. It is in pursuance of a policy adopted by the previous government, which established the Banff Park as a recreation ground for the whole people of Canada, and assumed the responsibility for carrying on the local government of the park, in order that the Dominion might have absolute control of it.

Mr. BERGERON. Do the government charge anything to the people who are living there in the way of compensation for these expenditures?

Mr. OLIVER. Yes, we have a scale of rates for water.

Mr. BERGERON. Are the animals in the park increasing?

Mr. OLIVER. They are. There was an increase of fourteen last year.

Mr. BENNETT. Is Mr. Congdon still in the employ of the department at the Yukon?

Mr. OLIVER. No, he resigned some little time ago.

Indians, Ontario and Quebec—to provide a further amount for medical attendance, seed and relief, $1,500.

Mr. BENNETT. I want to congratulate the minister on taking the advice—may I say it not egotistically—of myself by opening to public sale the islands belonging to the Indians on the Georgian bay. I think the Indians will appreciate that, and the fair-minded portion of the rest of the community up there will appreciate it also. Had the department pursued that policy during the last ten years, the Indian funds there would have been augmented by tens of thousands of dollars. It has been a standing disgrace that these islands have been given away to political friends of the government, and I congratulate the minister on selling what he sold last year at public auction, and I hope he will stick to that line of policy.

Mr. BOYCE. I hope I shall be able next session to extend my congratulations to the minister on opening up the Indian lands in West Algoma. Petitions from Sault Ste. Marie have been filed pointing out that a large tract of land included in the Garden River Indian reserve is not available for settlement. It lies in the midst of a very valuable tract of country. There has been no difficulty in opening the Indian reserve between North Bay and Sturgeon Falls, which had to a large extent retarded cultivation. There are very strong reasons indeed why the reserve east of Sault Ste. Marie should be opened. It has been lying for years in an undeveloped state. If the minister would take it into his serious consideration, he would confer a great boon on those people, and remove what is undoubtedly at the present time a bar to the advancement of that country.

Mr. HERRON. Has any progress been made with regard to opening up that portion of the Blood reserve which is near the town of Cardston?

Mr. OLIVER. The inspector has been instructed to enter into negotiation with the Indians with a view of securing the surrender of a strip, the balance of the township on the south side of the Blood reserve. In regard to the Sault Ste. Marie reserve, I will take note of what my hon. friend said. Of course, it goes without saying that it is very desirable to secure the surrender of that reserve, but it is not as easy as it appears. In regard to the surrender of the reserve lying near North Bay, the department made three attempts at that before they were successful, the negotiations extending over several years. However, we were successful ultimately in arriving at a fair and satisfactory settlement with the Indians. The Bill which the House was good enough to agree to last session, giving us a little more freedom in dealing with the Indians, has been of considerable assistance.

Mr. CLEMENTS. I want to draw the minister's attention to a matter in the district I come from. I refer to St. Antoine's Island, Lake St. Clair district. The information I have is that this island, which is an Indian island, has been leased to a number of gentlemen who can afford to keep up a club. I understand that the Minister of Public Works is one of them. I want to say that there is great complaint that those who have leased the island are taking in a great deal more of the marsh lands than really belong to it. I draw this to the attention of the minister, so that if the question comes up before his department, he will see that the public is protected.

Mr. SPROULE. How much rent are they paying?

Mr. CLEMENTS. I think $700 a year.

Mr. ARMSTRONG. I have been collecting information with regard to the Indian Department the last couple of years, and hoped I would have had the time this session to give it to the House. But I want now to urge the necessity of not disposing of an acre of Indian lands except by public auction. It is disgraceful to find that tens of thousands of acres have been sold at ten cents and twenty cents an acre, and islands sold at $1 apiece. Of 550,000 acres, practically 500,000 acres were sold without being put up to public auction or tender. They were sold at private sale or at an upset price fixed by the department. I have not the time to go into that matter this session, but I sincerely hope that the hon. minister will see that not another acre or island is disposed of except at public auction or by public tender at the highest price obtainable. As regards the schools, a number of men have been urging on the minister within the last few weeks the necessity of looking into the Indian schools throughout the Dominion. This investigation is required because of the careless and reckless manner in which the Indian schools are conducted. It is a shame and a disgrace to see them so badly conducted and the money at the disposal of the Indian Department wasted. I am satisfied that if the minister will investigate, he will not allow this condition of affairs to continue.

Mr. LALOR. I want to congratulate the hon. minister on some changes he has made in connection with the Indian schools. I represent a county in which a large portion of the Six Indian Nations are located. Previous to the present minister taking office, the schools upon the reserve were not permitted to use the text books of the province of Ontario as the other schools in the county do. Neither did they have the advantage of the inspection by the inspector nor were they permitted even to have qualified teachers on the reserve. They had to use as text books an old set which had been in use forty years ago, and it was utterly impossible for the children to pass a public school examination for admission to the high school. But I am glad to see that the minister has changed that condition, and has permitted these advantages to be enjoyed by the Indian children. But instead of permitting the enjoyment of these advantages, I hope he will make it absolute law that they shall have these advantages in the future. The use of the Ontario text books is only permissible now, but it ought to be made compulsory. There should also be compulsory inspection, and qualified teachers. If he makes these changes compulsory, he will make a splendid move in the right direction, and I want to compliment him on all the changes he has made.

Mr. BENNETT. Has the celebrated Dugas reserve on the French river yet been surrendered?

Mr. OLIVER. No.

Mr. BENNETT. When there is question of surrender, the minister should use extreme caution before disposing of that reserve. That timber is worth over half a million dollars and many a weary pilgrimage has been made to Ottawa within the last ten years in that direction.

Mr. OLIVER. I assume the hon. gentleman means that it would be desirable in the public interest that the timber should be sold.

Mr. BENNETT. Not necessarily, but I am pointing out that it should not be sold without the minister taking every means to get the best price.

Mr. OLIVER. There is always danger of fire, and it would be a loss to the country as well as to the Indians if that timber should be destroyed by fire. Therefore I think it would be desirable to secure a surrender and then put the timber up to the highest bidder. That is one of the cases in which it is clearly in the public interest, as well as that of the Indians, that a sale should be made. But so far it has been absolutely impossible to get the consent of the Indians. We cannot deal with them except with the fullest possible respect for their rights; and when rights are accompanied by prejudices, it is very difficult to come to an agreement. As regards the sales of Indian lands, we have sold something like 220,000 acres of Indian lands within the last few years by public competition and have secured surrender of parts of two more reserves, which will add about 100,000 acres more to that amount. The policy of the department is distinctly to sell the Indian lands at public competition.

Mr. BOYCE. It has not been always so.

Mr. OLIVER. I cannot answer as to that. There are occasions when it is possibly not the best policy to do so. For instance, when it is only a very small island of not very great value, it is probably the best policy to sell it at a valuation, but the rule I have adopted is that if the valuation is $100 or over the islands must be sold by public competition.

Mr. BENNETT. Who makes the valuation?

Mr. OLIVER. The inspector of the Indian Department. An inspection was made some years ago and a valuation, and we intend having another inspection made. I do not want to claim credit where credit is not due, but I am stating what my idea was. Where the valuation is over $100, we say it must be by public competition, where

it is less we think it may be sold at a valuation. In regard to Indian education——

Mr. BENNETT. I can tell the minister that there should be no sales by valuation on these islands in the Georgian bay—it should be fair open, public tender. I can tell him that one island has been sold to political friends of hon. gentlemen opposite for $200 on which they will realize $4,000 or $5,000 selling out the island in lots of $100 or $200 each.

Mr. ARMSTRONG. There is the same state of affairs on the St. Lawrence.

Mr. OLIVER. I was about to say, that there is no question with which the government in Canada has to deal that is more difficult than the question of Indian education. It is an old saying that one man can lead a horse to water, but twenty men cannot make him drink. When you are trying to educate a people who do not want to be educated, the problem is certainly a difficult one.

Mr. MORIN. Like waking a man up when he is not asleep.

Mr. OLIVER. Something of that nature. We are doing the best we can. We have had a number of conferences with people who are interested in the subject. And I beg to assure the House that if we have not done better it is not because of lack of intention or desire, but because of the great difficulties of the situation.

Mr. BOYCE. I do not desire to delay the committee, but I would like to mention that there are whole townships of Indian lands in Algoma which have recently been disposed of without competition and on valuations which are open to severe criticism and censure. In excess of 50,000 acres of some of the best timber lands in Algoma have been disposed of to very close friends of the government at ridiculous and absurd figures. One of these sales has recently been the subject of a question on the order paper. The sale is not yet closed. It is made to Pembroke parties and the lands are in Vankoughnet and other townships. The Deputy Superintendent General will be able to advise the minister about it. The terms of sale nominally provide for the most stringent conditions. But, standing here as the representative of West Algoma, I want to say to the minister that I am informed in the most positive manner by men who have travelled these woods for the past eight years, that these conditions have not been fulfilled—not one iota. Yet these men are applying for their patents, and say they intend to get them. I ask the minister to look into the case. Three years have gone by, yet I am told on the most satisfactory authority, the authority of men who reside in the neighbourhood, that the conditions, involving colonization, the erection of mills and so on, have not only not been fulfilled, but have been absolutely ignored. I have two cases now in mind in which the land was bought simply for purposes of speculation and by close friends of the government. The object is to traffic in the timber and in the lands. I purpose, next session, drawing attention to some of these transactions which are of the most outrageous character, transactions by which friends of the government have been enabled to realize tremendous profits, by simply turning over the privileges that have been transferred to them.

Mr. BENNETT. Who is to be appointed to this position of inspector and valuator on Mantoulin Island, at a salary of $1,200 ? No doubt somebody is ready for the position and that, in fact, the salary has been provided for the man.

Mr. OLIVER. The appointee is Mr. John Fraser, of Gore Bay. The appointment is made necessary by the fact that there is considerable timber under license in this district, and also 4,000 acres of unsold surrendered lands, and great care has to be exercised in administering the timber and lands and to settle disputes arising between the holders and the settlers.

Mr. BENNETT. The department has Indian agents strung all along that shore. Why cannot one of them perform these duties ?

Mr. OLIVER. We have not found Indian agents satisfactory for this service. An Indian agent is supposed to be a good man to handle Indians and he may not be a good man to handle timber speculators. Where the interests are important, there should be some person who would be directly and unquestionably responsible to us. To avoid the conditions that my hon. friend from East Algoma (Mr. Boyce) has alluded to, we want some officials who will see to it that the conditions imposed are faithfully acted up to, a man whom we can hold absolutely responsible.

Mr. BOYCE. Did Mr. Fraser hold an office under the late Ontario government ?

Mr. OLIVER. I cannot answer that.

Mr. BOYCE. Who is the inspector and valuator for Algoma ?

Mr. OLIVER. It is proposed that this gentleman shall be the timber inspector and valuator for Algoma—he is now.

Mr. BOYCE. When was he appointed ?

Mr. OLIVER. In February of this year.

Mr. BOYCE. Who occupied the office before that ?

Mr. OLIVER. Nobody.

Mr. BENNETT. How are these valuations made ?

Mr. OLIVER. The valuations were made by Mr. McCaulay, who was especially appointed for that purpose.

Mr. BENNETT. I do not know Mr. Fraser at all, but he comes from a suspicious part of the country when he comes from Algoma. I submit that when he makes a valuation, an independent valuation should be made by the local agent as well.

Mr. OLIVER. That would be all right.

Mr. BENNETT. There are two or three local agents whose opinions I would as soon have as that of Mr. Fraser or anybody else.

Mr. HERRON. Have any steps been taken to preserve the game in the Rocky Mountains south of the Crow's Nest Pass, which is being exterminated by the Stoney Indians? It will be remembered that during the past year, four or five hundred deer were slaughtered within a few miles of Pincher Creek.

Mr. OLIVER. That is under the jurisdiction of the provincial governments.

Mr. HERRON. But this government controls the Indians, and it is the Stoney Indians who are exterminating the game.

Mr. OLIVER. The Indians are subject to the game laws of the province, just as white men are.

Mr. ARMSTRONG. I would like to ask the minister how it is that in Ontario and Quebec there are only $126,000 spent for all purposes, while in Manitoba, Saskatchewan and Alberta there are $783,000?

Mr. OLIVER. The reason is that the Indians of Ontario and Quebec, a large number of them, are not under the same treaty stipulations as the Indians of the west. The Dominion government has different responsibilities in regard to Indians in different parts of the country. The conditions of the Indians of Ontario and Quebec are not at all parallel to those of the Northwest Territories. Although it would appear that the Dominion government was dealing more generously with the Indians of the west than with the Indians of the east, as a matter of fact, according to treaty obligations, they are dealing more generously with the Indians of the east, because we are not under treaty obligations to give the Indians of the east a large part of the assistance we are giving them, whereas the Dominion government is under treaty obligations to give assistance in large measure to the Indians of the west. The Indians of the east have been under civilizing influences for a hundred years, the Indians of the west have not been under civilizing influences for anything like that length of time.

To provide for expenses in connection with the Babine investigation, $2,000.

Mr. OLIVER. That was a difficulty which arose last fall in the northern part of British Columbia between the Indians of the Babine band and officials of the Marine Department. The difficulty arose in connection with the fisheries upon which these Babines depend for their sustenance. There were alarmist reports of a somewhat serious condition of affairs for a time, and it was thought advisable to have a discussion direct between the Indians and the officials of the department in Ottawa. So arrangements were made whereby the chief and two members of his band, with an interpreter, should come down here and discuss the question with the officials of the Marine Department with a view of arriving at a solution. This is to pay the expenses incurred thereby.

Mr. BOYCE. Was any fee paid to any official of the Indian Department in that connection?

Mr. OLIVER. Certain officials of the Fisheries Department had to be brought down, whose expenses had to be paid by the Marine and Fisheries Department.

Indians—Ontario and Quebec, $126,090.

Mr. R. L. BORDEN. I would like to ask the minister one question about the disposal of timber limits belonging to the Dominion on Indian reserves. Do you sell the land outright or do you lease the right to cut timber under regulations and conditions?

Mr. OLIVER. If we deal with the timber separate from the land, we deal with it practically in the same way as we deal with the public domain of the country, that is, we put it up to competition, and the person making the highest bid gets the timber and pays dues on what he cuts.

Mr. R. L. BORDEN. Do you endeavour so to arrange it that you can get a perpetual crop off the land? The minister knows the work that has been done, or attempted to be done, by the Forestry Association in educating the public in the proper way to deal with timber limits. It would seem to me that a very good object-lesson might be given if these timber lands could be dealt with in that way. The minister knows from the discussion which took place before the Forestry Association, how these lands are dealt with in some parts of Europe. They are great national assets, and are dealt with in such a way that a crop is produced from them year after year. They are timber lands in perpetuity, yielding an annual crop. It would seem to be a desirable thing that, not only these timber lands, but all timber lands should be dealt with in that way. I remember one illustration that was mentioned at the meeting of the Forestry Association about a year and a half

ago. A small mountainous tract in the kingdom of Saxon had yielded what seemed to us an enormous revenue to that kingdom for more than a hundred years, simply because reasonable precaution had been taken as to the conditions under which the timber should be cut.

Mr. OLIVER. I am afraid that up to the present time we have not dealt with the situation as my hon. friend has suggested, except to limit the size of the timber that might be cut. We do not allow timber to be cut under nine to ten inches, so it continues to grow. But we have not systematized our regulations in the manner my hon. friend has suggested, and as very likely we ought to do, that is, regulating the cutting so as to provide for reproduction. That is a matter that will be considered in view of the hon. gentleman's suggestion.

Mr. SPROULE. Is there any provision made whereby you increase the royalty from time to time as the value of timber goes up? I have always regarded the system of both the provincial government and the Dominion government as a wasteful one in this respect. You sell the timber at a bonus, and that bonus is proportioned to the value of the timber at the time of sale, and it is provided that the royalty shall be paid as well from year to year though they frequently reserve the right to increase the royalty, it is seldom increased. I think that is an absolute waste of what belongs to the public. The royalty should be increased on the cut as the price of timber goes up.

Mr. OLIVER. I am informed there is a provision which would permit the government to increase the royalty, but I am not sure they have ever taken advantage of it. In the case of pine they have increased the duty from 75 cents to $1.40. We have not made the attempt to carry out the principle my hon. friend is suggesting, that is to say, we have not raised the royalty from year to year in proportion to the increase in the price of lumber. Of course a man who buys a limit and has paid the price on a certain basis, would probably think it unfair to him to increase the royalty subsequently.

Mr. SPROULE. I cannot agree with that, because that timber is bought with the distinct understanding and announcement that the government have the right to increase the royalty from time to time as the price of timber goes up. Therefore no injustice is done to him. He buys the timber on the basis of the present valuation, knowing that the timber is liable to double or treble in price and that he is liable to pay the increased royalty. On our timber in Ontario timber licenses have been granted, some of them fifty years ago, covering great areas, for which a very small amount of money was paid, and although the licenses are renewable from year to year they are practically made in perpetuity. Only once in all that time has the royalty been increased something like 75 cents per thousand feet. As between the time when that license was given and to-day the timber is worth probably four or five times as much. How can it be defended? Yet we will give away what belongs either to the country or the Indians upon that basis and allow what ought to be preserved for the benefit of the Indians of the province to pass to an individual who has leased it under conditions which are not the same as those which prevail to-day. I think it is a most unjustifiable thing for any government to deal in this way with the assets of the country that are in trust for the time being.

Indians, relief, medical attendance and medicines—Ontario, $6,000.

Mr. BENNETT. May I ask the minister how our old friend Giant's Tomb is getting along? Have any more fillibusters been approaching it lately?

Mr. OLIVER. I think that the pirates have rather been scared off. I am informed that we have not had any correspondence since last session.

Mr. BOYCE. I would like to ask the minister what department is liable for the maintenance of roads across Indian reserves? I think there was some correspondence in regard to a road which crosses the Garden Indian reserve. There is a bridge broken down, and it is really very dangerous to traffic. An official of either this government or the Ontario government sent a quantity of timber there to repair the bridge, but nothing has been done. I refer to Beaver creek bridge. I think there is some question of jurisdiction as to the maintenance of roads on Indian reserves.

Mr. OLIVER. This government has all jurisdiction in regard to matters within the Indian reserve, which includes roads, but at the same time there must always be room for what might be called a conflict of interests, which would require an approach between the local government and the Dominion government in regard to these matters. Probably the bridge in question is an instance of the desirability of an understanding between the provincial and Dominion governments.

Mr. BOYCE. It is an Ontario government road that traverses the reserve.

Mr. OLIVER. That is the point. We have jurisdiction over the territory occupied by the Indians for the benefit of the Indians. Our right is to exercise jurisdiction over it for the benefit of the Indians, and if the road or the work on the road is for the benefit of the reserve this responsibility is on us, but if the benefit is to the people who are not on the reserve, then there is a clash of interests. We have the control of the reserve, we have the respon-

sibility on the reserve in so far as the Indians are concerned, but this road that my hon. friend speaks about is not for the benefit of the Indians at all ; it is for the benefit of the white people who live on either side of the reserve, and, as far as that is the case, it is entirely under the responsibility of the provincial government.

Mr. BOYCE. This is the only road by which the Indians can get to Garden River station.

Mr. OLIVER. As far as the road is for the benefit of the Indians, it is our duty to see that it is fixed. But if the road is for the benefit of white people, and merely crosses the reserve for their convenience, then naturally the cost of the improvement of such a road rests upon the people who require to use it, and not upon the Indians, whose land is simply used for the road which crosses it.

Mr. BOYCE. The Indians are complaining that they cannot get across the bridge.

Mr. OLIVER. If it is for the benefit of the Indians, the responsibility is ours, and we will look after it. I do not know this case.

Mr. BOYCE. I think the government built the bridge—I am not quite sure about it—and if they built it they should maintain it.

Mr. OLIVER. There are frequently cases where an improvement is made, not for the benefit of the reserve at all, but for the benefit of the white people on either side of the reserve, and these improvements are under the care of the provincial government. It is necessary that there should be some understanding in regard to that special case between the provincial and Dominion governments, and I beg to assure my hon. friend that there will never be any difficulty from our side in arriving at an understanding which will be for the benefit of both if possible.

Mr. SPROULE. Suppose some one happened to meet with an accident on that bridge who was not an Indian, who would pay for it?

Mr. W. WRIGHT. In my district we have an Indian reserve which is very difficult of access, and in order that the Indians might be able to get in and out of that reserve they have to pass over some other territory that does not belong to the reserve. There is a road through that territory travelled by nobody but Indians. The road was built for the Indians' use exclusively, it has been under the control of the Dominion government, and the local government does not seem to feel under any obligation to keep it in good repair. It is in a bad state of repair at the present time, and I would like to know whether this government would undertake to repair that road?

Mr. OLIVER. That is one of those cases where an amicable understanding would be necessary between the provincial government and the Indian Department. The Indian Department has no authority to spend any money outside of the Indian reserve. At the same time, the circumstances being as have been stated, it is just one of those cases where there should be a mutual understanding between the Indian Department and the provincial government ; and I will say in this case, as I said in the other, that we will not stand in the way of arriving at a solution of the difficulty that will be for the benefit of all parties, nor will we stand on any technicality. At the same time we do not want to be asked to spend money outside of the reserve for the sole benefit of the Indians nor to spend money on the reserve for the sole benefit of white people. It is a matter which can only be amicably settled on the merits of each case, and I beg to assure the hon. gentleman that we are prepared to do the amicable on our part.

Mr. BENNETT. I see at page J—8 of the Auditor General's Report under the heading of 'Annuities, gratuities and expenses of negotiating treaty No. 9' that J. G. Ramsden, a gentleman who was pressed upon the department to accompany the party that was out paying annuities to the Indians, an entry 'less $25 paid to Joseph Laurin.' I see that Joseph Laurin officiated also as cook at $65 per month. How does it happen that Ramsden pays Laurin $25 ? Did Mr. Ramsden leave the party, and did Mr. Laurin take his place as guide, philosopher, and cook ?

Mr. OLIVER. It was necessary to employ Mr. Laurin as cook when the party was out, and they had to pay him without bringing him back to headquarters. It was a cash transaction.

Mr. BENNETT. Another item that catches my eye is a payment to an old friend of the late defunct Ontario government, who evidently has to seek new pastures. Mr. Louis Heyd, of Brantford was paid $771 for legal services in the King against Bennett. I am thankful to say that Bennett is no relation of mine. What was that action about ?

Mr. OLIVER. Mr. Heyd was appointed by the Department of Justice to plead the case of this Indian who was under a serious charge.

Mr. BENNETT. What was the charge ; Mr. Heyd got a pretty good fee.

Mr. OLIVER. The charge was murder and my hon. friend's namesake was hanged.

Mr. BENNETT. It was a pretty good fee for Mr. Heyd, but in view of his bitter

disappointment in not being able to get anything more out of the Ontario government I suppose we had better pay it.

New Brunswick Indians—relief and seed grain, $2,500.

Mr. DANIEL. What kind of seed grain do we supply to the Indians; I do not think any wheat is grown in New Brunswick.

Mr. OLIVER. We supply the ordinary field grain, wheat, oats and barley.

Indians—British Columbia—industrial and boarding schools, $66,800.

Mr. SPROULE. How many industrial and boarding schools have you in British Columbia?

Mr. OLIVER. Twenty industrial and boarding schools and thirty-eight day schools.

Mr. SPROULE. Are they under the control of the government or of certain religious denominations?

Mr. OLIVER. They are all under the control of one church or another and the government pays so much per head towards the support of the schools.

Mr. SPROULE. Would the minister give us the denomination to which each school belongs and the amount paid per capita?

Mr. OLIVER. Yes, I will give you all the information.

Kamloops, 50 pupils at $130, Roman Catholic; Kootenay, 50 pupils at $130, Roman Catholic; Kuper Island, 50 pupils at $130, Roman Catholic; William's Lake, 50 pupils at $130, Roman Catholic; St. Mary's, 60 pupils at $60, Roman Catholic; Clayoquot, 50 pupils at $130, Roman Catholic; Squamish, 50 pupils at $60, Roman Catholic; Alert Bay, 35 pupils at $130, Church of England; Alert Bay (Girls' Home) 10 pupils at $60, Church of England; All Hallows, 35 pupils at $50, Church of England; Metlakatla, 30 boys at $140, 30 girls at $100, Church of England; Coqualitza, 80 pupils at $130, Methodist; Port Simpson (Girls') 35 pupils at $60, Methodist; Port Simpson, (Boys' School) 20 pupils at $60, Methodist; Alberni, 50 pupils at $60, Presbyterian; Ahousat, 25 pupils at $60, Presbyterian; Lytton, 40 pupils at $130, Church of England; Schelt Boarding School, 50 pupils at $60, Roman Catholic.

Indians—Ontario and Quebec—to provide a further amount for legal expenses, $5,000.

Mr. SPROULE. What is that for?

Mr. OLIVER. This is with a view to secure if possible a settlement of a difficulty which has been outstanding for many years in regard to the Oka Indian reserve. Some years ago we had a vote of $5,000 for legal expenses which it was intended to employ for securing a settlement of this difficulty. It was expected that while the Indian Department would provide the expenses on behalf of the Indians, the other parties to the dispute would provide the other half of the required expenditure. Apparently that is not likely to be the case. The position is that the Indians want a decision from the throne itself; they want the word of the King whether they are right or wrong, and they will not be satisfied with anything less. Therefore, we are asking for this additional amount in order that we may pay the expenses of taking the case to the Privy Council and secure a decision which must be binding on all parties, and which the Indians say they will abide by.

Mr. BENNETT. Who are the counsel in the case?

Mr. OLIVER. We have not engaged any counsel so far and have not taken any active steps in the matter.

Mr. BENNETT. Who has been acting heretofore?

Mr. OLIVER. No money has been expended. On previous occasions there have been different counsel employed representing the Indians on one side and the seminary on the other.

Mr. SPROULE. When did you reach the decision to take the case to the Privy Council?

Mr. OLIVER. Within a couple of months. The chief came up to see me about it, and I discussed the matter with him. He said they would accept no decision except that of the King; if the King said they were wrong, they would move, but until the King said they were wrong they would not move.

To provide an amount necessary to restore to their former condition the funds of the Mississaguas of the Credit for the depletion of their capital by reverse of entry of interest paid under authority of order in council of 30th June, 1884, $29,161.17.

Mr. BOYCE. Will the minister explain that?

Mr. OLIVER. There were certain funds belonging to the Indians which a number of years ago were not credited to them, and action was taken on behalf of the Indians to secure the crediting of those funds to them. The action has been decided in the courts in favour of the Indians and this vote is to carry out the decision of the court.

Mr. LALOR. Where are the Mississaguas Indians located?

Mr. OLIVER. These are the Mississaguas of the Credit.

Mr. HENDERSON. They are in the constituency of the hon. member for Peel.

Mr. LALOR. The reason I ask is that I had inquiries from some parties connected with the Six Nation Indians as to when this sum was to be voted, as they thought some of them might be on the Six Nation reserve.

British Columbia—to provide an amount for Babine Indians, $6,500.

Mr. BENNETT. Is this for the purpose of giving the tribe a trip to England?

Mr. OLIVER. This is in pursuance of an arrangement between the Indians and the Fisheries Department. The Indians complained that they had no agricultural land on their reserve. They had taken the reserve with a view to fishing and not farming; but when the department refused to allow them to fish, the reserve was of no value. An arrangement was made with the Indian Department to purchase for the Indians from the British Columbia government a certain amount of land of agricultural value out of which they could expect to make a living irrespective of fisheries.

Yukon—to pay Godefrey Madore, M.D,, for medical attendance on the Indians of Selkirk and vicinity during a period extending from January 10, 1900, to March 12, 1902, $1,000.

Mr. SPROULE. What has been done since 1902?

Mr. OLIVER. This attendance was given by Dr. Madore before arrangements were made for regular attendance by the surgeon of the mounted police. Dr. Madore was not aware that accounts in detail should be kept. Mr. Congdon, when Commissioner of the Yukon, recommended the payment of $1,000 in full for these services, but the department delayed paying in order to get the usual return. As we cannot get a detailed account, it is a question whether we should refuse to pay for the work unless we get it. But the department is thoroughly satisfied that the work was done.

Mr. SPROULE. You are satisfied from the recommendation of Mr. Congdon?

Mr. OLIVER. No; the account has been certified to by the Commissioner of Police also.

To provide salary and travelling expenses for Indian superintendence, Nova Scotia, $2,000.

Mr. BENNETT. Is that a new office?

Mr. OLIVER. Yes. At present we have a number of isolated reserves with local agents scattered over this province. There are no means of carrying on a general policy with regard to them. The reserves are insignificant, the salaries are small, and the agents have really no personal responsibility.

Mr. BOYCE. Has any one been named to the place?

Mr. OLIVER. No.

Mr. ARMSTRONG. How many Indians are there?

Mr. OLIVER. About 1,600.

Mr. ARMSTRONG. You have $7,925 in the main estimates for the Indians in Nova Scotia and are now adding $2,000.

Mr. OLIVER. Yes.

Mr. BENNETT. Will this $2,000 include travelling expenses?

Mr. OLIVER. Yes.

To provide for the payment of salary of the timber inspector and valuator for the Manitoulin Island and the north shore of Lake Huron and Georgian bay, $1,200.

Mr. BENNETT. Will this include travelling expenses?

Mr. OLIVER. No; he will have travelling expenses besides.

Mr. SPROULE. Is this a new office?

Mr. OLIVER. Yes. That was all discussed a little while ago. I explained that where we find we have very large timber interests and have to sell the land and timber under certain conditions, the local agent is not always the best man to see that those conditions are complied with. We think we would do better for the Indian Department if we had a salaried officer responsible to us for the carrying out of the conditions of the sale.

Mr. ALCORN. Why this vote for printing and stationery?

Mr. OLIVER. When the estimates for the nine months to the 31st March, 1907, were prepared, a sufficient amount was not provided for stationery and printing. The schools, which are provided with books and stationery from this vote, usually receive their supply in the summer months, which makes the heaviest part of the expenditure fall into the first part of the year.

Excise—stamps for imported and Canadian tobacco, $10,000.

Mr. CLEMENTS. Before that item passes I want to draw the minister's attention to the matter of the tobacco interest. We had that matter discussed the other day, but since then I have had communications from parties interested who say that the Empire Tobacco Company in Ontario, which buys the bulk of the Canadian tobacco grown in that district, have issued a circular stating that they will not purchase any of this year's crop because they have a supply which will do them for the next two years. That is due to the fact that as the tariff is arranged at present, the American tobacco is taking the place of the Canadian tobacco. That certainly is the case in the district I come from. I cannot speak for the province of

Quebec. I cite this to show the position our tobacco growers are in this year and in which they must remain so long as there is no change in the tariff.

Mr. TEMPLEMAN. I was not aware of the facts cited by my hon. friend. There was a proposition to rearrange the duties, but we found that we could not take that up this session. I do not know whether that is a fact or not, but I suppose that they concluded to purchase tobacco and that they are using American tobacco instead. That is a question of trade which we do not control.

Mr. CLEMENTS. I do not want to object unnecessarily, but this is a matter in which I have taken a great interest ever since I have had the honour of being a member of this House. This is a very important question to our agriculturists, and it seems to me that in connection with it a great responsibility rests upon the government. There are far less important questions to which the careful attention of the government has been given. The tobacco industry of this country is suffering for lack of proper action on the part of the government.

Mr. FIELDING. It may be deemed wise, for departmental reasons or for general reasons, to readjust these duties, and in that readjustment the wishes of the tobacco growers may be more fully met. But, so far as the question of protection is concerned, there is no grievance on the part of the tobacco people. The impression that the tobacco interest is not receiving as fair protection as other branches of industry in this country is a mistake. The tobacco industry is very strongly protected.

Mr. CLEMENTS. Yes, so far as the government is concerned in getting revenue from it, but not from the farmers' standpoint.

Mr. FIELDING. Yes, from the farmers' standpoint. The duty on the average American tobacco which comes into Canada in competition with the Canadian leaf—and the price of that class of tobacco on the average, is not more than 15 cents a pound—is 10 cents. This is a very heavy protective duty indeed. It has been under consideration whether the duties might not be readjusted more satisfactorily to the department, and, in that readjustment the interests of the growers might be promoted. But, even if they are not, it is a mistake to suppose that the tobacco industry—that is, the tobacco growing industry, the industry of the farmer—is not protected. It is much better protected to-day than many other classes of industry.

Mr. CLEMENTS. Why not adjust our tariff to the American tariff?

Mr. FIELDING. Why not adopt the American tariff altogether? We have decided that we will not adopt the American tariff.

Mr. WILLIAM WRIGHT. What is the difference between the excise and the customs duties?

Mr. FIELDING. I could not give that off-hand. I was confining my attention to the duty on the raw article. The duty there is called an excise duty, but it is practically a customs duty. There is an excise duty of 5 cents a pound on tobacco manufactured of the Canadian leaf, and 25 cents a pound on that manufactured from imported leaf. In my remarks I must confine myself to the position of the grower of the leaf, who is brought into competition with the grower of the American leaf.

Mr. SAM. HUGHES. How does the minister account for the fact that the farmers have been notified not to grow this tobacco that it will not be purchased?

Mr. FIELDING. For a long time our manufacturers would not use our Canadian leaf at all. But great progress has been made of recent years. The leaf is grown in better condition and improvements have been made in the curing of it. Our tobacco industry is taking a place which it did not occupy before. But, of course, in some quarters there is even yet a prejudice against the Canadian leaf. However, as I have said, on the tobacco which costs from 12 cents to 20 cents a pound—the average would be less than 20 cents—there is a customs duty of 10 cents a pound.

Mr. SAM. HUGHES. Would it not be possible for the American producers of the cheap tobacco to form a combine or arrange with the Canadian producers that they would not use the Canadian tobacco but would import the American leaf?

Mr. FIELDING. It would be possible. But I do not think there is a combine as a matter of fact. There is a prejudice in some quarters against the Canadian leaf. I will not say that that prejudice was, at one time, wholly unjust. A few years ago, our tobacco was not well cured. There has been an improvement in Candian tobacco within the last few years, and the result is that a great deal more of it has been used. All I desire is that the House should not run away with the idea that the growers of leaf tobacco have less protection than other producers have.

Mr. CLEMENTS. I think I know something of this subject, and, in my opinion, these growers should be better protected. Last year we imported 15,000,000 pounds of American tobacco, and, according to the information given us by the government, 9,000,000 pounds of this goes into plug tobacco. It is precisely the leaf such as we grow and can grow in Canada. Possibly the reason our tobacco has the reputation

which it did not deserve is that that 9,000,000 pounds of American tobacco came in to take the place of what should have been grown and sold in our own country. If our farmers were given the protection they ought to have, if they knew that they were being effectually protected, they would feel justified in providing the proper buildings and appliances to make tobacco a better product than it can be made otherwise. If we have not the proper quality of tobacco, it is because we have not proper buildings to put it in, and the reason these buildings are not provided is that there is no encouragement to our farmers to provide them. And there are the figures—90,000,000 pounds of tobacco imported from the United States the sale of which really belongs to Canadians. I do not care how you arrange it, but keep out this 9,000,000 pounds of American leaf.

Mr. FIELDING. No matter how high a duty is necessary?

Mr. CLEMENTS. I don't care—put a dollar and a half a pound on it.

Mr. FIELDING. The hon. gentleman (Mr. Clements) does not care, but the consumers of tobacco may care.

Mr. ARMSTRONG. Can the minister tell us whether the grower of tobacco is in the same position as we found the grower of flaxseed a short time ago? He knows that it was proven that the Canadian grower of flaxseed was receiving 10 cents a bushel less for his flaxseed than the same manufacturer was paying for American flaxseed which was no better, if as good. If the minister is aware that the manufacturers are placing the growers of Canadian tobacco in the same position, he might inform the committee?

Mr. FIELDING. I could not tell my hon. friend. But a great difference was that flaxseed was on the free list, while tobacco is not, but is one of the most heavily taxed of our imports.

Mr. ARMSTRONG. But the manufacturers were taking advantage of the fact that the Canadians were not able to send the flaxseed into the United States, and so they were paying the Canadians less than they were paying Americans for the same article.

Railways and Canals—chargeable to capital—Intercolonial Railway—improvements at Mulgrave, $61,000.

Mr. BENNETT. Does this complete the works?

Mr. SPROULE. What is being done at Mulgrave ?

Mr. FIELDING. This is for protection for the steamer 'Scotia' at the ferry wharf on the Mulgrave side of the Strait of Canso. The total estimated expenditure is $60,800, and this vote will complete the work.

Mr. SPROULE. How is it being done?

Mr. FIELDING. By contract.

To increase accommodation at Pictou, $34,000.

Mr. FIELDING. This is for an engine house, $11,000; piping and heating, $4,000; water service, $4,200; coal plant, $4,000; removing of buildings and platforms, $2,400. The contract has already been let to E. A. Wallburg, of Montreal.

To increase accommodation at Sydney, $5,500.

Mr. FIELDING. To raise the overhead bridge in Sydney yard and make a sea wall protection at Sydney wharf. That cannot well be let by contract.

To increase accommodation at Stellarton, $9,000.

Mr. FIELDING. This is to provide electric lighting for the yards and buildings. We are putting in our own plant for lighting. This is not an ordinary station. Stellarton is a divisional point. There are three large towns, Stellarton, Westville and New Glasgow, that we group together in which to supply the railway yards and buildings with lighting.

Improvements at Sackville, $30,000.

Mr. FIELDING. This is for a station, freight house and platform.

Mr. CROCKET. Is any portion of this for water supply at Sackville?

Mr. FIELDING. No. Station, freight house and platform, $23,600; grading, $5,000; 1½ acres of additional land, $1,365.

Mr. FOWLER. Do you pay $1,000 an acre for land at Sussex, ordinary farm land, with no village within a mile?

Mr. FIELDING. The land has not been bought; this is an estimate for it.

Mr. FOWLER. Surely it is not the intention of the department to pay $1,000 an acre for land at Sackville station. It is ordinary marsh land, the town is some distance from the station. It will never be used for anything but farming purposes.

Mr. FIELDING. This $1,365 for 1½ acres are the figures reported from Moncton as being probably necessary. It is hardly a thousand dollar an acre.

Mr. FOWLER. They are altogether too generous in their figures. I am afraid they have been following Mr. Lodge's figures.

Improvements at Amherst, $34,000.

Mr. FIELDING. This is for a station, baggage room and platform.

Mr. FOWLER. Amherst has already a very good station.

Mr. FIELDING. Amherst station is a very unpretentious one for so large a place.

Mr. FOWLER. It is built of stone, a very substantial structure.

Mr. FIELDING. The local authorities regard it as a very mean station for so important a town. They have been asking for it for some time.

Mr. FOWLER. I may say to the acting minister that the station at Amherst is a very handsome, tasty and attractive station, built of stone in a very substantial manner. The minister says that one reason why it was granted is because it has been agitated for some time. I have been in this House for several years, and every session I have agitated for a new station in my county, at Sussex. The station there was built over forty years ago, a barn-like structure that is a disgrace to the railway; and yet agitation there has not produced any such results as the agitation at Amherst. Sussex is one of the most important stations along the whole line of the Intercolonial. The deputy minister knows there is a great deal of business done there, and it is simply a shame and a disgrace that such a wretched structure should be allowed to remain.

Mr. FIELDING. Sussex is one of the points where it is recognized that station accommodation is not as good as it should be. No doubt we will get round to Sussex before long. Sussex is an important place, but it is hardly as important as Amherst.

Mr. FOWLER. At the same time, you have a very good station already at Amherst.

Mr. CROCKET. I hope the minister won't forget Fredericton, either. There we have a very small wooden building that is utterly inadequate to the requirements of the place. The matter has been agitated in Fredericton for some time, the people think they should have a new station. Fredricton is the capital of the province, and the station is entirely out of keeping with the town. I trust that when further appropriations for new stations are being considered Fredericton will not be forgotten. I think perhaps there is no place along the Intercolonial railway where a new station is more required than at the city of Fredericton.

Mr. FIELDING. No doubt what the hon. gentleman says of Fredericton is correct, the station there is a very inferior one. But it is to be remembered that this is a line which has only recently come into the possession of the government, and no doubt from time to time we should put up decent station buildings. Fredericton as the capital is entitled to a better station than it now has.

Improvements at Newcastle, $32,000.

Mr. FIELDING. This is for enlargement of the engine house, station, and water service. We supply our own water service there.

Mr. CROCKET. Has a contract been let for the work at Newcastle?

Mr. FIELDING. Not yet.

Mr. BENNETT. Will it be done by contract?

Mr. FIELDING. Yes, for the enlargement of the engine house. The water service is done by officials of the government.

Increased accommodation at Antigonish, $10,250.

Mr. FIELDING. Additional shops, platforms and water service.

Water service—Pirate harbour, $10,000.

Mr. FIELDING. This is to construct a pipe line from Mulgrave to Pirate Harbour.

To increase accommodation at Truro, $110,000.

Mr. DANIEL. Is that a new station?

Mr. FIELDING. Additional yard accommodation, water service, coal plant, ash pit, cinder pit, and rearranging yard at a cost aggregating $110,000.

Mr. BENNETT. How much will the land cost?

Mr. FIELDING. There is no land to be purchased out of this item.

Mr. BENNETT. Will this work all be done by tender?

Mr. FIELDING. A considerable portion of the work is what is called yard work and is done by the men of the Intercolonial Railway. Outside of that it is expected that it will be done by tender.

To increase accommodation at Halifax, $300,000.

Mr. FIELDING. This is for additional facilities on west side of Water street; $173,000; extension of quay wall in connection with pier No. 8, $15,000; 36 stall engine house, heating, turn table, $160,000; double tracking to the cotton factory siding, $55,000; freight car repair shop, planing mill, store house, round house, ash pit, heating and piping of new building and sewer aggregating altogether $597,380, of which it is proposed to take at the present year, $300,000.

Mr. DANIEL. Are these works to be done by tender?

Mr. FIELDING. The contract has been awarded to the lowest tenderer.

Mr. DANIEL. Who has the contract?

Mr. FIELDING. The round house, which is one of the largest items, has been awarded to Mr. M. E. Keefe, of Halifax and the other shops to Rhodes, Curry & Company of Amherst.

Mr. CROCKET. What is the price of the roundhouse ?

Mr. FIELDING. The contract for the roundhouse is $122,000.

Locomotive and car shops, and land purchase at Moncton, $520,000.

Mr. FIELDING. This is to provide new shops and additional yard accommodation at Moncton. This, of course, is in consequence of the fire which destroyed the shops at Moncton some months ago. Contracts have been awarded for the locomotive and other shops, to E. A. Wallburg, and for the planing mill to Rhodes, Curry & Company.

Mr. CROCKET. Would the minister give prices of the contracts ?

Mr. FIELDING. The Wallburg tender for the freight car repair shops is $56,630 ; the same contractor for the repair passenger and paint shop and offices $154,945 ; the same contractor for the locomotive shop, $430,000 and Messrs. Rhodes, Curry & Company for the planing mills, $23,295.

Mr. DANIEL. What are these buildings to be constructed of ?

Mr. FIELDING. Steel and concrete chiefly.

Mr. DANIEL. How much of this goes for the purchase of land ?

Mr. FIELDING. None of this is for the purchase of land.

Mr. DANIEL. Was the lowest tender accepted?

Mr. FIELDING. In every case.

Mr. DANIEL. It mentions land in this item.

Mr. FIELDING. For the convenience of accounting the same wording is used as was used in the vote of last year, but there will be no purchase of land out of this vote.

Mr. FOWLER. How much did you pay for the land ?

Mr. FIELDING. $33,000 for 288 acres.

Mr. CROCKET. Does that land adjoin the old trotting park ?

Mr. FIELDING. It is close to it.

Mr. FOWLER. In that $33,000 is there included the amount paid for the land that was bought by Mr. Lodge ?

Mr. FIELDING. No, this is different land.

Mr. FOWLER. If the acting minister will remember when that matter was up for discussion last year the defence that was made by the then Minister of Railways and Canals (Mr. Emmerson), when he was taxed with the price being excessive, was that some twenty years before the Conservative government had purchased land for which they had paid $2,000 an acre, that they had bought some 51-100ths of an acre which would be a fraction over one-half an acre and had paid at the rate of $2,000 an acre. He defended the purchase of this land from Mr. Lodge at a very excessive price on that ground. As I remember the hon. Minister of Finance (Mr. Fielding) took an active part in the debate and his defence of that purchase whereby Mr. Lodge made a very handsome rake-off was upon the same ground that the old government had paid at the rate of $2,000 an acre for land in that vicinity which they had bought some twenty years before. That was the only ground that the Minister of Finance and the present acting Minister of Railways and Canals put forward as a defence for this transaction, which we, on this side of the House, had called a most iniquitous transaction, whereby a very large sum of money was lost to the people of this country. Now it has turned out that the then Minister of Railways and Canals made a misstatement of facts to the House. Instead of it only being a fraction more than half an acre which was bought by the old government it was something over six acres for which the rate per acre would be about $150 instead of $2,000. Has this knowledge come to the ears of the minister and has he any explanation to make to us or has he any other defence of that infamous Lodge transaction ?

Mr. FIELDING. The Minister of Railways stated in his speech last year that land had been purchased many years ago under the former government at the price mentioned. I had no knowledge other than the statement which the Minister of Railways himself had made, and in following him in the debate I referred to the same item. The deputy minister informs me that the minister was astray. The figures which should have been six and a half acres had been in a memorandum which had been furnished to the minister by some officer of the department and in copying the statement the figure six was dropped out. It read half an acre and the minister in all good faith read it here as being half an acre. It is quite evident that he made a mistake and it naturally follows that I accepted the statement of the Minister of Railways and made a mistake in accepting it.

Mr. FOWLER. Then what becomes of the defence of that transaction ?

Mr. FIELDING. That was only part of the defence.

Mr. FOWLER. Your defence drops to the ground.

Mr. FIELDING. To that extent.

Mr. FOWLER. That was the only defence the minister put forward.

Mr. FIELDING. It was only part of the defence; it was used by way of illustration.

Mr. FOWLER. The whole defence was that the present government had paid a much smaller price for this land than the Conservative government had paid for similar land years before. If the Minister of Finance will consult 'Hansard' he will find that that was his only defence. Now he declares that that statement was entirely wrong. The fact is that this land bought by the present government had been purchased by Hewson acting as agent for Lodge he, Lodge, knowing that the government was going to acquire this land for railway purposes. The rake-off was something like $8,500, and it went into the pocket of Mr. Lodge and out of the public treasury. The minister has now lost his only defence for this transaction; has he any other to put forward in its place?

Mr. FIELDING. Not in its place.

Mr. FOWLER. Has he any other defence for this transaction?

Mr. FIELDING. It was only one of the grounds of defence, and to that extent the Minister of Railways was mistaken. Mr. Lodge undoubtedly made a profit out of the land; most people who do buy land and sell it again intend to make a profit.

Mr. FOWLER. Sure.

Mr. FIELDING. There was the testimony of independent witnesses from the city of Moncton, men above suspicion, men who had valued the land and who declared before the committee that the price paid by the government was fair and reasonable.

Mr. FOWLER. And yet the owners of the land, only three weeks before, sold it for $8,000 less than the government paid for it.

Mr. FIELDING. Quite possible.

Mr. FOWLER. It is a very lame defence.

Mr. FIELDING. The valuation made by reputable men of the town is not a lame defence.

Mr. LENNOX. A year ago the whole argument of the government was based on the alleged price which the Conservative government had paid for similar land in 1884. Now that defence is swept away, because it is found that the statement as to the price paid by the Conservative government is not true. Mr. Lodge got the property for $5,075 and sold it a few weeks afterwards to the government for $13,850, which, deducting $300 cost of conveyancing, gave him a clear profit of $8,505. He made a profit of 167 per cent on the land and held it for only three weeks. I refer the Minister of Finance to 'Hansard' for 1906, pages 5832-5834, where the Minister of Railways said:

> But in 1884 the Intercolonial Railway purchased right off this block of land, right adjacent to the property we purchased here in 1904, half an acre from Mr. Milner. And how much did the Intercolonial Railway pay for that? One thousand dollars for one-half acre.

Mr. BENNETT. Loud cheers.

Mr. LENNOX. Of course there would be loud cheers. Mr. Emmerson proceeds to say:

> We were able to purchase it at $1,000 when the administration of the Intercolonial Railway in 1884, at a time when my honourable friend (Mr. Ames), the mover of this resolution, would have every confidence in the then administration of the Intercolonial Railway bought 55-100 acre and paid $1,000.

Further on in his speech Mr. Emmerson made the comparison again, saying:

> Judged by what transpired in 1884 when half an acre was purchased by the Intercolonial for $1,000, we in 1904 made a good bargain when we bought the whole acreage at the rate of $1,000 per acre, not at the rate of $1,000 a half acre.

The Minister of Finance followed up the same argument at the time.

Mr. FOWLER. The Minister of Finance says this was the fault of a clerk in the department. What clerk made such a terrible mistake?

Mr. FIELDING. I understand that the Minister of Railways had in his hands at the time a memorandum prepared by the solicitor in the case and in the copying of that memorandum the figure '6' dropped out. The mistake was made probably by the clerk of the solicitor and not by one of the clerks of the department.

Mr. BENNETT. Who is the solicitor?

Mr. FIELDING. Mr. Friel.

Mr. FOWLER. Oh, that is where the information was taken from. It was the clerk of the solicitor of the agent who bought the land, was it? That is not what was said at the time. That puts a different face on it altogether.

Mr. LENNOX. Is that Mr. Lodge's solicitor?

Mr. FOWLER. Yes, Mr. Friel.

Mr. FIELDING. Mr. Friel is the solicitor doing the work of the government in many cases down there.

Mr. FOWLER. Mr. Friel was not the solicitor in that particular transaction?

Mr. FIELDING. I think he was acting for the government.

Mr. FOWLER. No, Mr. Hewson was acting.

Mr. FIELDING. Mr. Hewson was the vendor and Mr. Friel was acting for the government in examining the title.

Mr. FOWLER. How would Mr. Friel be in possession of this information?

Mr. FIELDING. I cannot tell; that is the information I got when I made inquiries.

Mr. FOWLER. Mr. Friel would not be an officer of the department?

Mr. FIELDING. He was acting as solicitor and he might be considered an officer of the department.

Mr. FOWLER. The then Minister of Railways said that the information came from the department, and naturally we supposed it was correct. We had no idea it was a fraud on the face of it, and yet the Minister of Railways won great applause, and when the Minister of Finance spoke the applause was redoubled. This tu quoque argument was considered a complete answer because the late government paid more for the land than the present government did, and now it turns out to be untrue. The Department of Railways does not show up particularly well in this transaction. The Minister of Finance should make a retraction and an apology to the House and try and give some better explanation of this nefarious transaction.

Mr. FIELDING. If it will do the House any good I will express my regret. I made the statement relying on what has been said by others and we very often have to do that in discussions in this House. I understand that this was information furnished from the department, but among the papers was this document from the solicitor acting for the railway. I have no doubt the Minister of Railways used it in good faith, and I certainly did. Now that I know it is wrong I am very glad to retract it.

Mr. FOWLER. Will the minister now give us a defence of the transaction, or does he think the transaction is not possible of defence ?

Mr. FIELDING. Oh, no.

Mr. FOWLER. Does the minister think that the valuation of these reputable men is better evidence as to the value of the land, than the price at which the owners of it were willing to sell it a few weeks before to Mr. Hewson, acting as agent for Lodge, the go-between? It seems to me that is a most absurd contention to put forward, and one which I am sure would not satisfy the minister if he were transacting his own private business and not the business of the country.

Mr. FIELDING. I do not think it is as unreasonable as the hon. gentleman says. If I want to buy a piece of land to-day, and I get the valuation of reputable and competent men, I think that is fair evidence of what the value is. You may say that I might have been smart enough to have bought it six months before; but the opinion of these reputable men as to its present value is entitled to some weight.

Mr. FOWLER. I would say it would be entitled to very little weight, because every one who knows anything of this land knows that it was practically worthless to any one but the railway. It was low-lying land on which nothing could be raised but grass, and before it could be utilized by the railway, a tremendous expense had to be incurred in filling it up. It was not worth $50 an acre, and these men were glad to sell it at $300 an acre, and the government paid Mr. Lodge something like $1,000 an acre.

Mr. SPROULE. The way to arrive at the value of land is to take the sales that have taken place in the locality within a reasonable time.

Mr. FIELDING. That is one of the elements.

Mr. SPROULE. It is the element. It is the test of value.

Mr. CROCKET. Has the government expropriated a strip of land through the trotting park from the land bought for railway purposes?

Mr. FIELDING. No, it has not yet been expropriated?

Mr. CROCKET. Is it proposed to expropriate it?

Mr. FIELDING. The matter has been under consideration, but no decision has been reached. The deputy minister thinks that in all probability it will be expropriated.

Mr. CROCKET. Does the minister know who owns the trotting park?

Mr. FIELDING. The deputy minister informs me that the Minister of Railways in his capacity as a trustee was interested in the property, and that was one of the reasons in addition to the others why it was thought better to proceed by expropriation.

Mr. CROCKET. It was a 66-foot strip, I believe, through the whole length of the park which it was proposed to expropriate?

Mr. FIELDING. Yes. There was some arrangement with the county authorities in contemplation by which they would get a road in return for a piece of road taken for the purposes of the government.

Mr. CROCKET. And it is in such a way as to leave building lots on each side of the strip expropriated?

Mr. FIELDING. The deputy minister tells me that he cannot be sure of that. That is a matter for the engineer down there.

Intercolonial Railway—to exchange drawbars of freight cars, $37,500.

Mr. BENNETT. On the question of the equipment of cars, I would like to ask the minister how the passenger coaches on the Intercolonial are lighted?

Mr. FIELDING. With Pintsch gas.

Mr. BENNETT. Is it as dangerous in case of fire as acetylene ?

Mr. FIELDING. No, it is claimed to be less dangerous.

Mr. BENNETT. There have been some very bad accidents lately, with fires in passenger coaches after collisions have taken place and the cars have been overturned. Are these cars equipped with hand grenades or extinguishers of some kind?

Mr. FIELDING. The deputy minister says that his impression is that every car on the Intercolonial has a fire extinguisher.

Mr. BENNETT. What is the nature of those?

Mr. FIELDING. They are portable fire extinguishers containing chemicals.

Mr. BENNETT. I saw a case the other day of a most horrible experience on one of the railways. It was not the Intercolonial. A lot of passengers stood and saw a man burned to death. I have seen some of those fire extinguishers used with great success. Were the cars equipped with them, it would be possible in case of fire in one coach to bring them from other coaches, and, if not to extinguish the fire, to keep it down for a time until a man could be extricated. Since the cars are well equipped, there is nothing more to be said; but I think no expense should be spared to have a very ample stock of these implements on the coaches.

Mr. FIELDING. I quite agree with my hon. friend in that.

Some resolutions reported.

Mr. FIELDING moved the adjournment of the House.

Mr. R. L. BORDEN. What business do you propose to take up on Monday?

Mr. FIELDING. The several resolutions which stand on the order paper, then Bills, and after that supply, with the railway estimates.

Motion agreed to, and House adjourned at six p.m.

HOUSE OF COMMONS.

MONDAY, April 22, 1907.

The SPEAKER took the Chair at Eleven o'clock.

Mr. FIELDING.

SURVEYS OF PUBLIC LANDS.

Hon. FRANK OLIVER (Minister of the Interior) moved for leave to introduce Bill (No. 172) respecting the surveys of the public lands of the Dominion, and the surveyors entitled to make such surveys.

Mr. R. L. BORDEN. Would the minister give a brief explanation ?

Mr. OLIVER. When the Bill (No. 59), containing the provisions relating to surveys and surveyors which are now contained in chapter 55, of the Revised Statutes of Canada, entitled : 'An Act respecting Public Lands' commonly known as the Dominion Lands Act was prepared it was assumed that the Bill (No. 21), containing the remaining provisions of chapter 55, of the Revised Statutes of Canada, would be passed by parliament at the same time. The provision to repeal chapter 55 was therefore only inserted in Bill (No. 21.) It has been decided to withdraw the Bill until next session, and as the provisions of Bill (No. 59) were assented to by the Deputy Governor upon the 22nd ultimo and are now law, and the provisions in chapter 55 of the Revised Statutes of Canada which were thereby, that is by the passage of Bill (No. 59), consolidated and amended will also be in force because of no provision for their repeal having been included in Bill (No. 59) and many conflicting questions may, therefore, arise it is deemed advisable to repeal the Act which has been passed containing the provisions in Bill (No. 59.)

Mr. R. L. BORDEN. It is merely to correct an error ?

Mr. OLIVER. It had been intended to withhold the royal assent, but unfortunately that mistake was made and assent was given.

Motion agreed to, and Bill read the first and second time.

INDUSTRIAL AND CO-OPERATIVE SOCIETIES.

Mr. F. D. MONK (Jacques Cartier). Before the Orders of the Day are proceeded with, I would like to ask the government if it is not possible to give effect to the recommendation of the special committee named to examine into the Bill known as Bill (No. 2) respecting Industrial and Co-operative Societies. The Bill was introduced early in the session and referred to a special committee. The committee went to considerable trouble and took a great deal of evidence, all in favour of the projected legislation. The report of the committee was unanimous, adopting the principle of the Bill. It seems to be a pity that a permissive measure of this nature should not be enacted into law, under these circumstances. Although the time at the disposal of the House is very short, the Bill is not of a nature to provoke any discussion. I

think it is so useful a measure that it is desirable in the interest of the public and of those who take an interest in that legislation, that it should be made law without delay.

Hon. R. LEMIEUX (Postmaster General). As my hon. friend (Mr. Monk) has just stated, a special committee was appointed at the beginning of the session to hear evidence on the question of co-operation, and to examine the details of the Bill which was introduced by my hon. friend. The committee held several meetings and heard many witnesses, and as my hon. friend states, the evidence was favourable to the idea embodied in the Bill, with a few exceptions however. The committee has reported unanimously in favour of the principle of the Bill, and has ordered the evidence to be printed and distributed; the Bill which was finally drafted was also ordered to be reprinted. I do not know that the Bill which was drafted has been distributed amongst the members, but I know that the evidence which was taken before the committee and which was quite voluminous, has not yet been distributed to members of the House. It is a very important question, and I do not think it would be in the interest of the Bill itself if it were forced upon the House at this late stage of the session, without the evidence being read by all the members of this House and of the upper House. But I can assure my hon. friend that at the beginning of next session I will take the earliest opportunity to give effect to the special recommendation of the committee. It is true that this special committee recommended the adoption of the Bill. It was proposed at first, I believe, by my hon. friend that the Bill should be proceeded with during the present session, but at my request, and after having heard the objections which were made, that part of the recommendations was withdrawn and a recommendation was made simply that the Bill be adopted.

SALE OF RAILWAY PASSENGER TICKETS.

Mr. W. F. MACLEAN. I would like to ask the Minister of Justice whether he has examined into the statement I gave the other day about the alleged change of penalties in the law with rgard to the sale of railway passenger tickets?

Hon. A. B. AYLESWORTH (Minister of Justice). I have read the statement.

Mr. W. F. MACLEAN. Does the minister still hold to the position he held the other day that there has been no change?

Mr. AYLESWORTH. I think there has been no change.

STRIKE IN THE NORTHWEST.

Mr. R. L. BORDEN. I desire to ask the Minister of Labour (Mr. Lemieux) if he has any information to give to the House with regard to the present conditions of the strike, or the proposed strike, in the western coal fields.

Mr. LEMIEUX. The latest news I have about the strike in the west is a telegram which I received from Mr. F. H. Sherman, who seems to be at the head of the miners. Mr. Sherman is described as president of the district union No. 18, comprising the various local unions of the miners. The communication is dated the 20th instant, and says:

> Am trying to persuade men to accept temporary arrangement and return to mines pending investigation. So far have failed and company will do nothing pending return of the operators' president.

The president of the operators is Mr. G. G. S. Lindsey, he is expected to reach Fernie to-day, and there is at least a strong possibility that temporary arrangement may be made for the resumption of work immediately. Mr. Mackenzie King left Ottawa on Friday evening, and will be to-morrow, or Wednesday morning at the latest, at Fernie. I may say to my hon. friend that from the inquiries I have received from both miners and operators, the arrival of Mr. King is awaited with high hopes that he will be able to bring about a settlement, pending an investigation at least. I may say also that I received another telegram Saturday signed by Mr. Eckstein, representative of the men on the board, and Mr. Parker, representative of the operators on the board. They both say that they have failed to agree to the appointment of a third man. Within a few hours I think I will be in a position to inform the House who the third arbitrator will be.

Mr. SPROULE. Has the minister any information as to the number of men who have quit work?

Mr. LEMIEUX. That I have not been able to ascertain, but I understand there is a large number.

Mr. W. F. MACLEAN. Can the minister say anything about a statement that appears in the morning papers that the Canadian Pacific Railway service is within six days of closing down for the want of a supply of coal, if a strike takes place?

Mr. LEMIEUX. That I cannot ascertain. I think it is an exaggerated statement.

SHORTAGE OF CARS IN THE NORTHWEST.

Hon. GEO. E. FOSTER (North Toronto). I would like to repeat the question I put to the Minister of Finance acting for the Railways and Canals Department (Mr. Fielding), with reference to Mr. Dillinger. I think the minister will remember what I stated on Saturday. Has he any informa-

tion to give to the House with reference to that?

Mr. FIELDING. Mr. Dillinger is an officer of the Railway Commission. I saw the Chairman of the Railway Commission who informed me that that gentleman was very highly recommended to him by competent authorities in the railway world; he had no doubt he was a good and useful officer, but he had no information about the particular incident referred to in the press. He was making inquiries.

Mr. FOSTER. Does the minister know whether Mr. Dillinger is a Canadian or whether he was a citizen of the United States?

Mr. FIELDING. I do not know; he was recommended to the Railway Commission.

Mr. FOSTER. The minister might get the information.

Mr. FIELDING. I will bear that in mind.

LAND GRANTS TO SOUTH AFRICAN VETERANS.

Mr. M. S. McCARTHY (Calgary). I wish to ask the minister if it is the intention to proceed this session with the Bill respecting land grants to South African veterans for which a resolution was introduced some months ago by the hon. member for Victoria and Haliburton (Mr. Sam. Hughes)?

Mr. FIELDING. No, I think there is an understanding that no new legislation is to be introduced and that matter will have to stand over for further consideration.

PRIVATE BILLS.

OTTAWA TERMINALS RAILWAY COMPANY.

House in committee on Bill (No. 152) respecting the Ottawa Terminals Railway Company.—Mr. Caldwell.

On section 19,

Mr. LENNOX. The time limit for construction is very indefinite. It says that construction shall commence within six months after the plans have been approved by the Governor in Council and shall be completed within two years after that date. There is no provision as to when these plans shall be submitted to the Governor in Council and as there is no time for commencement there is no time for completion. This, I think, should be amended.

Mr. CAMPBELL. That point was not raised in the committee, and I think that the provision here is a very reasonable one. I understand it is their intention, as soon as they can get their plans ready, to submit them for approval and then within six months after they are approved by the Governor in Council work must be commenced and be completed within two years. I do not think there is any intention on the part of the company not to proceed with all due diligence, and in such Bills it is not customary to bind them down to a certain time, nor do I think it is in the interest of the public that a specific time should be stated.

Mr. LENNOX. It is a question whether we are to pass legislation which means something or which does not. As the section stands it means nothing at all and we are better without it because it is misleading. If they submit their plans within six months it will be two and a half years before it is completed; if they submit them in six years it will be eight and a half years.

Mr. CAMPBELL. I do not think there is any objection to fixing a reasonable time; suppose we say that the plans should be submitted for approval within twelve months of the passing of this Act?

Mr. SPROULE. Say six months.

Mr. CAMPBELL. There are a great many things to be considered before the work can be performed.

Mr. DEPUTY SPEAKER. You cannot amend without notice.

Mr. SPROULE. Why not let it stand and give notice? I think that six months would be sufficient.

Mr. CAMPBELL. I understand, of course, that it is their intention to go on with the work and I do not think it would matter if we said six months.

Mr. FISHER. I would rather suggest the 1st of January next as we would then be again in session; I believe the amendment can be made with the unanimous consent of the committee.

Mr. CAMPBELL. Then I would move that this clause be amended.

Mr. FOSTER. Is there any objection to allowing this to stand over for a day or so that notice could be given? The rule is for the purpose of letting the other side have an opportunity of knowing what is going on and we lose nothing by leaving this over.

Progress reported.

PRUDENTIAL LIFE INSURANCE COMPANY OF CANADA.

House in committee on Bill (No. 163) to incorporate the Prudential Life Insurance Company of Canada.—Mr. Gervais.

Mr. W. F. MACLEAN. This is a very significant piece of legislation and it throws a lot of light on the life insurance question. Here is a life insurance company proposing

not to engage in the business of what is called participating policies. I trust that when the government come to draw up their Insurance Bill next session they will give a great deal of attention to the principle involved in this clause.

Bill reported.

FIDELITY LIFE INSURANCE COMPANY OF CANADA.

House in committee on Bill (No. 164) to incorporate the Fidelity Life Insurance Company of Canada.—Mr. Johnston.

Mr. R. L. BORDEN. With respect to these insurance Bills, is there a general form which they have to comply with, or are they of more or less a miscellaneous character ?

Mr. FIELDING. There is a general Insurance Act and as far as possible they are made to conform to it. Sometimes for special reasons there is a departure from that Act.

Mr. W. F. MACLEAN. There is a difference in regard to the qualification of policyholders' directors between this Bill and the Prudential Company's Bill.

Mr. FIELDING. The question of policyholders' directors is not dealt with in the general Act; some of the charters have that qualification and others have not.

Mr. R. L. BORDEN. So far as these Bills are concerned they should be held to some principle sanctioned by the department; I speak of course altogether apart from the general provisions of the Insurance Act with which, as I understand, they are all made to comply.

Mr. FIELDING. Unless there is a variation specially provided for in their charters.

Mr. R. L. BORDEN. Is it the practice to make such variation ?

Mr. FIELDING. The superintendent of insurance informs me that the variations are not so much from the Insurance Act as from the Companies Clauses Act. The Bills conform as closely as possible to the Insurance Act. I hope in the future that view will be broadened, and that there will be less variation than in the past.

Mr. R. L. BORDEN. The legislation with regard to insurance companies should be in principle very much as in regard to banks. There is a Bank Act which constitutes a charter for every bank in Canada. When a bank is incorporated it must be on condition that a certain amount of capital shall be raised before it commences operations, but when it does commence operations it is absolutely governed by the Banking Act, which Act, and the charters of the companies of the banks, remain in force for a period of only ten years. I would think there should be a somewhat similar provision with regard to insurance companies.

Mr. FIELDING. That is done to a very large extent now in the case of insurance companies, and sometimes not without difficulty as the companies seek variations. I would hope however that in any legislation that is likely to take place next session that rule may be enlarged so that there may be less room for variation, although we do endeavour now to follow established lines.

Mr. W. F. MACLEAN. In the new legislation the government should make provision for complete uniformity in the charters of these insurance companies. As it stands now, one company is empowered to do a thing which another company is not empowered to do. I know it is a difficult question, but they should be under the same rule exactly with regard to their capital stock, their directors, the representation of shareholders, and things of that kind.

Mr. HENDERSON. I would hail with delight any step towards uniformity in life insurance legislation. We have just passed a Bill which makes no provision for participating policies and I think that is a splendid step in advance. The people of this country have been robbed, practically, by the principle of participating policies. They have been paying higher premiums with the expectation of participating in the profits of the company's business and they find, after a number of years, that the directors simply appropriate the profits and apply them to capital account. Such policyholders thereby lose everything they have contributed over and above what the policy-holder on a flat rate would contribute. I would urge on the government that in any insurance legislation, provision should be made that no company should be permitted to grant a participating policy.

Bill reported.

HAMILTON RADIAL ELECTRIC COMPANY.

House in committee on Bill (No. 158) respecting the Hamilton Radial Electric Company.—Mr. Clarke.

On section 1,

Mr. R. L. BORDEN. I would like an explanation of why this has become so suddenly a work for the general advantage of Canada. That declaration has been made upon insufficient grounds, sometimes without any grounds whatever, and very frequently during the past eleven years since I have been a member of the House, although I recollect very well that in the session of 1897 or 1898, the then Solicitor General, afterwards Minister of Justice, laid it down as the policy of this government that no such declaration should be made in the future unless in absolutely plain cases. Now, before we take one step

in this Bill, I would like a complete statement of the grounds upon which this declaration is sought in the present case. That power contained in the British North America Act has been scandalously abused since 1896, and I dare say on some occasions before 1896. I do not propose to permit its abuse in the future without protest, and very strong protest. In fact, I have raised my voice in protest against it on many occasions during the past three or four years; but it is sufficient to state that we have not had up to the present any statement of the ground on which this declaration can be justified, and I would like very much to hear what that ground is.

Mr. FOSTER. Before that question is answered, I would like to ask another, as to whether this Bill was introduced in accordance with the notice required by Rule 88? I have been informed that the proper notice was not given.

Mr. CAMPBELL. In reference to the point raised by the hon. member for North Toronto (Mr. Foster), I may say that this Bill was introduced in the Senate, passed the Senate and came down to the House of Commons. I cannot say whether due notice was given of it or not, but I presume that the Senate would hardly have passed it and sent it down to us unless notice had been given. In reference to the point raised by the hon. leader of the opposition, it will be seen that the Bill gives the company power to build a line to the Detroit river, with power to build a bridge across that river; also a line from the city of Hamilton to Niagara river, with power to build a bridge across that river, or to enter into an agreement for running rights over any bridge across the said river already or hereafter constructed; also to build a line from the city of Brantford to a point on the Detroit river, at or near Windsor, with power to construct, maintain and operate ferries across the Detroit river. In order to obtain these powers, I understand that it will be necessary to declare the work to be a work for the general advantage of Canada. In reference to subsection (c) of section 4, I may say that there was considerable objection to that clause being put into the Bill, but after consideration the committee allowed it to pass without any amendment. In the latter part of section 3 the company ask for power to build into the city of Toronto. That was struck out at the request of the promoters, and the words 'at or near the city of Toronto' were substituted. In section 6 the company asked for the right to purchase right of way and terminal station buildings in the city of Toronto. That also was struck out at the request of the promoters. While on my feet I may say that I personally was very much opposed to striking out those provisions. The county I represent is surrounding the city of Toronto. The city of Toronto is the metropolis of the province of Ontario. The counties all over the province of Ontario contribute very largely of public money to build up the city of Toronto. In the very estimates which we have before us there are very large sums of public money proposed to be expended for providing better postal arrangements in the city of Toronto, enlarging the armouries, deepening the channels and extending the piers, and in other ways improving that city. The city of Toronto would be no good at all without the country around it. Now, the interests are mutual. The people from all over the province of Ontario want to get into the city of Toronto; they have a right to get in there; they want to take steamers to Montreal and to other points; and I think some arrangement should be made whereby they can get in. As it is to-day, people coming in on the Mimico line along the lake shore, the Lambton Mills line, the Weston line, the Metropolitan line along Yonge Street or the line through Scarborough and Markham, when they reach the borders of the city, are dumped down there, whether it is raining or snowing or cold or hot, and have to wait for another car.

Mr. W. F. MACLEAN. Does not the hon. gentleman think that the Ontario legislature ought to make provision for all that kind of business?

Mr. CAMPBELL. I do not care who makes the arrangement; it has to be made. I say that people from the country surrounding the city of Toronto are not going to submit to this much longer. I do not care whether it is the fault of the Toronto Street Railway or the corporation of the city or the provincial government; I am speaking for the people. They have submitted now for a good many years. Many women and children come to Toronto on these lines, especially on market days, with their baskets and things of that kind, and it is a very great hardship for them to be dumped in the rain or snow or cold, as they often are, when they reach the borders of the city. In the city of Detroit and other American cities we find cars from a hundred miles around running right into the middle of the city. Why should we not have the same thing in Toronto? I know that the people of the city of Toronto want every obstruction removed; they want the people from one hundred or two hundred miles distant to come and do their trading in the city. I am not prepared to say whose the fault is. If the committee had given the company the right, as they should have, to run into Toronto and erect their terminal stations there, then the people all around the county could go into that city

without having to submit to the inconvenience and expense of changing cars. The people of the townships of Scarborough and others represented by the hon. member for South York (Mr. W. F. Maclean) the hon. the Minister of Justice (Mr. Aylesworth) and the hon. member for Halton (Henderson) and Peel (Mr. Blain), want to get right into the city and these hon. gentlemen ought to stand up with me and insist on that right.

Mr. HENDERSON. The hon. gentleman ought to stand up with the hon. members for Halton (Mr. Henderson) and Peel (Mr. Blain).

Mr. CAMPBELL. I hope then we shall all stand together and insist that when our people want to go to the great metropolis of Ontario they shall be enabled to go without being compelled to change cars and wait at a junction point without shelter. We should insist on the same provisions being made that are made in every modern city in the United States. We should insist that whether you have come one hundred or five hundred miles, you should go in your railway car right to the centre of the city. I do not care whether they pay another fare. The city may take control of the cars if they like; that is a minor detail. But provision must be made that these people will not be put to that inconvenience, and be able to get right into the heart of the city. It is their money which is helping to develop and build up that city, and I earnestly call on the Minister of Justice (Mr. Aylesworth) to take such steps as will result in furnishing this accommodation which the people have been desiring for years.

Mr. R. L. BORDEN. I do not quite understand the object of my hon. friend in going into a discussion of clause 3 when we are still on clause 1.

Mr. CAMPBELL. You asked for explanations.

Mr. R. L. BORDEN. The explanations which the hon. gentleman has just given are about as irrelevant as any I have ever heard given in the House. I asked why this work should be declared to be for the general advantage of Canada, and he went into a long discussion as to the necessity for a proper entrance into the city of Toronto. That is a perfectly proper proposal, but the only question is what legislature should enact those provisions. The hon. gentleman says this should be declared a work for the general advantage of Canada because the line runs to a point opposite Detroit. That is no answer. In the first place, if what he has alleged is capable of being maintained, then there is no necessity for the declaration that this work is for the general advantage of Canada, since parliament has jurisdiction, according to his view, without any such declaration. But the mere circumstance that this company is authorized to construct a line to run to the international boundary, is no reason why you should declare the line from Hamilton to Toronto to be a line for the general advantage of Canada. The two things do not go together. I have yet to hear any satisfactory reason why parliament should be called on to make this provision. The hon. gentleman has given none.

Mr. HENDERSON. From the reference made to myself by the hon. member for Centre York (Mr. Campbell), it might be inferred that I was opposed to this railway having an entrance into Toronto. I want to tell the hon. gentleman that I hold no such view. I have in previous years supported a measure to permit those railways free entrance into Toronto. I hold the same view with reference to this railway. I am not prepared to discuss whether it should be made a railway for the general advantage of Canada. What I am specially concerned in is that it should be made for the general advantage of Halton.

Mr. A. C. MACDONELL. The hon. member for Centre York (Mr. Campbell) has made an appeal to secure entrance into the city of Toronto for this railway. That is provided in clause 3 and subsequent clauses. We are now dealing with clause 1. But as the hon. member has spoken about Toronto, I can tell him that the city of Toronto is as anxious as any portion of Ontario to have proper railway facilities within its borders. No community is more deeply interested in having an efficient railway service, but we have had many attempted invasions of the city's rights during many years past by Bills similar to this. This Bill was introduced behind the city's back, without its knowledge, or without knowledge to the city of its provisions. There was no attempt to meet the city in a fair business like way or make a demand to enter the city limits, but we find an attempt to steal an entrance without consulting the city as to where the entrance should be made, or the terminals, or for filing any of the plans of the proposed route. They are simply attempting to secure a blind right from this parliament to enter the city where and when the railway pleases and in any way it pleases. The hon. member for Centre York (Mr. Campbell) knows that this railway is nothing but a street railway. The running rights they secured over highways and municipalities are all subjects of bargains and agreements.

Mr. ZIMMERMAN. I beg to differ from the hon. gentleman. This railway is working on its own right of way.

Mr. A. C. MACDONELL. It is a street railway, and has no power to use anything

but electric power. It is denied the right to use steam power. It is a street railway pure and simple, and always will be. The clauses of this Bill giving it the right to run to Niagara and the Detroit river are simply bluffs. This is an attempt to give what is purely a local street railway, and nothing else, an entrance into the city ; and the way this Bill is drawn they can enter the city and run upon its highways without a by-law of the municipality.

Mr. DUNCAN ROSS. If I remember what took place in the Railway Committee, the promoters of the Bill accepted the clause under which they are not allowed to go into the city of Toronto.

Mr. A. C. MACDONELL. I am dealing with the Bill as drawn.

Mr. DUNCAN ROSS. We are dealing with the Bill as reported to the House.

Mr. A. C. MACDONELL. But the Bill as drawn is in the same shape as that in which it is now before the House in that respect.

Mr. A. JOHNSTON. Not at all.

Mr. A. C. MACDONELL. The promoters of this Bill accepted two amendments that I proposed, but, as regards this other feature —the right to enter the city without authority of a by-law—no change was agreed to by the promoters or made by the committee. They seek the right to enter the city, and to secure right of way, and to build lines and terminals.

Mr. CONMEE. Did not the hon. member (Mr. A. C. Macdonell) agree to the Bill in the Railway Committee?

Mr. A. C. MACDONELL. I agreed to the Bill in its present form so far as Toronto is concerned——

Mr. CONMEE. Well, then what is the matter now?

Mr. A. C. MACDONELL. I am meeting the arguments of the hon. member for Centre York (Mr. Campbell).

Mr. CONMEE. You had better take some other time for that.

Mr. A. C. MACDONELL. I am pointing out that in this we have an attempt to secure street railway rights in the city of Toronto.

Mr. A. JOHNSTON. Why?

Mr. A. C. MACDONELL. This road is simply a street railway—it is given the right to use electric power and no other, and it seeks by this Bill to gain entrance, right of way and other rights in the city of Toronto. Further, the attempt was made actually to secure the right to borrow money on such right of way, regardless of the consent of the city—no distinction being made in that respect. The city of Toronto is willing to make proper arrangements with any railway that proposes to enter the city, but it ought not to be required to submit to the entrance of a railway without due protection provided, without even plans being filed showing the proposed route and the terminal—simply an attempt to acquire a right, without compensation, to run a street railway within the limits of the city.

So far as concerns other features of the Bill affecting provincial rights, in my opinion this is a most improper Bill to introduce in this House. We find the attempt made to acquire Dominion rights by having it declared in this Bill that this is a work for the general advantage of Canada. What is the effect of that declaration in such a charter as this? Section 6 of the Railway Act reads as follows :

> Where any railway, the construction or operation of which is authorized by a special Act passed by the legislature of any province, is declared, by any Act of the parliament of Canada, to be a work for the general advantage of Canada, this Act shall apply to such railway, and to the company constructing or operating the same, to the exclusion of such of the provisions of the said special Act as are inconsistent with this Act, and in lieu of any general railway Act of the province.

The effect of declaring this a work for the general advantage of Canada, therefore, is to remove the work from the jurisdiction of the province, and to make this a part of the Dominion system of railways. Yet, as I have attempted to point out, this is merely a street railway. Now, the province of Ontario has sought to protect itself and its municipalities against the invasion of local rights by railway companies.

Mr. CLARKE. Will the hon. gentleman (Mr. A. C. Macdonell) allow me a question? Did he say that this company was incorporated by the province under the Street Railway Act and not under the Electric Railway Act?

Mr. A. C. MACDONELL. It is incorporated by special Act.

Mr. CLARKE. Under the Electric Railway Act or under the Street Railway Act?

Mr. A. C. MACDONELL. The Electric Railway Act. But my hon. friend (Mr. Clarke) knows that the company is incorporated by the Act of 1894, a special Act.

Mr. CLARKE. Quite so.

Mr. A. C. MACDONELL. That brings them under the jurisdiction of the provincial legislature and makes them subject to the provincial Railway Act, the provincial Board of Railway Commissioners——

Mr. W. F. MACLEAN. All the Ontario railway laws.

Mr. A. C MACDONELL. Precisely. At last session of the province of Ontario, the General Railway Act was consolidated, and in that measure we find special protection for the rights of municipalities. Section 202

of that Act, provides that the time for which a municipality may grant privileges to these railway companies shall not extend beyond twenty-five years ; it provides for certain renewal of rights, and also provides that the municipality may assume the ownership of the works. Thus, safeguards are thrown about municipalities in relation to provincial railways. We find also that, for some years past, the charter of every provincial railway has contained as one of its final sections a provision that the province shall have the right to erect its poles and string wires for the transmission of electric energy along the right of way of the railway. This is a very valuable right for people of the province to possess, more especially in view of the recent active operations of the Hydro-Electric Power Commission. It looks very much as if the province of Ontario would secure cheap power, and this right to string wires along the right of way of these railways will afford an inexpensive way of transmitting that power. Now, if this railway be taken from provincial control and placed under Dominion jurisdiction, all these rights which have been secured for the municipalities cease and these local Acts no longer apply, so that the special privileges secured for the province of Ontario or for its municipalities will be lost. Yet, as recently as the session of the provincial legislature which closed on Saturday last, a further Act was passed, the text of which I have not at hand at the moment, to empower the Lieutenant Governor in Council, to cancel privileges which companies may have obtained from municipalities or in a manner or under circumstances which justify such cancellation. All these advantages will be lost to the people of Ontario in relation to this and similar railways, should they be placed under federal control. It was said in the Railway Committee, and I have no doubt it will be said here to-day, that even at present this railway comes within the term of 'a work for the general advantage of Canada.' It was said by the promoters that the operation of the railway, its connections with and crossing of other railways, and the effect of decisions of the court, were sufficient to give this railway now the right to be considered a Dominion work. This is not the case—I decline to admit for one moment that it is the case. I desire to point out that where a provincial railway crosses a Dominion railway, that crossing does not, ipso facto, make the railway that so crosses the other a work for the general advantage of Canada. That was the argument used in the committee; it was stated that because this railway crosses the Grand Trunk at some point, and an interlocking switch had to be put in, that fact made it a work for the general advantage of Canada. Now section 8 of the Railway Act makes very plain that a work is for the general advantage of Canada for certain specified purposes only.

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Every railway, steam or electric street railway or tramway, the construction or operation of which is authorized by special Act of the legislature of any province, and which connects with or crosses or may hereafter connect with or cross any railway within the legislative authority of the parliament of Canada, shall, although not declared by parliament to be a work for the general advantage of Canada, be subject to the provisions of this Act relating to—

(a) the connection or crossing of one railway or tramway with or by another, so far as concerns the aforesaid connection or crossing ;

(b) the through traffic upon a railway or tramway and all matters appertaining thereto;

(c) criminal matters, including offences and penalties; and

(d) navigable waters.

So in no sense is this Hamilton Radial Railway exempted from the operation of the provincial statutes. It is true that for certain purposes it is to be construed as a work for the general advantage of Canada, but it is not relieved from the operation of the Ontario statutes respecting railways. It is still under those statutes, and still liable to the obligations and penalties therein provided. In no sense is it removed from provincial jurisdiction. It was also urged that by judgment of the Hon. Mr. Justice Street, in a case in which this company was a party, he declared that this Hamilton Radial Company was a work for the general advantage of Canada. Now that is not the case at all. The effect of that decision was entirely different. It is a decision in the Grand Trunk Company vs. the Hamilton Electric Radial Company, to be found in 29 Ontario Reports, at page 143. I will not delay the committee by reading that decision, but it is in the same terms practically as the Railway Act itself, section 8 which I have read, namely, that it is for certain specified purposes only that the crossing of a railway is to be considered as a work for the general advantage of Canada. Therefore the effect will be that if this railway is given a Dominion charter it simply means that for all time to come this parliament will be obliged, in fairness to all other railway companies, to give every street railway company that comes to this House a Dominion charter. That is simply absurd, I do not think any hon. gentleman in this House will contend for a moment that that is right. No one will contend that it is the intention of our constitution to give little local railways, especially street railway companies, Dominion incorporation, more especially when in each province, as in the province of Ontario, we have ample legislation of a fair and equitable character to govern these local railways. Moreover I say that this company has shown no intention of building anywhere except as a local line. I do not think it is unfair to say, what I said before, that the powers asked for by this Bill to build to the Niagara river and the

Detroit river are merely a pretext, that the company is insincere. Who will suppose for a moment that this company intends to run an electric road from Hamilton west to the Detroit river, over a territory which is now gridironed with various systems of railways? I do not believe for a moment that that is the case. But even if it be admitted the company can operate under its provincial powers, there is no pretense that the company intends to build immediately to these points. I am not doing the company an injustice to say that it is not sincere in asking for these powers, because it is admitted that there is no present intention of building this line. We find this company incorporated in the year 1894, when it was given five years to complete its work and build its line. Session after session since that time they have received extensions of time. In 1903 or 1904 they received a further extension from the Ontario legislature. They have now up to the year 1909 within which to complete their work. There is no pretense that they are coming here because they are crowded for time, there is no pretense that they are coming here because their time is expired and they want a renewal or extension, because as I have said they have until 1909 by their provincial powers to complete their work. They make no pretense of coming here for any other purpose but to escape provincial legislation. That is the sole object of their coming here—to escape provincial legislation. They are asking to be relieved of something which this parliament should not relieve them from. There is no bona fides in their application, there is nothing urgent. They do not say that they are suffering any hardship, or that they are liable to any forfeiture or loss of rights. They simply come here and ask this parliament to give them this purely local street railway a Dominion incorporation. Now I submit that there is no warrant for taking such a step. If we pass this Act we will be creating a precedent that other railway companies will follow. The public have valuable safeguards and rights secured to them now against this company, by legislation under which they have operated for twelve or thirteen years. The public have vested rights in that legislation, there is no doubt about that. They have treated this company fairly, they have extended the time when it asked for an extension, and there is no reason why it should be given this jug-handled preference. The province has given this company power to make agreements with municipalities for a certain number of years and we find in this wonderful Bill a blanketing clause confirming the agreements, no one knows now many agreements, made with various municipalities, none of which are before this House. We find this Bill proposes to confirm all these agreements. No one knows what these agreements contain except the promoters of this Bill. Indeed I do not think an hon. gentleman in this House is aware of the contents of these agreements with the municipalities. There may be bonus agreements under which certain rights have been given. It may be that perpetual franchises are given this company by some of the municipalities. Now I ask: Is it fair, without a knowledge of what we are doing, to take this step in the dark and confirm a large number of agreements between this corporation and municipalities, not even knowing what these agreements contain. I submit that it would be highly improper to take this step, and distinctly unfair to the province of Ontario and to the municipalities which are immediately affected by this road.

Mr. NORTHRUP. It seems to me this Bill is one which invites about as much criticism as any Bill that ever came before this House. Certain facts must be admitted by the promoters, if there is any promoter present to speak on behalf of the Bill; I infer there is not, by the remarks made by the hon. member for West York. We find that this company, when it wished for a charter went to the Ontario legislature and obtained this charter in 1894, thirteen years ago, and for thirteen years it has been able to do whatever business it required to do, and did it under an Ontario charter.

Evidently there was not any great dissatisfaction with that charter, for having obtained it in 1894 they came back in 1895, again in 1896, again in 1900 and again in 1904 and successively obtained further legislation from the Ontario legislature. If they have acted on an Ontario charter for thirteen years during which time five appeals were made to the Ontario legislature and acceded to, we are surely justified in saying that a great responsibility rests on the gentlemen who now ask us to give them another charter with new and extraordinary powers.

Then the date at which this Bill is brought before parliament leads to suspicion. Parliament has been sitting five months and owing to the change in the fiscal year, we wasted several months at the beginning of the session owing to inability to obtain the public accounts. During that time there was every opportunity for private legislation and many took advantage of it, but here we find this company in the closing days of the session asking for this suspicious charter. We all know that when people come in the closing days of a session with Bills granting extraordinary powers they select that time because it is considered more easy to get such a Bill through then. This Bill was thus introduced and the leader of the opposition (Mr. R. L. Borden) asked why for thirteen years the railway has been for the

advantage of Ontario and suddenly it is asked to be declared to be in the general interest of Canada. If it is in the interest of Canada it should be passed here; if it is not in the general interest it should not. The chairman of the Railway Committee who is supposed to know something of the Bill, who is its spokesman, a few moments ago when asked why it was for the general advantage of Canada said that it would enable his constituents in West York to get out of the constituency more quickly, more easily, more economically than at the present time. That may be a good argument from his point of view, that anything that will assist his constituents to leave his constituency is for the general advantage of Canada; in a parliamentary sense I am compelled to accept his statement on the floor of the House, but I think his statement is enough to arouse our suspicions as to whether this work should be declared for the general advantage of Canada. The fact that this road has for thirteen years been operated without question as a work purely for Ontario is prima facie evidence that it should continue to be Ontario work, and while it is quite possible that some change may have taken place at the end of thirteen years, which make it now a work for the general advantage of Canada, surely the onus rests upon the supporters of the Bill to clearly demonstrate that to the House.

Mr. AYLESWORTH. The Bill before the House is one in which, unless it may be the interest which the hon. member for Centre York (Mr. Campbell) has indicated, I have no personal interest, and in regard to which personally and so far as my constituents are concerned, I cannot see that I or they have any special concern. But the hon. gentleman from East Hastings, (Mr. Northrop) has addressed himself to the question whether or not the declaration contained in the first clause of the proposed Bill should be passed by this House and whether or not any reason could be given for passing it. This leads me to point out what possibly has been for the moment lost sight of, namely the circumstances with regard to legislation of this sort in the case of a company whose works are in the position that the works of this company are in.

The design of the British North America Act was, of course, that there should be exclusive legislative jurisdiction residing either in this parliament or in the provincial legislature with reference to different subjects matter, and accordingly section 92, providing the exclusive powers of provincial legislatures, declares that in each province the legislature may exclusively make laws in relation among other things to,

> Local works and undertakings other than such as are before or after their execution declared by the parliament of Canada to be for the general advantage of Canada.

Now any work which has been at any time declared to be for the general advantage of Canada is thenceforward to be subject not to the legislative authority of the provinces but to the exclusive legislative authority of the Dominion Parliament, and if, in fact, the works of this company are declared to be for the general advantage of Canada, then from the time of that declaration no provincial legislature has power to legislate with regard to this company, but this parliament and this parliament alone, and if these works are already in that position or are in a doubtful position the question, I take it, for decision now is whether or not that doubt should be cleared up, whether or not this parliament should speak, because it is only this parliament which has the power to declare whether or not any certain works in the country are to be considered to be for the general advantage of Canada. This company was, as hon. gentlemen have stated, incorporated in 1894, and after certain amendments in its Act of incorporation there came a time, I am not able to say exactly at what date, when it built its crossing over the line of the Grand Trunk Railway at Burlington. The effect of that action on the part of the company came to be considered before the High Court of Ontario not long afterwards, and Mr. Justice Street, who, I need not say to any one who knew him or to any one acquainted with the jurisprudence of the province of Ontario, was perhaps the most careful and painstaking judge who ever sat upon the Canadian bench, delivering a carefully considered judgment, to which allusion has already been made, pronounced, I think in 1898 or 1899, the law with regard to this particular company, and said in so many words that the effect of the building of the crossing over the line or across the line of the Grand Trunk at Burlington, was, under the Dominion law as it then stood, to make the works of this Hamilton Radial Railway Company, works thenceforward for the general advantage of Canada, and thenceforward subject only to Dominion legislation. These are his words:

> The defendants (The Hamilton Radial Railway Company) are incorporated by 57 Victoria, chapter 88, Ontario, to construct a line of railway crossing the plaintiff's (Grand Trunk line) at Burlington, but are forbidden by section 19 to cross or intersect the line of any railway operated by steam at grade. Proposing, however, as they do, to cross the plaintiff's line, they are brought within the legislative authority of the parliament of Canada by sections 306 and 307 of the Dominion Railway Act of 1888, and by section 4 of the same Act the provisions with regard to crossings are made specially applicable to them.

That, then, was a judicial declaration of the position of this company some four

or five years after it was incorporated, and we have the High Court of Ontario then saying, by the voice of Mr. Justice Street in the language I have read, that this particular company possessed works which were subject only to the legislative jurisdiction of the parliament of Canada and not subject to the legislative jurisdiction of the legislature of Ontario. The foundation upon which that decision rested was of course perfectly plain. At that time and for ten years previously this parliament had declared by its legislation of 1888 that the works of any railway company, which crossed a Dominion road, by that circumstance became works subject to the legislative jurisdiction of this parliament. Section 306 of the Railway Act of 1888 in terms enacts that certain named roads are works for the general advantage of Canada:

> And each and every branch line or railway nor or hereafter connecting with or crossing the said lines of railway or any of them, is a work for the general advantage of Canada.

I am not concerned in the slightest degree with the policy of the legislation. It was the law for nearly twenty years, and the government of that day no doubt considered that it was in the interest of the country to pass it. At all events, it was undoubtedly the law of Canada from 1889 forward to 1903, that any railway which crossed a railway which was a Dominion railway, thereby itself became a Dominion railway also. So we have this situation, that this particular railway, this particular electric road incorporated by the Ontario legislature in 1894 may have been and no doubt was subject to provincial jurisdiction at that time and thenceforward until its line crossed the Grand Trunk, and as soon as its line crossed the Grand Trunk the parliament of Canada by its declaration of 1888 declared thenceforward that this crossing road, however little it may be, is a road over which the Dominion parliament and the Dominion parliament only has legislative jurisdiction.

Mr. W. F. MACLEAN. Might I ask the hon. gentleman a question? When he makes that rule so broad, does he say that if any portion of the street railway of Toronto crosses the Grand Trunk Railway or the Canadian Pacific Railway, it then becomes a work under the jurisdiction of the Dominion of Canada?

Mr. AYLESWORTH. I am only speaking of the law as I find it, and the law as it stood when Mr. Justice Street pronounced this decision in 1898, I venture to say is undoubtedly as he declared it. I am not expressing my own opinion; I am taking his opinion, which is a great deal better, and his opinion is expressed in the most unequivocal and unmistakable language.

Mr. AYLESWORTH

Mr. FOSTER. Is it contended that that road, the moment it crosses a Dominion railway, becomes subject to Dominion legislation by virtue of legislation passed by this Dominion in the Railway Act?

Mr. AYLESWORTH. The Railway Act of 1888; quite so.

Mr. W. F. MACLEAN. Then, from the argument of the Minister of Justice I take it that if the street railway in Toronto or any other city crosses the Grand Trunk or the Canadian Pacific Railway that street railway comes under the Dominion law.

Mr. AYLESWORTH. I am speaking, as I have said, of the position of this road, and I am resting myself absolutely in this matter upon the language of Mr. Justice Street. I am not pronouncing any opinion of my own, but I am desirous of pointing out to the committee what the position of this road, and any other that is in the same condition, would appear to be. From 1888 until 1903 we had in force in this country the unequivocal declaration of the Railway Act of 1888, that any road which crossed a Dominion road thereby itself became a Dominion road subject to Dominion legislation and Dominion legislation only.

Mr. FOSTER. Is that the law?

Mr. AYLESWORTH. No, that is what I am going to point out. This road was declared to be in that position by Mr. Justice Street in 1898 or 1899, and in 1903 this parliament passed the present Railway Act in which it uses this language:

> That every railway, steam or electric street railway, or tramway, now crossing a railway which is subject to the legislative authority of the parliament of Canada, is hereby declared to be a work for the general advantage of Canada, in respect only to such connection or crossing, or to through traffic thereon.

Mr. FOSTER. Hear, hear.

Mr. AYLESWORTH. That was a change of policy on the part of this parliament which, after fifteen years' experience, was pronounced in 1903. Now, the contention arises at once, and I should think it is a question of very considerable importance for any railway solicitor or counsel to consider: Can a road which has been for ten years, or for one year, subject only to the jurisdiction of the Dominion parliament, be referred to the jurisdiction of the local legislature so far as legislation over it is concerned. There is no provision of that nature in the British North America Act. The only provision whatever on the subject in our constitution is the provision of section 92:

> That such works as have at any time been declared to be for the general advantage of Canada shall thenceforward be subject to the Dominion control only.

There is no power conferred by any express language or by any implication, that I am aware of, upon the Dominion parliament to denude itself of its legislative jurisdiction over the works of any undertaking which it once has established.

Mr. FOSTER. Does the decision of the judge on a point of law make that declaration permanent?

Mr. AYLESWORTH. It is only a declaration of what the law is.

Mr. W. F. MACLEAN. It is the judge's opinion of what the law is.

Mr. AYLESWORTH. It is a declaration by the court of what the law was at that time. Of course parliament has the power to amend or alter the law, and often a judicial declaration of what the law is is the very ground for the amendment which parliament in its wisdom makes in that regard. The point I am trying to make clear with regard to the situation of this company is simply this: That from the time its line crossed the Grand Trunk till 1903 it was undoubtedly a road subject only to Dominion legislation.

Mr. A. C. MACDONELL. If that be so, and if this company understood its rights—the judgment the hon. gentleman speaks of was in 1897—why was it that in 1900 and 1904 it went to the Ontario legislature for amendments to its Act?

Mr. AYLESWORTH. My hon. friend will have to ask somebody else than me for an answer to his question; I am not in the confidence of the company; I do not know anything about the company. I have no idea why they did it; that is their affair. I am not concerned with this legislation one way or the other. The hon. member for East Hastings has asked an answer to the question, why is this declaration in section 2 of the present Act at all necessary? I am trying to point out why it would seem to me to be very necessary in the position in which the law is since the passage of the Dominion Act of 1903. I am saying that from the time the lines of this radial road crossed the Grand Trunk tracks until 1903 there was no question, upon the decision of Mr. Justice Street and upon the plain language of the Dominion Act of 1888, that this road was subject to Dominion legislative control and no other.

Mr. R. L. BORDEN. In that connection, might I ask the Minister of Justice has he considered the question as to whether or not the provision in the Act of 1888 would necessarily extend to street railways, which are expressly exempted by the Act of 1903? Might it not be possible that that provision would be confined to railways of the character dealt with generally by the Act?

Mr. AYLESWORTH. The language of the Act of 1888 is wide enough to include a railway such as this, which I understand to be scarcely what would ordinarily be considered a street railway. It is an electric road which, for a considerable part at all events, travels over its own purchased right of way, and does not travel exclusively on the highways. But in that regard I rest, as I think the temptation of any lawyer would be too strong to resist, upon the express language of the court, a competent court, and in this instance one to whose opinion every one would pay the highest respect, declaring that in 1897, at all events, this particular company was subject to the control and legislative jurisdiction of this parliament.

Mr. R. L. BORDEN. Would the Minister of Justice pardon me one more question? I have not done more than glance at the judgment of Mr. Justice Street to which he alludes. Does the definitive pronouncement of Mr. Justice Street extend beyond this, that in respect of the crossing of the Hamilton Radial Railway over the Grand Trunk Railway, the first mentioned company was within the legislative competence of the parliament of Canada, and within the jurisdiction of the Railway Committee of the Privy Council? Apart from what he says, does his judgment extend beyond that point?

Mr. AYLESWORTH. I have not the volume before me, and I am not able at the moment to say what the nature of the action was. I was under the impression that it was a claim for an injunction to restrain this road from doing what it sought; but the language of the learned judge is very definite, and in no way limits the matter to the crossing.

Mr. R. L. BORDEN. What the Minister of Justice read did undoubtedly go that far.

Mr. AYLESWORTH. I might say that the legislation limiting it to the crossing had not had birth at that time. That was enacted in 1903, and it is entirely anomalous. Far be it from me to raise the slightest question as to the validity of any Act passed by this parliament; but I cannot help noticing that what the British North America Act authorizes this parliament to do is to declare certain works to be for the general advantage of Canada, and under that language we have a declaration, not that the works generally of the company are for the advantage of Canada, but some defined portion of those works alone. However that may be, we have now this position of affairs so far as the present company is concerned: A company incorporated by provincial statute afterwards becoming, in the execution of the works contemplated by the Act which brought it into being, subject to Dominion legislative control and to Dominion legis-

lative control alone, continuing in that position for a period of seven or eight years, and then being possibly dethroned, if I may use the expression, by the passing of the Dominion Act in 1903, which limited the Dominion legislative control to crossings. It is doubtful whether that enactment of 1903 was or was not effective to destroy the Dominion control which had previously existed over the whole undertaking. This company, being advised by their counsel to seek for an authoritative declaration as to their status and position, it is only this parliament which can pronounce such an authoritative declaration. No other tribunal or body can. This parliament is the one which, by the British North America Act, is alone vested with the jurisdiction to declare a particular work to be for the general advantage of Canada. Can it ever undo what it has so declared? I find no warrant for it in the British North America Act. The imperial parliament has said to this parliament: You may, in the exercise of your good judgment, declare any work which you, as a parliament, consider to be for the general advantage of Canada to be of such character; and so declaring, you, and you only, shall thenceforth have legislative jurisdiction over it. This parliament did once so declare with regard to this road. Afterwards something has occurred which puts the position of that road in this respect in doubt. Under these circumstances, it seems to me the most natural thing in the world that this company should seek to have a declaration on the subject which would put its position beyond question. As to the general merits of the Bill I say nothing. I am free to admit that I have formed no particular opinion upon it. If, however, we credit those who are asking this legislation with sincerity, then certainly the provisions of this Bill are such as no other parliament than that of this Dominion can pass.

Mr. FOSTER. Would the minister just explain that? That is not patent to my mind.

Mr. AYLESWORTH. Each province has a right, under section 92 of the British North America Act, to incorporate a company for purely provincial objects, but no other company. Now, a company which has for its object to cross the international boundary cannot be a company with purely provincial objects.

Mr. DUNCAN ROSS. Will the Minister of Justice allow me to ask him one question? If this parliament declares the works of this company to be works for the general advantage of Canada, is it possible for the same company to go to the provincial legislature to get legislation to build further railways?

Mr AYLESWORTH.

Mr. AYLESWORTH. I do not know whether I can answer that question categorically. I can only say that the effect of declaring certain works to be for the general advantage of Canada gives to this parliament the exclusive right to legislate with regard to them.

Mr. DUNCAN ROSS. Could two legislative bodies have jurisdiction over the same work?

Mr. AYLESWORTH. Not the same work but possibly different works of the same company.

Mr. NORTHRUP. Judging by what has fallen from my hon. friend the Minister of Justice (Mr. Aylesworth), his conclusion is that in consequence of some railway legislation in 1888 and a judicial decision given by Judge Street in 1897, by which it was held that this work became a work for the general advantage of Canada, it clearly was a work for the advantage of Canada from that time until at all events 1904, and it appears to be uncertain under the Act of 1903 whether or not it is a work for the general advantage of Canada to-day. That I think is the argument of the Minister of Justice. Under those circumstances there is only one thing for us to do. If it is really a work for the general advantage of Canada, it is superfluous for us to stamp those words on the Act. If it is not, why should we declare it so? Evidently parliament in 1903 was not inclined to consider this railway for the general advantage of Canada and attempted to lay down a rule under which such works would not be so considered. But if this company thinks now it was made a work for the general advantage of Canada, it can go to the courts and have that declared. There is no reason why we should declare it to be for the general advantage of Canada unless it is. On what ground can it be said that this is for the general advantage of Canada? If it is, let us have the reason. If it is only on the ground mentioned by my hon. friend the Minister of Justice (Mr. Aylesworth), let the railway company stand on the judicial decision of Mr. Justice Street and not come to this House.

Mr. AYLESWORTH. That puts any company in a very extraordinary position and one in which no company would wish to be. If they are already for the general advantage of Canada so that this parliament alone can legislate, when they resort to any provincial legislature, any legislation of that body will be ultra vires and the company has to come here.

Mr. NORTHRUP. The fact that they have gone to the provincial legislature several times shows how ready they were to yield to provincial legislation up to a certain point. Has the chairman of the

Railway Committee any idea of the number of miles this road has really constructed in thirteen years ? My information is that the whole road, after thirteen years experience, covers about twenty miles from Hamilton to Oakville.

Mr. AYLESWORTH. Does it not run from Beamsville ?

Mr. NORTHRUP. My information is simply from Hamilton to Oakville a distance of twenty miles and to say that a tramway running twenty miles is for the general advantage of Canada is absurd.

Mr. R. L. BORDEN. With regard to the legal point under discussion, I would like to point out to my hon. friend the Minister of Justice that, with all deference to the view he has expressed as to the judgment of Mr. Justice Street, it hardly seems to me that his decision went that far. What happened in the case alluded to which is reported in twenty-nine Ontario reports, page 143, was this. The Grand Trunk Railway, the plaintiff, applied for an injunction to restrain the defendant—the company now promoting this Bill—from trespassing upon or taking possession of certain land. The application was made in connection with a proposal to cross the Grand Trunk Railway. The Hamilton Radial Company had applied to the Railway Committee of the Privy Council for an order allowing them to cross and that had been opposed by the Grand Trunk Railway, but the Railway Committee had made an order approving of the place and mode of crossing the plaintiff's railway, as indicated by the defendants in their application. Omitting the immaterial portions of the judgment, it amounts to this :

Proposing, however, as they do, to cross the plaintiff's lines, they are brought within the legislative authority of the parliament of Canada by section 306 and 307 of the Dominion Railway Act of 1888, 51 Victoria, chapter 29, and by section 4 of the same Act, the provisions with regard to crossings are made specially applicable to them.

Section 4 contains this provision:

In addition all the provisions of this Act relating to any subject or matter within the legislative authority of the parliament of Canada, and for greater certainty but not so as to restrict the generality of the foregoing terms, all provisions relating to railway crossings and junctions, offences and penalties and statistics, apply to all persons, companies and railways, whether otherwise within the legislative authority of parliament or not.

The learned judge thus calls attention to the fact hat section 4 of the Railway Act makes the Hamilton Radial Company subjective to the legislative jurisdiction of the parliament of Canada, if it attempts to cross the line of a company which has been incorporated by or is within the legislative jurisdiction of the Dominion parliament. On the next page the learned judge goes on :

By section 111 of subsection (d) the Railway Committee have power to inquire into, hear and determine any application, complaint or dispute respecting the crossing of the tracks of one company by the tracks of another.

By section 173, as amended by 56 Victoria, chapter 27, section 1, the above powers are made equally applicable to the case of an electric railway seeking to cross an ordinary railway.

Section 173 of the Railway Act of 1888, as amended by the Act of 1893, 56 Victoria, is as follows:

The railway of any company shall not be crossed, intersected, joined or united by or with any other railway, nor shall any railway be intersected or crossed by any street railway, electric railway or tramway, whether constructed under Dominion or provincial or municipal authority or otherwise, unless the place and mode of the proposed crossing, intersection or junction or union, are first approved of by the Railway Committee on application therefor.

Then follow provisions as to the mode of application. The section continues:

And in the case of crossing by street railways, electric railways or tramways respectively, the Railway Committee shall have the same powers in all respects as to the protection of such crossing and otherwise as are givn to the Railway Committee by this Act in regard to one railway crossing another.

Having regard to these provisions, all that the learned judge decided is that in respect of the crossing by the Hamilton Radial Railway of the Grand Trunk Railway, the Hamilton Radial Railway was within the legislative jurisdiction of the parliament of Canada and subject to the provisions which the learned judge cites from the Railway Act of 1888 and the amendments thereto. But it would not necessarily follow from his decision that the work was a work for the general advantage of Canada.

At one o'clock, House took recess.

Committee resumed at Three o'clock.

Mr. W. F. MACLEAN. Mr. Chairman, I think we heard here, just before recess, the most surprising and far-reaching argument ever put forward in this House, one that altogether upsets the constitution of this country. For, if the argument of the Minister of Justice (Mr. Aylesworth) be true, he has signed the death warrant of provincial rule, and even of federal rule, and has prepared the way for what has been called autocratic legislative union. Under this argument, municipal rights are gone, provincial rights have ceased to exist—a new doctrine has been declared. I would point out to the Minister of Justice and also to the leader of the House (Mr. Fielding) that decision of Judge Street which has been referred to, was given at a time when Sir Oliver Mowat was Minister of Justice of this Dominion and when the chief beneficiary of the legislation now before us was Attornef General of the province of Ontario. That was the case Mr. Chairman—Sir Oliver

Mowat, of provincial rights and blessed memory, was Minister of Justice and Attorney General of this Dominion at that time; and Mr. Gibson, who is at the back of this Bill, was Attorney General of the province of Ontario. Did Mr. Gibson notice this decision of Judge Street, and sit quietly by, waiting until he could get out of office and use to his own advantage something which he should have corrected at the time? He was a member of a government whose great policy was defence of provincial rights. Yet, instead of calling public attention to this matter, and securing a remedy, he kept his mouth closed; but now he proposes to take advantage of this decision. This statement of the Minister of Justice to-day is like others that we have heard from the same source, it is a purely technical legal interpretation of the case—there is no statesmanship or public policy in it. Now, I want to suggest to the leader of the House what statesmanship and public policy in this matter demand. Rather than consent to the narrow legal statement that has been made, he should insist that this Bill be withdrawn and time taken to consider the whole situation. As I have said, this new interpretation of the constitution will do away with provincial rights and with existing municipal rights under provincial jurisdiction. Why even the street railways in our cities will by it come under the federal power. If that is a true statement of our constitutional position, then the leader of this House should demand opportunity to make an appeal to the imperial authorities for immediate legislation so as to change the situation. The Minister of Justice has told us that once a work has been declared for the general advantage of Canada it can never go back to provincial jurisdiction. That ought to be either rectified or cleared up. If that is the effect of Judge Street's decision, then that judgment should have been appealed—probably it could be appealed yet, or another case involving the same question should be submitted to the privy council that we may have an authoritative decision of the matter. I for one, am not prepared to override the constitution of this country as universally interpreted on a decision of one judge in an insignificant case. If this judgment applies to this Hamilton Radial Railway, it applies to every other railway that was under similar conditions at that time. And the Toronto Railway, which controls the street railways in Toronto and Hamilton, can come here next session—or this session for that matter—and have its lines declared works for the general advantage of Canada. For, the conditions are exactly similar. We know—I am aware of it as a matter of fact—that the Toronto street railway crosses both the Grand Trunk and the Canadian Pacific Railway. And the same is true of the Hamilton railway; no doubt, it is true of practically every street railway in the country. I desire, therefore. to impress upon the Acting Minister of Railways (Mr. Fielding) the fact that every street railway in the province of Ontario will seek to have itself declared a work for the general advantage of Canada so as to get away from all its present engagements to the province of Ontario. As has been pointed out by the hon. member for South Toronto (Mr. A. C. Macdonell) all these lines must now concede certain advantages in the interest of the people of Ontario, and these obligations would cease if the argument of the Minister of Justice prevailed in our constitutional system. The right of way of each of these lines, as has been stated, can be used by the province for the transmission of electrical power. Moreover, in the province of Ontario they are under a two-cent-a-mile jurisdiction. Put through this legislation and in effect, you place the street cars in every city of Canada, and especially of Ontario, under a three-cent-a-mile jurisdiction—that is for the eight mile ride in Toronto for which you now pay three cents, you will pay twenty-four cents.

I contend that it is not right to put through legislation such as this at the end of the session. There was a reason in putting it back to this time, I imagine. But, instead of having it go through, we ought to have a statement from the leader of the House that he cannot allow legislation of this kind to pass, or even to take up the whole of the day, until he has had a chance to consider it fully and, if necessary, pass it only after legislation has been provided that will maintain the meaning of the British North America Act. But it is not necessary to amend the constitution; you can do with it what they have been doing with theirs in the United States, and what this government have done time and time again, and that is interpret it to suit. It would strain the constitution less to be interpreted somewhat arbitrarily than to have the whole municipal rights of Ontario done away with.

Now, that which is desired by Col. Gibson and his associates who control the Toronto electric railway and others is to escape from Ontario jurisdiction. Ontario imposes duties upon them, and gives them franchises for not longer than twenty-five years. But if this legislation passes, these companies are on the streets and roads of Ontario for ever. This legislation is altogether inspired by the street railway interests controlling the Hamilton Radial Railway and other great electric railway interests in the province of Ontario, whose first merger was $30,000,000, and whose next merger will be for $150,000,000 or $200,000,000, to include all the trolley systems and power development companies of Ontario.

These men have these roads and companies in their grasp now, and they want to form a big merger in order to get rid of Ontario jurisdiction. They wish to become tyrannical in the province of Ontario, and they are being

helped in that by the Hon. J. M. Gibson who was the Attorney General of Ontario at the time this happened. He was a professional advocate of provincial rights for years and years, and was under a leader who was for ever the advocate of provincial rights, and who made his reputation and acquired much glory in fighting this parliament and Sir John A. Macdonald for provincial rights against federal invasion. Now we heard to-day my hon. friend, and my constituent by the by, the member for Centre York (Mr. Campbell), weeping over the poor people who wanted to get into the city. He overstrained his lachrymals in that effort, and I would advise him to take this view, that the people of Toronto would like to have their system go out into the country. The people he was weeping over wish to get into the city of Toronto over the Toronto railway. Is he willing to let the city send out its street cars over these radials ?

Mr. CAMPBELL. Most certainly.

Mr. W. F. MACLEAN. Well, what would be the result of that ? These men who were here to-day would oppose these clients of his ; the late Attorney General of Ontario would be here opposing any such legislation ?

Mr. CAMPBELL. What about the people ?

Mr. W. F. MACLEAN. I know the hon. gentleman is weeping for the people to-day, but these friends of his would not put the boot on the other foot, they would allow no other company to go over their lines. Now I do not think these radial people would allow any line further back to use their line to get into the city.

Mr. CAMPBELL. Then I would compel them.

Mr. W. F. MACLEAN. Then you must go to the province of Ontario where the proper jurisdiction is. Ontario to-day is dealing with this question, it has a magnificent law regarding it, it has made all these franchises limited, it has reduced and regulates the passenger rate, it has taken the right to use their poles, and the right of way for the distribution of power. In a hundred ways Ontario to-day is competently and successfully administering all these things. It is because Ontario has a law in the public interest that this great trolly merger are coming here. They want to escape this good law in the province of Ontario, and to come under a new law. They want to get into a position where they can have their friends, who happen to be outside the province of Ontario, give them any concession they ask here. There seems to be a great willingness on the part of some of the other provinces to sacrifice the municipal rights of the people of Ontario.

Mr. TALBOT. What does the hon. gentleman mean when he says that there seems to be a willingness on the part of the representatives of other provinces to sacrifice Ontario's rights ?

Mr. W. F. MACLEAN. The province of Ontario has noticed from time to time, when its municipal rights are under discussion here, that there is a certain willingness on the part of some of the representatives of other provinces to vote away the provincial rights of Ontario.

Mr. TALBOT. Would the hon. gentleman define his meaning a little better ?

Mr. W. F. MACLEAN. The hon. gentleman seems to know what the reference is.

Mr. CONMEE. The hon. gentleman refers to the fact that at the time of this trial Sir Oliver Mowat was Minister of Justice and J. M. Gibson was Attorney General of Ontario. Does the hon. member mean by that insinuation that the judge was tampered with?

Mr. W. F. MACLEAN. J. M. Gibson was Attorney General of Ontario when this attack was made on provincial rights. He was not the defender of municipal rights he was a corporationist then as he is now, and instead of boldly defending provincial rights he and his friends come here to have them murdered. He could have appealed the case to the Privy Council, he could have come to this parliament and said : If that is the law, we in the province of Ontario will join with you in going to the imperial government and having an Act passed defining what the law really is. To-day the Minister of Justice has taken refuge under one decision only, and on that one decision he proposes to turn the constitution upside down. He has not given any clear, statesmanlike reason for turning the constitution upside down in this proposal for bringing every street railway in the country under the jurisdiction of the Dominion parliament. Again I appeal to the Acting Minister of Railways and Canals to tell the people of Canada whether he intends to allow this measure to go through without further consideration. We can certainly show that it is in the interest of the public that it should be deferred, that there should be a conference between the provinces and the Dominion on this matter ; and that if there is an invasion of provincial rights, if the British North America Act seems to have altered the original intention of the law, then let it be rectified by an imperial Act. That is the proper thing to do on this occasion. It is not good politics from a federal point of view to invade provincial rights. That ought to be done only on the most careful consideration, after a decision of the judicial committee of the Privy Council has been obtained. I venture to say that the present Minister of Justice has argued twenty times before the imperial Privy Council in the very opposite direction he has argued

here to-day; I would not be surprised to learn that he was counsel for the Ontario government in several of these issues, and that he stated before the Privy Council their view of provincial rights. Now in view of the situation I appeal to the leader of the House to hold this measure over. He won't get it through to-day, I do not believe the members here will allow that to go through in a month's time, if we have to sit day and night. In view of the circumstances that exist, and in view of the position that has been stated here to-day, this Bill should not be pressed but it should stand over till another session. It is not in the public interest, no wrong will be done. This company is only a fraction of a big merger of these companies, and no harm will come to any body if the Bill stands over another session. It will only be six or eight months, and in the meantime I do not think this House can afford to let any such measure go through. For my part I am going to oppose it right to the end.

Mr. BLAIN. As I am mentioned by my hon. friend from Centre York (Mr. Campbell) in connection with this proposed construction of an electric road, for fear that my hon. friend might misunderstand my position, I wish to say that I am in favour of the construction of a road from Oakville in the county of Halton, through the county of Peel, to the city of Toronto. I wish my hon. friend to understand at the same time that I am in favour of provincial rights being properly protected, and on that point I do not wish any doubt to remain in the mind of any hon. gentleman.

The government should see to it that this conflict, session after session, between the federal and Ontario governments should be ended in so far as the railway question is concerned. We in Ontario are in our infancy in the construction of electric railways; charters are being asked from the provincial government for the construction of railways all through western Ontario in particular and now when this matter is up I deem it the duty of this government and particularly of the Minister of Justice (Mr. Aylesworth) to have his department and the corresponding department of the Ontario government get together and come to some clearly defined policy so that all promoters seeking charters from either government would understand that they can go so far upon this question and no further. It is not fair to the people of Ontario or of any province that the people should be kept without railway communication because of a clash of jurisdiction between the federal and provincial governments. We have had forty years' existence as a Dominion and it seems to me this question should be settled —it should have been settled long ago. Whatever can be said about past governments the responsibility just now rests upon this government and it is their duty to see that this conflict between the federal and provincial governments does not continue. This road is of importance to the people in the county I have the honour to represent. We have good railway communication through Peel it is true; we have the Grand Trunk and the Canadian Pacific Railway, but our people in the southern part of the county who are raising large quantities of fruit and vegetables for the Hamilton and Toronto markets are anxious for more railway communication so that the rates will be lower and the service better. The Dominion and the provincial goverments should not allow these roads to postpone construction. This charter was granted by the provincial government in 1894, and that is a long time to allow the company to hold a charter without constructing the road, and in so far as that is concerned, I think the provincial government and the members of the company are to blame; I believe now that this government should see to it that such an arrangement is made as will end this conflict and secure the speedy construction of the road. The people in the counties concerned are not particularly interested in the question of a Dominion or provincial charter but they are interested in the construction of the road.

Mr. CLARKE. I agree in the main with what has been said by the last speaker (Mr. Blain). The Bill stands in my name and it is a Bill which I consider to be very much in the interests of Canada. The matter has been very fully discussed before the Railway Committee and I think I can say with the utmost sincerity that not one single person interested—I do not mean the members of parliament—raised any opposition to it; in fact the people who appeared before the Railway Committee were anxious that the road should be constructed, and as the hon. member (Mr. Blain) has just said they do not care very much whether it is constructed under provincial or Dominion legislation, what they want is the railway.

Something has been said about the manner in which this Bill has been brought here; some complain that it has come in late and some that it has come by way of the Senate. Many Bills have come in by way of the Senate before, and if the Senate is to be of any use at all I cannot see why anything that comes to us by way of that House, should be criticised as this Bill has been. As to the time, the hon. member for South Toronto (Mr. Macdonell) said that the Bill was brought in behind the city's back. I do not think the gentlemen from Toronto and some of the other gentlemen are doing credit to themselves by making the statement that they only hear of this Bill at the present moment, because if they did not hear of it before they should have heard of it. Other people have learned of it and discussed it, the people as far west as my

county have been discussing the matter for two months back. They were notified as I understand all municipalities affected were notified. Certainly Toronto was notified and I find in the Toronto 'Globe' of last Friday, the following interviews in connection with this matter:

City Solicitor Chisholm was asked yesterday as to the reason why this city was not represented by counsel when the application of the Hamilton Radial Electric Company for entrance to Toronto came before the Railway Committee of the House of Commons. He said that he and Corporation Counsel Fullerton had discussed the Bill about six weeks ago, when it was before the Senate committee and they had decided that it would not be necessary for the city legal department to be represented when it came before the Railway Committee, as Toronto's interests were protected by the general Act.

If the company sought to run the railway on any of the streets of the city, it would first have to obtain permission from the Dominion Railway Board to do so, and if a tramway were wished the consent of the city would have to be secured. Anything done in the matter of the Bill would be subject to the Railway Board and this city could yet oppose it if this were deemed necessary. As for himself, Mr. Chisholm said he thought the more railways that came to Canada the better.

The mayor, when spoken to about the matter yesterday afternoon, said he had not seen either the city solicitor or corporation counsel with regard to the outcome of it, but some time ago he had been assured by City Solicitor Chisholm that this city's interests would not be affected by the Radial Railway Bill. That was all he knew about it.

It is apparent that although the members from Toronto and adjoining ridings may not have known of this Bill those most interested in the Bills, those who represented the people of Toronto and the other municipalities, were notified; they considered it and thought that the machinery of the general railway law afforded them sufficient protection. It is a little remarkable to me to find so much opposition in regard to this particular Bill. Members on both sides of the House have been for years declaring railways to be for the general advantage of Canada that had nothing like the claim that this railway has. I have known railways less than one hundred miles in length, situated wholly in Ontario, without any terminals in the United States or in any other province, to be declared for the general advantage of Canada. One of the very railways which it is proposed to incorporate into this system, the Hamilton-Brantford road has been declared by this parliament to be for the general advantage of Canada. What is the character of this road? Its original charter permits it to run over a great many miles, it is authorized to run from Hamilton to Guelph and Mount Forest, Hamilton to Berlin, Hamilton to Niagara Falls and Queenstown and Hamilton to Brantford. Authority is now asked for a branch line to run to Windsor and by ferries to Detroit and also to run across the Niagara river, a system of 300 or 400 or perhaps 500 miles, really a trunk line, and although other lines of less than one hundred miles have been declared to be for the general advantage of Canada here is a road with branches in the United States, really a trunk line, asking for such a declaration and still it is said that this particular road should not be declared for the general advantage of Canada. I would like to hear some person define exactly what is meant by the expression 'for the general advantage of Canada.' Here is a road of very great importance, serving the whole of western Ontario, and if that part of the British North America Act providing that this parliament should declare roads to be for the general advantage of Canada, is to be given effect to, certainly I think this is a case where that section should apply.

The position in which this road finds itself to-day is not of its own creation. The hon. member for South York (Mr. W. F. Maclean) has been again indulging in his favourite pursuit of tilting at windmills. He attacked Colonel Gibson because he happened at one time to be Attorney General of Ontario and is connected with these railways. Did he overlook the fact altogether, that the situation this railway finds itself in to-day was not created by Mr. Gibson, and was not created by this railway company itself, but was created by this Dominion parliament when the hon. gentleman's political friends were in the ascendancy. The hon. gentleman (Mr. Maclean) refers to the Minister of Justice as being a man of no breadth of statesmanship because he does not follow the constitution, or in other words because he has some respect for the judgment of a judge like Mr. Justice Street. Well, in my opinion the man with the greatest breadth of statesmanship is he who follows the constitution, and has respect for the judgment of the courts which bear upon that constitution.

Mr. R. L. BORDEN. How does Mr. Justice Street's decision affect this declaration?

Mr. CLARKE. As I understand the judgment of Mr. Justice Street, he says that this particular road is a road for the general advantage of Canada, and therefore within Dominion legislation.

Mr. R. L. BORDEN. I do not think Mr. Justice Street decided anything more than this; that under the Railway Act of 1888, the crossing of the Grand Trunk road by the Hamilton Radical Railway was a matter within the legislative jurisdiction of the parliament of Canada, and within the provisions of the Railway Act. I am perfectly satisfied he decided nothing more than that.

Mr. CLARKE. My hon. friend does not interpret the judgment the same as the Minister of Justice does.

Mr. R. L. BORDEN. I can't help that.

Mr. FOSTER. That's to the disadvantage of the Minister of Justice.

Mr. CLARKE. If my hon. friends will allow me to analyse that judgment a little, I think the House will agree with me that Mr. Justice Street did intend to go further.

Mr. R. L. BORDEN. I have admitted that his language might go further, but in so far as his decision went—and that is all that would bind any other court—I am perfectly satisfied he did not go beyond what I have stated.

Mr. CLARKE. It may be that the absolute judgment does not go further, and perhaps it was not necessary to go so far as the language went, because under section 4 he held he had power (although the Hamilton Radial Railway was under provincial legislation) to permit the crossing. But surely the section of the Act of 1888 is pretty clear. Certain railways are declared to be for the general advantage of Canada and then it says :

And each and every branch line or railway now or hereafter connected with or crossing the said lines of railway or any of them, is a work for the general advantage of Canada.

Mr. R. L. BORDEN. What does my hon. friend make of section 177 of the Railway Act of 1888 ?

Mr. CLARKE. I did not think that had any bearing on the precise question. I did not read it carefully enough to form an opinion, but it seems to me it does not affect this precise question at all.

Mr. R. L. BORDEN. I will read section 177 with the permission of the hon. gentleman.

Every railway company incorporated by any Act of the legislature of any province, which crosses, intersects, joins or unites with any railway under the legislative authority of the parliament of Canada, or which is crossed or intersected by, or joined or united with any such railway, shall in respect of such crossing, intersection, junction and union and all matters preliminary or incident thereto, be deemed to be and be within the legislative authority of the parliament of Canada, and subject in respect thereof to the provisions of this Act.

Thus qualifying it in that most important respect.

Mr. CLARKE. I do not know the history of these sections, but apparently that section only deals with a particular crossing. But we have section 306 which deals with the whole road. I am pointing out the practical point, that this company is in the position that it does not know under what proceedings to expropriate ; it does not know under what Act it is ; they are a company of large undertakings, they have already spent $775,000——

Mr. CLARKE.

Mr. LENNOX. Does the hon. gentleman keep this point in mind : That although they do not know now what to do or where to go, they did know, on two occasions subsequent to the decision of Mr. Justice Street, that they were to go to the local legislature.

Mr. CLARKE. They were not selling bonds then. I am not counsel for this railway company ; the Bill is put in my hands because it affects my constituency. I have no interest in it one way or the other. I am not responsible for their going to the legislature of Ontario, and I am not here to give an opinion as to whether they did right or wrong. I may say however that matters have arisen even since our Railway Act of 1903, which still more throws doubt upon the question. Now, Mr. Justice Street used this language :

Proposing, however, as they do, to cross the plaintiff's line, they are brought within the legislative authority of the parliament of Canada by sections 306 and 307 of the Dominion Railway Act, 1888.

That seems to me to be very plain. It may not be a binding judgment, but these are the words of Mr. Justice Street. It may be that until they crossed they would not be a Dominion road, because section 4 of that Act was all that was necessary for him to invoke in order to authorize the crossing. But, having crossed, if you applied this section at all, it must be that the words used by the learned judge cannot be questioned.

Mr. HAGGART. It was only for the particular purpose under the consideration of the judge.

Mr. CLARKE. The words used in the Act of 1888 are that they are declared to be for the general advantage of Canada, and then follows this :

Every such railway and branch line shall hereafter be subject to the legislative authority of the parliament of Canada.

Mr. HAGGART. Yes.

Mr. CLARKE. Is not that conclusive?

Mr. HAGGART. For a particular purpose.

Mr. CLARKE. There is no particular purpose about it ; it is not limited. Perhaps the hon. gentleman will have some respect for the opinion of the present chief commissioner of the Board of Railway Commissioners. This matter has suggested itself to him in a recent case which came before him, Patriarche vs. the Hamilton Radial Electric Street Railway Company; this very company. The particular purpose for which that application was made to the Railway Board, was on a question of interchange of freight so that it did not necessarily involve a determination of this ques-

tion, but this is what Justice Killam says (Canadian Railway Cases, vol. 5, p. 203).

In considering whether the Hamilton Radial Electric Street Railway is subject to the legislative control of the parliament of Canada, several questions of considerable difficulty naturally suggest themselves.

And among others :

3. Can parliament once having declared a work to be for the general advantage of Canada deprive itself of legislative authority over such work, if so, is this done by the repeal of the Act containing the declaration?

The Act of 1903 has changed the former law and Justice Killam naturally assumes that this railway, by the Act of 1888, was declared to be a work for the general advantage of Canada.

Mr. R. L. BORDEN. That is where I would be inclined to think that he had assumed too much.

Mr. CLARKE. That may be, but I am not giving my opinion upon it. What I am saying is that the position that this railway company is in, it is in by an Act passed by this parliament to which they are appealing for relief.

Mr. HAGGART. Although it is a provincial railway, does the Act give them jurisdiction to interchange traffic without that declaration ?

Mr. CLARKE. He so held. Mr. Justice Killam said : that for the purposes they were considering there it was not necessary to determine this point.

Mr. HAGGART. And therefore he did not determine it.

Mr. CLARKE. I am merely saying that interpreting the present Act of 1903, he puts the question : Can parliament, having once declared a work to be for the general advantage of Canada, deprive itself of legislative authority over this work? If my interpretation, and the interpretation of the Minister of Justice, and the remarks of Mr. Justice Street, are correct, then when the two roads crossed in 1897 the Hamilton Radial Railroad became a Dominion road under the jurisdiction of this parliament. It may be that on a strict reading of the Act of 1903 it would revert back to the province. That suggests the question which has been put by the chairman of the board : Can parliament, once having declared a work to be for the general advantage of Canada, deprive itself of authority over that work? That is the position we are in here. Surely it is not necessary for this parliament to determine this precise point or to go to the Privy Council to have it determined. This company is only asking for what has been done in a dozen other cases—the power to construct branch lines which, when constructed, must necessarily come before this parliament to secure incorporation in order to pass the international boundary line. Even when doubts arising out of an Act of the parliament of Canada have been suggested by these very eminent authorities, it is not a very gracious thing for hon. members of this House to say : We will not give this company the relief they desire to get them out of a difficulty which we ourselves put them into. I do not think that is what any person would seriously propose.

Mr. FOSTER. I do not like to butt into this argument which the lawyers are making, but I wish to say a word with reference to the way in which it strikes a layman. In the first place, it is strange to me that when the whole question appears to be whether we shall declare this work to be for the general advantage of Canada, and we ask the promoters of the Bill to inform us why it should be so declared, we cannot get a straightforward, simple answer to that question. We have had two legal arguments, one by the Minister of Justice and the other by the hon. gentleman who has just sat down (Mr. Clarke). The legal argument made by the Minister of Justice seemed to resolve itself into this conclusion, that because of certain sections of the Railway Act, and because Judge Street, having the mere matter of a crossing before him, decided that as respects that crossing the matter came under Dominion jurisdiction, that is equivalent to a declaration of this parliament that that road is for the general advantage of Canada. Now, there may be legal sublety in that argument which I cannot see. An Act was passed by this parliament in 1888. After that time a certain decision was given. That decision had reference to a crossing and nothing more. There was no broader question involved than simply the crossing of one steam railway under Dominion jurisdiction by a street railway under provincial jurisdiction. It was on that narrow point alone that the judgment was given. Does that make it tantamount to a declaration by this parliament that that road and all its branches and additions, then and thereafter, are entirely out of provincial jurisdiction and are under Dominion jurisdiction ? And even that Act of 1888 was amended in 1903 so as to repeal the grounds for the decision above quoted.

Mr. DUNCAN ROSS. Will the hon. gentleman, as a mature lawyer, say that the provincial legislature can have jurisdiction over one portion and the Dominion parliament jurisdiction over some other portion?

Mr. FOSTER. I am not going to debate that oft-debated question as to whether the tail wags the dog or the dog wags the tail. I leave that for the legal ability of the hon. gentleman who has just interrupted me. I have not been able to get an answer to that question as to whether that is equiva-

lent to a declaration that these roads are for the general advantage of Canada. If the Dominion parliament had made a solemn declaration in any case that the railway was for the general advantage of Canada, then I would be willing to give weight to the argument that once it made that declaration and assumed that authority, it would not be able to give it back except under certain circumstances. When we come to interfere with provincial jurisdiction, and can only do so by declaring a work to be for the general advantage of Canada, we are assuming a great responsibility, and we ought to have it clearly pointed out to us why the work is for the general advantage of Canada ; but that has not been done to-day. Then this parliament should be very careful how it interferes with provincial jurisdiction. I think the argument is aside from the mark that certain localities want the road and do not care a fig whether it is built under Dominion or under provincial statute. You cannot push that argument too far. There are certain spheres to which legislation is limited under our constitution. The provincial government has one sphere and the Dominion government another. It is not for us to assume the jurisdiction of the provincial government without overwhelming reasons ; otherwise we might take almost any or all powers away from the local government. If there is one thing the local legislature and the people of a province ought to know how to deal with, it is their local railways, which are built and operated within their own borders, which are under their own eyes, and consequently subject to the will of the people who are affected and subject to no decision by people who are not affected. When you come into this parliament and ask New Brunswick, Nova Scotia, British Columbia, Prince Edward Island and every other province outside of Ontario to decide on a question which primarily belongs to the province of Ontario, you are getting the matter before a tribunal which is outside of the best basis of judgment or conclusion.

Mr. CLARKE. Will the hon. gentleman allow me to ask him a question that has troubled me? Will he tell us what railways within the limits of a province this parliament has declared to be for the general advantage of Canada which, in his judgment, are not for the general benefit of Canada?

Mr. FOSTER. I will be quite willing to state my opinion, and that is this, that I do not think any street railway which runs from one point in a province to another point in the province ought at all to be taken from the jurisdiction of the provincial government. That is the general principle, and that ought not to be departed from without overwhelming reasons. That is why I put a great deal of stress on the fact that no answer has been given to that question.

Mr. CLARKE. May I ask what great reason of state has been given for it in any Bill that has been passed here within the last twenty years?

Mr. FOSTER. Well, I will frankly say that I think we have got into the habit of infringing on provincial and municipal rights just because of lack of thought, and because of the matter not having been pressed. Neither government is without fault in that respect. But my hon. friend sees how a dangerous infringement may be made on provincial powers without special attention being called to the fact. But in these days questions of municipal and provincial rights are forging to the front, some going a long way in favour of federal jurisdiction and others standing up for the rights of the states, but here is the point : I think that the proper tribunal to look after provincial affairs is the representatives of the province itself, and that when you go outside of that tribunal and ask the representatives of all the provinces to come and decide a question which is germane mainly to one, you are bringing the matter before the wrong tribunal. As to the question : Why prevent these people from building a road through the municipalities? Whose fault is it if they do not? It is certainly not the fault of this parliament. These gentlemen were created by a provincial parliament, they knew their creator, and it is natural that they should go to that parliament for what they require.

Mr. CLARKE. They have been translated to this Dominion parliament.

Mr. FOSTER. They seem to take to the translation very kindly, and under it all there is a little doubt in their own mind as to whether they are absolutely translated yet or not, and they want this Bill passed, with this clause in it, to make their translation sure.

Mr. CLARKE. Is not that right?

Mr. CONMEE. Would not that be a fair reason for coming here?

Mr. FOSTER. You have to know the way by which you will probably go to heaven before you start out on it. We would have been saved a good deal of this trouble if the company had sat down and reasoned out the path they chose to take before coming to us.

Mr. CLARKE. The company did take the matter up with the government of Mr. Whitney. Colonel Gibson wrote a letter to Mr. Whitney discussing the situation, but Mr. Whitney did not even condescend to reply.

Mr. FOSTER. I would be very loath to accept that statement. The local government under Mr. Whitney is favourable to the building of railways for the opening up of the country, and it does not seem reasonable to believe that a proper application to the local government for the extension of a railway system would meet with refusal. There may be something else. Mr. Whitney has two duties to perform. He has to look at the extension of railways in his province, but he has also to see that they are extended on right principles. It may be that in this application to Mr. Whitney things were asked for that could not well be granted. But to say that any company asking the Ontario government for power to extend its street or electric system under fair conditions would be refused is to say something hardly credible.

Mr. CLARKE. I do not mean to say they asked for these rights, but the legal position they found themselves in was taken up and discussed with the provincial government and the reason given why they thought it necessary to come here.

Mr. FOSTER. Does the hon. gentleman say that the local government advised them to come here?

Mr. CLARKE. No, but it has been suggested that this is being brought in at the last moment for some improper purpose. The matter was taken up and discussed with the provincial government on the same lines as here and that view was pressed upon it. It was not suggested that the local government should give the powers asked for here.

Mr. FOSTER. What I would like to have is this correspondence and the papers embodying the correspondence. It might change the views of this committee if they found that certain things had been asked from the local government and it had been impossible to give them and there was pressing necessity they should be got at once. So it is not an argument why this committee should pass this Act to say that the people or the communities want to see the roads built. It is not the fault of this committee that the roads are not being built. It is the fault of the company which, in some way or other, has got itself into difficulty and went to the wrong legislature. If you can take that kind of legislation from the provincial government by means of all the members of all the provinces, it seems to me there is no good guarantee that provincial rights may not be completely invaded by the majority in this House, the larger number of whom have no direct interest in the province at all, and are legislating in a matter in which they know less how to come to a proper conclusion. I take the general ground that we ought not to interfere with the rights of a province unless there are overwhelming reasons for so doing. In this matter of the street railway, the provincial legislature is the proper authority. If I were in the provincial legislature I should be very jealous indeed as to the exercise of that authority. All we have to go upon are two legal arguments, in each, by a very narrow margin, and my hon. friend who spoke last would not even plant himself firmly on that. He relied rather on words, stated by way of hypothesis, than upon the bare judicial decision itself. After all it is only a bare judicial decision we have to go by. The whole case was not raised in that decision, and because we have no sufficient ground for declaring this to be for the general advantage of Canada, I shall vote against the Bill.

Mr. G. H. McINTYRE. There is no question here as to the power of the Dominion to enact this law. The question appears to be rather as to the propriety or fairness of our doing so, and the argument has been raised very strongly by the hon. member for South York (Mr. Maclean) with regard to the invasion of provincial rights. The Liberal party has a record in the matter of provincial rights, and as an old Liberal I have a decided colouring along that line. The colouring comes from the old controversies almost personal between the late Sir Oliver Mowat and the late Sir John Macdonald—controversies which resulted in a continuous series of victories for Sir Oliver Mowat against the policy of the Conservative chieftain. During that time I believe provincial rights were really imperilled, but the principle of provincial rights was established by that series of decisions obtained from the British Privy Council in favour of the provincial view. We were quite justified then in standing up for provincial rights because they were really invaded, but it does not follow that in every controversy between the Dominion and a province the mere raising of the cry provincial rights should throw us on the side of the province. It is quite possible that a province itself may become aggressive. We know that in the past provincial Acts have been disallowed, partly because they were against the public interests, but partly because they were ultra vires. Numbers of them have not actually been disallowed, but the Dominion government has pointed out to the provincial government that it had exceeded its powers. As members of the House of Commons we have a duty to perform, not merely to the country at large but to the provinces as well.

And when a province comes to us and says, or representatives here from any part of a province tell us, that provincial rights are being infringed upon, or that we are going further than, in justice to the province, we ought to go, it is our duty to examine

our position carefully that we may have sound reason for what we do. Each member of a body has the rights and privileges of that body to look after. As members of this House, while we should not desire in any way to infringe upon provincial rights, yet we must recognize that it is more especially our duty here to see to it that the rights and privileges of this body to which we belong are preserved; we must not give away those rights, or even weaken them, without good reason. Justice demands, I think, that as members of this House, we do not claim for the House rights or powers that do not belong to us, that we should not endeavour to aggrandize this body at the expense of the provinces. If we desire to be strictly fair in these matters, I think we should examine every case separately. It seems to me that the request made by the leader of the opposition (Mr. R. L. Borden) was an eminently just one, that in a case of this kind we could not accept the mere declaration that this railway is a work for the general advantage of Canada without some proof. The extent of proof, of course, will necessarily be different with different people. Each of us has his own standard. But, whatever our several standards, a mere declaration should not be sufficient for any of us—we should have a proof. What is the standard by which we should judge. No special standard has been set up. We have the statement of the British North America Act—I cannot quote the exact words—to the effect that works of merely local interest should be under the jurisdiction of the provinces. But, in interpreting this, where should we draw the line? Many of us have advanced ideas of municipal control. I should like to see all street railways, if not owned at least controlled, by the municipalities in which they exist. With that in view, I should be sorry indeed to see the Dominion parliament take control over any street railway, for, in doing that, we should be going outside our proper jurisdiction. In this case the Hamilton Street Railway is included as a part of the work. The Ontario government has not been satisfied—I do not say they have done wrongly—to merely establish a street railway in Hamilton; they have by subsequent Acts enlarged the sphere of operation until this street railway becomes partly a street railway in adjoining municipalities and partly an ordinary railway for conveying passengers, because it does not entirely run on the roadway, but has an independent right of way of its own. Therefore, this Act of the Ontario authorities has somewhat complicated matters, and to some extent, has made difficult the municipal control by Hamilton over its own system of railways. The question is a difficult one for every hon. member to solve who desires to preserve provincial rights and yet to see justice done. I am sure we have no desire to injure any railway corporation or other corporation that comes to this House for privileges which it is within our power to grant. This railway is in a peculiar position. It is partly under the jurisdiction of the Dominion and partly under provincial jurisdiction. This must affect its efforts to finance its undertaking, because it must find it hard to satisfy financiers that they should advance large sums upon powers granted by the provincial legislature which may be in doubt. I think it would be well if our government could see its way clear to adopt a broad line of policy or make some arrangement with the provincial governments as to a fair line of demarcation between their jurisdiction and ours. I do not know whether that could actually be done but I think some endeavour in that direction should be made. While I have sympathy with the railway company in pressing its claims, I do feel that if the matter is to turn entirely upon the plea that this railway is one for the general advantage of Canada it would take a considerable stretching of our complaisance to believe that the promoters have proved it. But I am willing to suspend judgment until I have heard the rest of the argument. I do not think that, under present circumstances, the cry of interfering with provincial rights should be raised against any hon. member who thinks that in this case he should vote for the railway.

Mr. BARR. There are strong reasons why this Bill should not be proceeded with at the present time. The first is that it is brought down at a time when hon. members are anxious to be relieved of their duties. No sufficient reason has been advanced why this Bill is so late in coming into force. We should place ourselves on record against Bills of this kind being brought down so late in the session. It is said that this Bill only now comes before us, because it has been before the Senate. But if the promoters of the Bill had introduced it in the Senate in due time, it could have passed that body and been brought before this House at a time when we could discuss it and do justice to the interests involved. Another strong reason why, in my judgment, you should not pass this Bill is that, in dealing with a matter involving provincial rights, we are entering upon a discussion of a far-reaching principle. From the time of confederation this question of provincial rights has been one of the most important subjects of public discussion. For years the government of the late Sir Oliver Mowat claimed credit as the jealous defenders of provincial rights, particularly during the time when the Conservatives were in power here at Ottawa. On every platform this was the stock in trade of the supporters of the Mowat government—that it was not in the interest of the province, and not likely to help in the defence of provincial rights to have a Conservative government in Ottawa and to have a Conservative government in Toronto at the same time. We know that

the leader of the Mowat government, to use a common phrase, went about with a chip on his shoulder ready for a fight when provincial rights were infringed upon. But a change came over the Reform party as soon as the present Dominion government came into power. When Sir Oliver Mowat left his position as Attorney General of Ontario, Colonel Gibson took that office. Whether it was all due—I do not claim it was—to the fact that the Reform government was in power in Ottawa, or to the fact which, I think, is generally admitted—that Colonel Gibson was strongly in favour of the rights of corporations, being connected with almost every corporation interest, particularly around Hamilton, including the one which has this Bill now before the House and which has been before the country for the last fifteen years, we find that he was not so careful of the rights of the provinces, as his predecessor had been. The result was that he has taken the decision of one judge. in one petty case of a railroad crossing, which did not in any way involve the right of railways to cross under other circumstances.

Now we find there is evidence to-day of a conflict between the province and the Dominion of Canada. We know that the hon. Mr. Gibson allowed corporations to come to the Ontario government and get charters, and then come to this parliament and get charters, with the consequence that much confusion has been created. We know that many of his own leaders were quite willing that that confusion should continue. The result is that to-day we have a corporation like the Niagara Falls Power Company going to the province of Ontario to obtain a charter giving them great advantage, and then coming to this parliament to get another charter. We find to-day that there is a conflict of jurisdiction between the two legislatures. I submit that the time has come when it is absolutely necessary that a halt should be called in connection with this question. The government should make out a case and carry it to the Privy Council in order to obtain a final decision on these vexed questions of jurisdiction, and if necessary the British North America Act should be amended so as more clearly to define their respective rights. We have heard to-day the strange doctrine from the Minister of Justice that a question has come up that he cannot answer. He bases his argument on the decision of a judge in connection with a railway crossing, but I think that if we knew all the bearings of that case we would find that it is not on all fours with the case before us. We have the promoter of this Bill taking the ground that he also is not prepared to give his opinion as to whether this Bill is ultra vires or not. Under these circumstances I say that, while we are anxious to promote the welfare of every part of the province of Ontario, and anxious that radial railways should be established, we do not think it right that just powers should be taken from the province and vested in the Dominion. It is possible that great injustice might be done. The fact that this Bill has been allowed to wait until the last days of the session is sufficient proof that it is not in the interest of the public that this railroad should go on. We have granted charters to many other companies. There are railroads running through Ontario that have received their sanction from the Ontario government, where their powers have been renewed on two or three occasions, and now they come down to this House and ask for Dominion charters. We find them continually offering charters for sale. I say that the time has come when we must decide that question. I think the promoters would be wise to withdraw this Bill; if they do not, it is possible that this discussion may go on for a length of time. This was fought out in the committee day after day, no progress was made; and I must say that in that committee we had no proof that this company intended to go on and build this road, any more than we had on two or three occasions when I was in the provincial House. On every occasion on which they came before the local legislature they showed us better cause for going on than they do at the present time. I well remember that on one occasion they came before the House and showed us a financial statement, showed that they had the money ready, that they had bonds ready to be floated, and they wanted a provincial charter to enable them to build that road. To-day we have no proof that this road is likely to go on, we have had no proof that it is to the interest of Canada, no reason why they should seek to be relieved from provincial control and come under Dominion control. We know what kind of a man the Hon. Mr. Whitney, the Premier of Ontario, is, and we know that he will no longer allow the Dominion government to infringe upon provincial rights. He has declared that the time has come when the government of Ontario will stand for their rights and fight for them, and carry the question to the Privy Council if necessary. And I must say to the credit of the opposition and the leader of the opposition in the local House, that he too has stated that he will stand shoulder to shoulder with the provincial government, and back them up to any extent in fighting for provincial rights. I fancy that those who know the Hon. Mr. Whitney know that he is accustomed to carry out his promises, they know that if he is bold enough to make that statement he is bold enough to fight it out to the bitter end. He is not interested in any corporations, railway or otherwise, he is not a man that can be pulled hither or thither. He is prepared to assert his rights, and to fight for them.

Under those circumstances I suggest that this Bill be left over until another session. In the meantime we can consider whether it is in the best interests of the country or not, and hon. gentlemen will find that while it is not a burning question to-day it is a question which is looming up and even before the next session of parliament we may have evidence of the injustice committed by this government against the province of Ontario and other provinces. The question might then be better defined. I do not see how those coming from the woolly west or from the maritime provinces can vote intelligently without full consideration and discussion on an Ontario subject so important as this. Doubtless they all wish to vote for the best interests of Ontario, the leading province, but we do not believe that they are as closely interested or as well posted in connection with this as the Ontario government. They doubtless know the rights of other provinces and are prepared to exercise them. This is a question of provincial rights which must be fought out and we are wasting time in attempting to settle it when there is not time for discussion and therefore I think the best solution is that this Bill should be allowed to lie over.

Mr. SPROULE. I regard the Act which we have to perform to-day as a very important one. If we allow this Bill to pass we take away from Ontario one of the sacred rights guaranteed to the provinces under the Act of confederation. While only Ontario is affected to-day, this may apply to Quebec or Nova Scotia or Manitoba to-morrow ; the principle is the same all along the line and if we adopt it to-day there is no guarantee for the safety of any province in the future. One of the virtues claimed for confederation was that each province had its own local rights and that within it own sphere those rights were guaranteed to it, and could not be interfered with by the Dominion government or any other power. We have been acting on that assumption for a great many years but by one device and another those rights have been interfered with. The hon. member for Perth (Mr. G. H. McIntyre) said that in Sir Oliver Mowat's day provincial rights were assailed. Does he imply by that that provincial rights are not assailed by this Bill ?

Mr. G. H. McINTYRE. I think that to some extent the matter is debatable ; I have not asserted positively that provincial rights are not assailed by this Bill. The line of demarcation between the rights of the provinces and of the Dominion, where we have anything like concurrent power, is not easy to place. In this case I said it requires an effort to accept the view that this railway is for the general benefit of Canada.

Mr. SPROULE. This is not concurrent power. There are certain things in which we have concurrent power but there are other things in relation to which each province has absolute jurisdiction, and the Dominion has no jurisdiction. The British North America Act in assigning to the provinces the subjects of their exclusive jurisdiction says :

> Local works and undertakings other than such as are of the following classes :

It then enumerates those belonging to the federal authority. All other works belong exclusively to the local authority providing they are local works. This is undoubtedly a local work. The company was chartered under the legislative authority of Ontario and the charter has been amended four or five times, each time the powers were extended but always within the province of Ontario. It even went so far in one amendment as to provide that they should build a line to Niagara Falls on the boundary line and still it was held to be properly within the legislative authority and jurisdiction of the province of Ontario. In their Act many privileges were allowed them that would not be allowed under federal authority if we were granting that authority to-day ; purely local rights, rights connected with municipalities, street railways, &c., were all given by the province but would never be given by the federal authority. In view of that fact may it not fairly be contended that this is in every sense of the term a local work and therefore one belonging to the legislative authority of the province of Ontario ? To-day we are asked by a mere declaration of this House to say that we will take away from the province one of its sacred rights, without even consulting the province, without analysing the question of whether or not, we are doing an injustice to that province. We are following the principle laid down by Sir Oliver Mowat some years ago when he said : When we have reason to believe that a right belongs to us the proper course is to assume that it belongs to us and exercise that right ; legislate along that line and then allow others whose rights are interfered with to go into the courts and take that right away from us. That is what we are doing to-day, assuming that we have a right, improperly assuming it, I say, and we propose to exercise that presumed right and to take away the right of each province which was given to that province alone by our Act of confederation. Some twenty-five years ago I spoke on this same question in connection with the Hamilton and Northwestern Railway crossing the line of the Toronto, Grey and Bruce Railway, and thereby brought it under federal authority although it was up to that time a railway under the jurisdiction of the province of Ontario. By bringing that railway under federal jurisdiction you interfere with contracts entered into between the railway company and the

municipalities, under which certain bonuses were granted to assist in building the railway. I do not believe it was ever intended that these rights should be taken away simply because the railway is crossed by a Dominion railway, I hold that the mere incident of a provincial railway crossing a Dominion railway does not bring that provincial railway under federal authority. We have heard a good deal about the decision of Mr. Justice Street, but all Mr. Justice Street was asked to decide was as to what authority should be appealed to when a provincial road wanted to cross a Dominion road, and what authority should regulate the crossing. He decided it was the Dominion authority to which they must apply, and they did apply to that authority, and that is all Mr. Justice Street dealt with. The Act of 1888 says :

Every railway company incorporated by the Act of the legislature of any province, which crosses, intersects, joins or unites with any railway within the legislative authority of the parliament of Canada, or which is crossed or intersected by or joined or united with any such railway, shall in respect to such crossing——

That does not say in respect to the whole railway but——

—shall in respect of such crossing, intersection, junction and union and all matters preliminary or incident thereto, be deemed to be and be within the legislative authority of the parliament of Canada.

It is to the authority of the parliament of Canada that you have to apply for the regulation of such crossing, and that does not in any sense make a provincial railway a railway for the general advantage of Canada. It is contended here that all we have to do to make a provincial railway into a Dominion railway, is simply to declare that it is a Dominion railway. But parliament must exercise some judgment before it makes a declaration that so vitally affects provincial rights. Must not this parliament be well satisfied that we are not interfering in any way with provincial rights before we make that declaration. And, Sir, there are strong grounds why we should not make such a declaration in this particular case. This Bill says :

The expression 'company' means a body politic and corporate created by chapter 88 of the statutes of Ontario, 1894, and continued by said amendments thereto, and the lines of railway which the company is hereby empowered to construct——

That is the lines they had authority under the provincial Act to construct :

—are hereby declared to be works for the general advantage of Canada, and all rights, privileges and immunities which the company is heretofore entitled to under its Act of incorporation and amendments thereto——

And these were given it by provincial authority :

—and not inconsistent with this Act are hereby continued and confirmed.

Are we justified in going so far as to continue and confirm the authority given by the local legislature when, in the meantime we give them power that would interfere with local rights, and take them out of the regulations and control provided by the provincial authorities. We will be interfering with municipal rights and with provincial rights. There is an admirable law passed by the legislature of Ontario to control these different railways in different respects, and if we incorporate this declaration in this Bill, we will take this railway out of the control of the province to enforce the obligations that it has entered into with the municipalities. Are we prepared to go that far ? If we do, are we not invading the sacred rights of the province, and if we continue in such a course will it not result in breaking up confederation. To-day it is in respect to a railway company, to-morrow it is in respect to a Bill with regard to a power company that asks for privileges and takes rights along three rivers whether these rivers are 100 miles long or 1,000 miles long. The water-power belongs to the province, and a Bill which is to come before us seeks to deprive the province of control. How long will it be till the provinces have no rights left them ; how long will the provinces stand this sort of thing ? Mention was made to-day of the strange coincidence that this Bill was introduced in the dying days of the session and an effort made to hurry it through, and one member told us that it had been well considered in the Railway Committee. Well, when I went into the Railway Committee and this Bill was under consideration, I counted exactly twelve members present. My first impulse was to call attention to the fact that there was not a quorum of that committee which I think is thirty-six members——

Mr. CAMPBELL. Twenty.

Mr. CLARKE. Did you say there were only twelve members at the committee ?

Mr. SPROULE. Twelve members only were present when I went in. Do you think it is right for twelve members of a committee composed of over one hundred and fifty members, in the dying days of the session, when the members take little interest in what comes before that committee, and after we have been told that all the important Bills to come before it have been passed, to take up such an important Bill as this and pass it in the course of an hour or so without careful consideration, only making one or two unimportant amendments to quiet the people of the city of Toronto, leaving out of consideration the great interests of the province of Ontario outside of that city? The Bill was pushed through in that way. I regarded it from the first as a very improper Bill for us to

deal with. I regarded it as an invasion of the sacred rights of the provinces, which ought to be fought against, and I think so to-day. If we realized what it meant to every province of this confederation, we would fight this Bill day and night before we allowed it to pass. Otherwise it is likely to become an established precedent for going further session after session and taking away the rights of the provinces, until very few of them are left. We are doing a great wrong and injustice which will lead to greater evil in the future. Remonstrances have come to us from the legislature of Ontario that this is an invasion of their rights, but we pay no attention to those remonstrances whatever, and pass the Bill. Are the reasons which have been given for this House taking that course good and sufficient reasons? In my opinion they are not. The Minister of Justice took good care not to deal with the important questions involved in this Bill, but dealt merely with the technical legal phases of it, and seemed to shut his eyes to other considerations. But if we allow this Bill to pass, we will wake up some day to a realization of the fact that we have been sleeping in a fool's paradise. There will come a day of retribution, when the voices of the provinces will be heard with no uncertain sound. You may invade the rights of the province of Ontario to-day and the rights of the province of Manitoba to-morrow; but there will be an agitation started which will go on from year to year with accumulating force, until it becomes so strong that it will tell against the government. I warn them that if this Bill passes, and in my judgment it will not pass, they will hear from the province of Ontario in the early future and from the other provinces later on, that they cannot be allowed to invade the sacred rights of the provinces upon the mere ipse dixit of this parliament that a certain work is for the benefit of Canada and that we have a right to take it from the control of the province and put it under federal jurisdiction.

Mr. J. D. REID. I entered my protest in the committee when this Bill was under consideration there, and I would like also to enter my protest here. In addition to the question of provincial rights, there is another important point involved in this legislation which I think should be well considered. As I understand, the promoters of the Bill have been very anxious that it should be passed this session in order that bonds might be floated to complete the road or buy these other railways. If that is done, the Act that was passed by the Ontario legislature a few days ago may seriously affect the value of these bonds when they are put on the market. This Act is called 'An Act respecting certain Railways and other Corporations,' and it contains the following two clauses:

Mr. SPROULE.

2. In case the undertaking of a company or other corporation operating a public utility and heretofore or hereafter incorporated under a general or special Act of the province of Ontario has been since the 19th day of February, 1907, or hereafter shall be declared by the parliament of Canada to be a work for the general advantage of Canada, or absorbed by or amalgamated with or controlled or operated by any other company or corporation whose undertaking is or has been declared a work for the general advantage of Canada, or which is not subject to the legislative control of Ontario, the Lieutenant-Governor in Council may by order in council declare that all or any of the powers, rights, privileges and franchises conferred upon such first mentioned company or corporation by letters patent or by any general or special Act of Ontario shall be forfeited and thereupon all such powers, rights, privileges and franchises so declared to be forfeited shall cease and determine and every municipal by-law passed and every agreement entered into with any municipal corporation authorizing such company or corporation to carry on business or granting any right, privilege or franchise thereto shall also thereupon become void and be of no effect, and such company or corporation shall forfeit all claim to any bonus or other aid granted by any municipal corporation or by the legislature of Ontario. Provided that nothing in this section shall affect the validity of any debentures issued by a municipal corporation for payment of any such bonus in the hands of a bona fide holder for valuable consideration, nor the claim of any bona fide creditor of such company or corporation.

3. Notwithstanding anything in any Act contained, a municipal corporation shall not hereafter enter into any agreement with any such company or corporation or pass any by-law in relation to any public utility company, which has been declared to be a work for the general advantage of Canada, or which is not within the legislative jurisdiction of Ontario, until the Lieutenant-Governor in Council has approved of such agreement or by-law, and every agreement entered into and by-law passed or agreement entered into in violation of this section shall be utterly void and of no effect.

What I claim is that if this Bill passes this House, the Ontario government may pass laws taxing these railways to such an extent as to decrease the value of the bond issues or to affect the bonding power of the company to such an extent as to seriously increase its liability. I think that is a very important point which should be taken into consideration by this House. Further, I claimed the other day, and I think the hon. member for Centre York (Mr. Campbell), who was the chairman of the committee, agreed with me, that if this Bill were passed, the Ottawa Street Railway Company, for instance, might apply to this House for power to extend its railway to the shores of the St. Lawrence, saying that they intended to build a bridge across the St. Lawrence, and thus put the Ottawa Street Railway in the same position as this railway, taking it out of provincial jurisdiction and placing it under the jurisdiction of the Dominion. In the same way the Toronto street railway, the London

street railway, the Port Arthur and Fort William street railways, the Kingston street railway and the Ottawa street railway, might be declared to be for the general advantage of Canada. The result will be that every one of our municipal street railways will be placed under Dominion control. There need not be any trouble with the Montreal street railway. I do not know if it has a Dominion charter or not.

Mr. CAMPBELL. It has, and so has the Ottawa Street Railway.

Mr. J. D. REID. There is no reason why this Bill should not have been passed by the Ontario legislature giving the company power to build up to the river, and then if necessary have a Bill put through this House on account of the bridge they are going to build. Personally I have not any feeling in the matter, but I believe this is a great infringement on the rights of the provinces ; and owing to the attitude taken now against interference with provincial rights, we should avoid doing so, so long as the parties who are getting these charters are not injured in any way. I felt the other day in the Railway Committee that this railway company was going too far. They are not only taking the Hamilton Street Railway but several others and they are taking them out of the jurisdiction of the Ontario government. They are taking the Windsor and Chatham, the Windsor and Essex and the Lake St. Clair and Rapid Railway Company and are incorporating these into one, and they will all have this Dominion jurisdiction.

Mr. CLARKE. They are already in the jurisdiction of the Dominion.

Mr. J. D. REID. The main point of my argument is simply this, that this is one of the most important cases which have come before this House as regards provincial rights. I was speaking about these railways. Some have been incorporated here. On account of the interchange of cars it was thought better they should be. But these electric street railways that are simply within the rights of the provincial government and should be entirely left in the hands of that government. This Bill has been left until a few days before the end of the session when we have not got a fair chance to discuss it. Those who are looking after the interests of the Bill in the committee were willing to do anything to get it through that day. They had it all this time in the local House and could have put it through there. It is the same company coming here to get a Dominion charter in order to take these things out of provincial jurisdiction. This is the time the government should seriously consider the matter and see that this Bill is left to be dealt with by the provincial government.

Mr. CAMPBELL. In reply to the statement made by the hon. member for East Grey (Mr. Sproule), regarding the members present at that committtee, he certainly was astray because I do not think we ever opened the committee without having a quorum present.

Mr. SPROULE. I was not astray because I spoke to a party beside me and counted the number over two or three times. I had it in my mind to stop the committee work but it was suggested that it would be better to go on.

Mr CAMPBELL. I am surprised at that admission by the hon. gentleman (Mr Sproule). I am surprised that one of his experience would allow a committee to go on when he knew there were only twelve members present, without calling the attention of the chairman to it.

Mr. SPROULE. We have had many of these Bills from time to time when there was no quorum.

Mr. NORTHRUP. That is done in every committee of the House.

Mr. CAMPBELL. Not in the Railway Committee. If the hon. gentleman did not call my attention to the fact, I think he is deserving the censure of the House for not having done his duty.

Mr. SPROULE. The one upon whom a vote of censure should be passed is the chairman who knew there was no quorum and did nothing.

Mr. CAMPBELL. The chairman saw that a short time afterwards we had a vote and about sixty voted.

Mr. SPROULE. On this Bill ?

Mr. CAMPBELL. Yes. There were fifty-five or sixty who voted on this very Bill. With regard to this Bill, a good deal has been said by the opposition in which I do not agree. The important feature of it, the only good clause about it, has been dropped ; and so far as the rest is concerned, for my part I do not care a rap whether it goes through or not. I do not take very much stock in this argument about this provincial rights business. My hon. friend from East Grey (Mr. Sproule) has voted this session in the Railway Committee and last session, over and over again, for Bills not having the semblance of a right to come here for a charter. This Bill asked for the right to go to the international boundary line in two places. I do not know whether they are in earnest or not about it, but we have passed Bills, and my hon. friend from East Grey (Mr. Sproule) supported them, when not an inch of the road ran to the American boundary line or even the provincial line but was wholly within the province of Ontario. If anybody could show that provincial rights were tres-

passed upon, it was in those Bills. Yet the hon. member for East Grey (Mr. Sproule) supported and voted for them in the Committee and also in the House.

Mr. SPROULE. No one knows better than the hon. gentleman that over and over again I have objected to this until I found my voice had no influence in that committee on that point and latterly I have avoided it as much as possible.

Mr. CAMPBELL. I differ with my hon. friend. He did not oppose those Bills either in the committee or in the House If he had, they would not have gone through so rapidly. They passed in five minutes without a dissenting voice and passed in the committee almost unanimously. There were some in which his own county was interested, and there was not a word or a squeak heard from him.

Mr. SPROULE. I do not know what Bill the hon. gentleman is referring to.

Mr. CAMPBELL. The Huron and Ontario, I think it was, which goes through the hon. gentleman's own county and which does not go near the boundary or the provincial line at all.

Mr. SPROULE. I think the hon. member (Mr. Campbell) is refering to the Algoma Central line or the Manitoulin and North Shore

Mr. CAMPBELL. No, it is the Huron and Ontario. There are any number of charters passed last session for purely provincial railways. I believe that, if the time has not already come, it will come very soon, when every railway in Canada must have a Dominion charter. I do not think they can operate successfully otherwise. I grant you that, if a railway wants to run exclusively in the province of Ontario, it can go to the provincial legislature and get a charter; but what I say is that a company cannot operate its road as successively with a provincial as with a Dominion charter.

Mr. J. D. REID. Why?

Mr. CAMPBELL. Because when they want to cross a Dominion road they must come here.

Mr. J. D. REID. Why?

Mr. CAMPBELL. Because they cannot do it without the consent of the Dominion authorities. The Dominion has control over rates also. Suppose I am on a provincial road ten or twenty miles long, and ship flour to be taken upon a Dominion road and carried to Halifax. When the flour reaches the Dominion road, that road is under no obligation to take the flour unless it is unloaded and loaded again upon its own cars.

Mr. SPROULE. Could not the hon. gentleman (Mr. Campbell) say the same with reference to the Manitoba roads whose rates are controlled by the province? Freight shipped over the Canadian Northern is shipped at rates fixed by the province.

Mr. CAMPBELL. But the same thing applies as in Ontario. If the Manitoba government or any other provincial government gives a charter to a road, the Dominion chartered roads, are not obliged to take its freight. The Railway Commission has no control over the roads having provincial charters.

Mr. SPROULE. Must not every railway accept freight when it is offered it?

Mr. CAMPBELL. They are not obliged to receive it.

Mr. SPROULE. Yes, they are.

Mr. CAMPBELL. Not from a provincial road.

Mr. W. F. MACLEAN. We ought to compel them to do it.

Mr. J. D. REID. Where does the hon. gentleman (Mr. Campbell) find that law?

Mr. CAMPBELL. If the hon. gentleman (Mr. J. D. Reid) will look at the statutes, he will find that that is the law.

Mr. J. D. REID. I do not accept that, and would like the hon. gentleman to state his authority.

Mr. CAMPBELL. We have placed the control of the Dominion railways in the hands of the Railway Commission. But the Railway Commission has no control over provincial roads.

Mr. J. D. REID. But the hon. gentleman (Mr. Campbell) has stated that they are not obliged to accept freight if they do not wish to do so. When they get a charter——

Mr. CAMPBELL. The railways chartered by the Dominion parliament need not take freight from a provincial road.

Mr. SPROULE. Are they not common carriers and must they not receive freight when it is offered them?

Mr. CAMPBELL. One road is chartered by the province and the other by the Dominion. The Dominion has no control over the provincial roads.

Mr. HAGGART. Yes, it has, under the Railway Act.

Mr. CAMPBELL. The Railway Act applies to roads chartered by the Dominion.

Mr. HAGGART. And local too.

Mr. CAMPBELL. Well, I have stated my view ; I believe the time will come when all railways——

Mr. W. F. MACLEAN. Street railways ?

Mr. CAMPBELL. Well, very possibly that may be an exception. I grant you that a street railway running within the limits

of a municipal corporation may be an exception. But every road running through the country and connecting with or crossing Dominion lines must ultimately come to the Dominion parliament for its powers. Of course, as I have said, the provincial legislature has the power to grant railway charters within the province. But if I were the promoter of a road, I would not accept a charter from the province if I could get one from the Dominion. With a Dominion charter I could run where I pleased, and no matter, where I went, I would be within the one jurisdiction, and everything would be much better. So far as this Bill is concerned, in the committee the acting Minister of Railways and leader of the House (Mr. Fielding) took considerable objection to it. As hon. members will see, the Bill was very carefully considered, and several clauses have been struck out and others substituted, and other clauses amended. I do not think that any other Bill has received closer or more careful consideration than this.

Mr. J. D. REID. I take issue with the hon. gentleman (Mr. Campbell) on this point. This was supposed to be almost the last meeting of the committee——

Some hon. MEMBERS. Order.

Mr. CAMPBELL. The Bill was considered from ten o'clock until ten minutes to one —nearly three hours. Considering that so short a Bill was given so much of the time of the committee, and considering the amendments that have been made, I think that the Bill was given careful consideration. The clause that was most opposed especially by the hon. members from Toronto, was clause 3 giving the company the right to enter the city of Toronto, which clause the promoters of the Bill agreed to drop, against my wishes and in spite of my request. After that, everything was smooth sailing and the Bill went through. Subsection (c) of section 4 was pointed out as a provision that should not be included in the Bill but after full consideration, it was allowed to go. Then, the latter part of clause 7, providing that all the municipal by-laws relating to this company previous to the passing of this Act, if inconsistent with the Railway Act should take precedence and be considered binding was objected to by some members of the committee, who thought that the Railway Act should guide in these matters. But it was pointed out that many of these by-laws had been passed in years gone by and should be binding, being agreements between the municipality and the railway company. The point was raised that we should not legalize these by-laws without having them before us and knowing what they were. I point these out as objections taken to the Bill. But, after full consideration, the clauses were allowed to go through with some amendment. I pointed out that, in my opinion it would have been better had this Bill been brought down earlier in the session. But, on the other hand, we must recognize the fact that this is an important Bill. And I do not think it makes much difference whether a railway is built under provincial or under Dominion jurisdiction; we want all the railways we can get—we cannot have too many railways. It was my intention to try and get this clause restored allowing this railway to go down into the city of Toronto and give accommodation all round. I am surprised at the hon. members for Toronto——

Mr. A. C. MACDONELL. I am surprised at the hon. member for Centre York (Mr. Campbell.

Mr. CAMPBELL. Here is the inconsistency of these men: This Bill provides that the railway shall run through the cities of Brantford, Woodstock, London and Chatham. All these places would have the same right to object that Toronto has. But there is not a single objection from any of them; but the moment it comes to the case of Toronto, then it must be 'at or near.' Why should the railway be allowed to run through other municipalities and not allowed to run even into Toronto? Why should it not go into the city of Toronto and give accommodation to the people within a hundred miles of that city? These other cities will gladly welcome this and half a dozen other railways; but these hon. gentlemen who represent the city of Toronto and others who agree with them, want to have a stone wall around the city of Toronto—they want no railways to come in. These companies are prepared to buy their way right through the city of Toronto and pay for it whatever they have to; all they ask is for the right to run down into the city. Yet these men will stand up here and say: No, it can come only to the borders of the city, and then you must dump your passengers out, no matter how inconvenient it may be. Put a stone wall around Toronto and keep them out. Surely such a policy as that will never build up a great city. We have the experience of every other progressive city in this wide world where they have removed all obstructions, and facilitate entrance by railways. The company wish to bring people in from near and from far into the city of Toronto, they will spend their own money there, and build up the city and the country. Yet this is the policy pursued. Now, when that clause came up I intended to move to try to get it restored, because I think its absence is one of the great weaknesses in this Bill, and without that clause being restored I would not give five cents for the Bill. I do not know what the position is about this Bill; so far as I am concerned I do not feel like wasting the whole day and the whole night over it. I think if a vote was taken the Bill would probably be thrown out.

Mr. OSLER. The hon. member for Centre York (Mr. Campbell) has stated twice to-day that the city of Toronto is the only city that does not welcome radial railways, that every other city on this continent has radial roads running into it. I deny that positively. I do not believe there is one city in the United States where radial roads run into it.

Mr. CAMPBELL. I will tell you of the city of Detroit which has 150 miles of radial roads that run right down the centre of the city, and turn around and go out.

Mr. OSLER. The moment the cars of the radial road reach the borders of the city of Detroit they are taken charge of by the city railway. It is the city which gives the franchise, and the city railway takes charge of every car, puts its own man on it and operates it. Toronto is perfectly willing to make such an arrangement to-day with every railway, but they must have it under their own control. The city of Buffalo has almost hundreds of miles of radial roads; I happen to know the ins and outs of the agreement, and they have followed the example of nearly every other city in the States. No conductor on the radial road goes into the city, his car is handed over to the operating road the minute it reaches the borders of the city. That is the only way in which a radial road can be of any service to the city, because the radial cars going to the centre of the city do not do any good, you have to transfer the passengers, they still have to change to go where they want to. The practical way is for the cars to be taken charge of by the city railway, and that leaves the control of the city streets where it ought to be, in the city itself. That is what the city of Toronto is willing to do to-day with any radial road.

Mr. MACDONELL. I would be slow to accuse the hon. member for Centre York (Mr. Campbell) of desiring to misrepresent the attitude and language of the Toronto members on this matter. But this is the second time to-day that the hon. gentleman has put the views of the Toronto members in an unfair light. The attitude taken by them in the committee when this Bill was up for consideration was not hostile to this railway. What we said was this, that if this railway was going to come into the city of Toronto, then the city must have something to say as to the terms on which it comes in, as to the location of the entrance, and so forth.

Mr. CAMPBELL. Why did you ask to have that clause struck out?

Mr. MACDONELL. Because it was the only way to save the city's right. The position we took was that we would deal with these railways, but the city wanted an opportunity to make its own bargain with them. The city did not want a bargain made over its head, without its knowledge or consent. That is the attitude we assume. As my hon. friend from West Toronto (Mr. Osler) points out, these various suburban radials that converge about the municipality or come to the limits of the municipality, must get running arrangements to run into the city. The member for Centre York well knows that the franchise of the Toronto company is going to expire in a few years, and it is the intention of the city to retain control of its streets until that time expires; then they will be in a position to deal intelligently with the whole system of street railways within their limits.

Mr. CAMPBELL. Do you propose that three adjoining municipalities are going to wait, as they are waiting now, for fifteen years until you choose to make that arrangement? If you do, I think you will find yourself very much mistaken.

Mr. MACDONELL. To make the position still more clear, Toronto is willing to-day to make any arrangement reasonable and workable that will not extend beyond the present franchise of the Toronto Railway Company. Now, the hon. gentleman is not concerned with provincial rights, he says he does not care anything about provincial rights. But there are other members who do care, and I will take this opportunity to read a telegram from the Premier of the Province of Ontario. This telegram was sent to the legal representative of the Ontario government in the city of Ottawa with regard to this very Bill.

Protest strongly on behalf of the provincial government against the passage of the Bill respecting the Hamilton Radial Electric Company. Draw particular attention to the provisions of clause 7, the presence of which in the Bill before the parliament of Canada is a distinct outrage on the civil rights of the province under the Corporation Act.

This is the Act which my hon. friend from Grenville (Mr. J. D. Reid) has just referred to. There are others who do consider that this matter is of some moment as regards provincial rights. Then the hon. gentleman further speaks about the opinion generally prevailing regarding the attempt to effect an entrance into the city, and criticises the attitude of Toronto members with regard to that. Let us see what his own political organ says, the Toronto 'Daily Star,' in its issue of last Friday, after this Bill was up in the Railway Committee. I did not intend to read the whole article, but only that portion which refers to the provincial rights. But I will now read the whole article.

Mischievous Meddling.

It is a pity that the rights of Ontario municipalities should be at the mercy of a body so careless, ignorant, and prejudiced as the Railway Committee of the House of Commons. The Hamilton Electric Railway Bill is a Bill for the construction of railways wholly within the province of Ontario, and ought to be controlled by the Ontario legislature. Here the radial railway situation, as it affects Toronto, is

thoroughly understood. At Ottawa there was every indication that the question was thoroughly misunderstood, and the committee, in its intense anxiety to serve the interests of the private corporation, came very near doing a gross injustice to the city.

Toronto is not actuated in this matter by stupid prejudice against radial railways. Its aim is to secure control of the situation at the critical period when the franchise of the Toronto Street Railway Company expires, and not to give any radial railway company a franchise extending beyond that period. This is an intelligent and intelligible policy. Some members of the Railway Committee, instead of making a conscientious effort to understand it, kept bawling out 'carried.' When Colonel Gibson declared that he would drop the whole Bill unless entrance to the city were conceded, some of the most potent, grave and reverent signors of the committee shouted : 'Serve them right.' Do they imagine that it would be a great blow to Toronto if the Bill were dropped ? Toronto would hail the withdrawal of the Bill as a blessed relief from ignorant meddling with its affairs.

Although Colonel Gibson and his friends finally surrendered on this point, the Bill contains a provision that is most mischievous and dangerous, and calculated to embroil the Dominion government in a conflict with the province of Ontario. This clause is intended to defeat the Ontario legislation passed with a view of securing provincial control over provincial charters. The Dominion ministers should take care that this provision is struck out when it comes into the House ; it would be better still if they would oppose the whole Bill, and send it back to the province, where it belongs. In this case justice to the province of Ontario coincides with an intelligent regard for the interests of the government, and of the Liberal party in this province. The Liberal party in Toronto and Ontario ought not to be dragged at the tail of the Hamilton Electric Railway Company.

That very fairly and honestly reflects public opinion in Toronto regarding this Bill ; it is published not by a Conservative paper but my hon. friend's own political friend's evening organ in Toronto—and it is a very strong indictment of the government in regard to this anti-provincial rights feature. I shall now refer to an editorial in the Toronto 'News,' of Saturday upon the same suject, headed

Invading Provincial Rights.

It is useless, indeed it is insolent, for the Canadian Senate to proclaim its deep love for the doctrine of provincial rights when it passed Colonel Gibson's Hamilton Radial Railway Bill. That Bill is a direct and vicious assault upon the legislative autonomy of Ontario and the authorities of this province; and cannot be defended even by the methods of casuistry. The proposed lines are to be operated by electric power. There is a direct admission that sometimes the road will be laid along the highway. Not a foot of the railway will be outside the province of Ontario, unless it may reach New York state at Niagara, a very doubtful contingency. In every possible sense the road is local. In view of these facts which are undeniable, clause one enacts that the railway is 'for the general advantage of Canada.' This is not true and if the octogenarians are not old enough to know better they ought to be. The insertion of this false statement puts the road under the federal Railway Act and gives the company powers of expropriation.

This province has a Railway Act which is somewhat drastic, but no one can deny that it is legislation of great public value. It is natural that Colonel Gibson should seek to escape the penalties for loose and careless management and operation which the local Act provides. But when the Dominion government lends a hand to permit this evasion it is not acting in the public interest and is trampling the whole doctrine of provincial rights under foot.

That faithfully summarizes public opinion in Ontario to-day and it is useless for hon. gentleman opposite to say that there is no question of provincial rights in this matter. The matter is distinctly one of provincial rights, or rather provincial wrongs if the Bill is insisted upon, and the attitude of the government is plain, while that of the people and the press is equally plain. They all agree that if the Bill is insisted on it will simply mean the sacrifice of the rights of the province. Mention has already been made of the various advantages which will accrue to the province if this railway continues under provincial legislation, and it has also been pointed out how the railway company will evade those obligations and duties if it is declared to be a work for the general advantage of Canada. There is no possible foundation for the claim that it should be declared a work for the general advantage of Canada unless it be the judgment that has been referred to, in the case of the Grand Trunk Railway, the Hamilton Radial Electric Company. That case, as has been pointed out, was simply an application by the Grand Trunk for an injunction to prevent this Hamilton Radial Company crossing its lines; in other words the railway company had obtained an order of the Railway Committee of the Privy Council awarding it the right to cross the Grand Trunk Railway lines. The Radial Company was there enforcing its right to cross the lines and the Grand Trunk was seeking to evade that obligation. The Grand Trunk appealed from that decision of the Railway Commission and it was only by way of appeal that it came to Mr. Justice Street. In that judgment Mr. Justice Street simply held that the decision of the Railway Committee of the Privy Council awarding the Radial Company the right to the crossing was final, that it bound all parties and that the only way to evade it was to take an appeal from that to the whole Privy Council. The judgment went no further, it merely said that in so far as the crossing was concerned, this company came under the jurisdiction of the federal parliament. If the words of the learned judge can be stretched to any greater length than I submit they should not be, because that was the only point to

be decided and anything further would be going outside the record. It was only with reference to that crossing that they came within the purview of the Railway Act and to that extent the Radial Railway was a work for the general advantage of Canada. Stretching that judgment as far as you can is there anything that warrants this House in passing solemn legislation affirming this right? I submit that this company never intended to claim that right, in their fourteen years' operation they never attempted to claim it, they have made no claim or pretence that they were a Dominion corporation or a work for the general advantage of Canada. On two occasions since then they applied to the Ontario legislature for increased powers. By an Act of 1900, chapter 112, of the statutes of the province of Ontario of that year, they got the time for the completion of their works extended up to the 1st of January, 1905. Again in 1904 they went to the legislature and obtained chapter 77 of the statutes of that year further extending the time for the completion of their works until the 1st of January, 1909, and they were also given power to enter into an agreement with the Toronto and Mimico Railway Company, the Toronto Suburban Railway Company and the Toronto and Hamilton Railway Company showing clearly that they intended to rely on their provincial legislation and they made no effort or pretense that they were a Dominion corporation, so I submit that when the hon. gentleman raises here the question of Dominion jurisdiction by that judgment it is a mere make-shift, a mere afterthought and I do not think there is anything to warrant this House in declaring this to be a work for the general advantage of Canada.

Mr. R. L. BORDEN. The hon. member for South Essex (Mr. Clarke) has made the argument that legislative jurisdiction with respect to this road had been transferred from the provincial government to the parliament of Canada and that possibly the operation of the Railway Act of 1903 had been such as to create a doubt as to where the legislative jurisdiction now exists. If that argument were well founded I think it would be a very good argument for some action in order to make the company's position perfectly plain. The argument does not appeal to me because I do not think anything in the Railway Act of 1888 or the judgment of Mr. Justice Street bears out the position the hon. gentleman has sought to maintain. I have already pointed out the provisions of the Railway Act of 1888, section 177:

> It is declared that every railway company that is incorporated by any Act of the legislature of any province, which crosses, intersects or unites with any railway in the legislative jurisdiction of the parliament of Canada, or which is crossed or intersected by or joined or united with any railway under the legislative jurisdiction of the parliament of Canada shall in respect of such crossing, intersection, junction or union and all matters preliminary or incidental thereto, be deemed to be and be in the legislative authority of the parliament of Canada and subject in respect thereof to the provisions of this Act.

It is perfectly plain that had Mr. Justice Street conceived this to be a railway within the jurisdiction of the legislature of Ontario, he would have made exactly the same order as that which he did make, dismissing the application of the Grand Trunk for an injunction to prevent the Hamilton Radial Railway from acting upon an order of the Railway Committee of the Privy Council. There is nothing in the judgment of Mr. Justice Street which declares the Hamilton Radial Railway to be within the legislative jurisdiction of the parliament of Canada and not within the legislative jurisdiction of the legislature of Ontario. It is perfectly plain the company itself understood the decision in that way because after the judgment it succeeded in obtaining two Acts from the legislature of Ontario conferring upon it further powers. I cannot come to the conclusion that there is any difficulty about the legal position of the company, even if this bill should not be passed. It has a perfect right to make an application to the legislature of Ontario and to receive powers from that legislature so far as it possesses jurisdiction under the British North America Act. I am dealing solely with the necessity of this declaration.

Mr. CLARKE. Do you think section 306 has no further effect than section 177?

Mr. R. L. BORDEN. I do not think section 306 of the Act of 1888 (which is only a re-enactment of a provision which had previously appeared in our Railway Acts) was intended to apply to street railways at all, and that contention is borne out by the amendment made by this parliament in 1883 which draws an express distinction between the ordinary railway dealt with in the Act of 1888 and street railways, electric railways and tramways. In chapter 27, 1893, you find the word 'railway' used, and you find in contradistinction to it the expression 'street railway, electric railway or tramway.' The result of my hon. friend's contention would be that a small street railway in any city of Canada the moment it crossed a Dominion railway would be within the legislative jurisdiction of the parliament of Canada, and the provincial legislature would be deprived of control over these small street railways. I do not think it ever was the intention of the Act of 1888 to provide in that way.

Mr. CLARKE. Has my hon. friend considered 63 and 64 Victoria, chapter 23, 1901; it has not been referred to before?

Mr. R. L. BORDEN. What does it provide?

Mr. CLARKE. It provides that street railways and tramways while declared to be subject to the provisions of the Railway Act in relation to crossing or connecting with a railway under Dominion jurisdiction should not be considered to be works to the general advantage of Canada nor to be subject to any other provisions of the Railway Act.

Mr. R. L. BORDEN. I have not considered that, but I would point out that statutes of that kind are often passed for greater caution, and in order to make provisions plain in respect of which a doubt exists, and I would point out further, that such an express provision is a distinct argument in favour of the contention which I make.

Mr. CLARKE. This is not a street railway we are dealing with now.

Mr. R. L. BORDEN. What is it?

Mr. CLARKE. An electric railway; it has its own right of way.

Mr. W. F. MACLEAN. And it runs on the King's highway, too.

Mr. CLARKE. In Ontario we have a Street Railway Act which deals with railways within cities and we have an Electric Railway Act dealing with railways which run into the country, and which as a rule have their own right of way, although I do not think that is necessary.

Mr. R. L. BORDEN. I have not the statute of 1901, but I will look into it later. Apart from that consideration, we have the ordinary railways of the country distinguished (by the Act of 1893, which is an amendment of the Act of 1888), from street railways, electric railways and tramways, and while there has been a contention raised in the courts that the parliament of Canada had not jurisdiction to deal with the crossing of such a railway over a Dominion railway like the Grand Trunk or the Canadian Pacific Railway, nevertheless the courts have decided that the Dominion parliament has that jurisdiction. Section 173 of the Act of 1888, as amended by the Act of 1893, declares that the parliament of Canada has undoubtedly jurisdiction with respect to such crossings, and that has been recognized by the courts as a valid exercise of its power. It seems to me that you are not to conclude, because a street railway or a tramway or an electric railway within the province crosses one of the railways mentioned in the Act of 1888, that therefore these small local railways are to be translated from the jurisdiction of the province to the sole jurisdiction of the Dominion parliament. As has been pointed out by my hon. friend (Mr. Barker) the Hamilton Street Railway crosses the Grand Trunk Railway and you could hardly give to the Act of 1888 such an extended application as would bring about the translation of jurisdiction over that railway from the legislature of Ontario to the parliament of Canada. It would be a rather ridiculous result and one which I think this parliament never contemplated, nor do I think you can properly deduce any such result from the words of the Act of 1888.

There is another consideration which has not been much dwelt upon, and it is this: How far are we to assume jurisdiction in this parliament over small railways in the province of Ontario, or any other province, merely by reason of the fact that the gentlemen who have control of such railways see fit to combine with them some other railway which extends beyond the borders of the province? If this parliament can properly assume jurisdiction by reason of that, you might have this result: A dozen small street railways in a province, come under the control of some combination of capitalists, and the gentlemen controlling them apply to this parliament asking for further legislation to construct a line of railway which passes into another province. Thus they claim to bring all these local railways under the jurisdiction of this parliament, instead of leaving them under the jurisdiction of the province. I do not think this parliament should interfere to bring about any such result. For my part, I have not heard any sound reason advanced for making the declaration to which alone I have directed my argument up to the present time. My hon. friend from Centre York (Mr. Campbell) said that it was necessary that all these railways should be declared to be works for the general advantage of Canada, otherwise no interchange of through traffic could be made. Section 8 of the Railway Act, chapter 37 of the revised statutes, expressly provides:

> Every railway, steam or electric street railway or tramway, the construction or operation of which is authorized by special Act of the legislature of any province, and which connects with or crosses or may hereafter connect with or cross any railway within the legislative authority of the parliament of Canada, shall, although not declared by parliament to be a work for the general advantage of Canada, be subject to the provisions of this Act relating to:
>
> (b) the through traffic on the railway or tramway and all matters appertaining thereto.

So that this parliament has, rightly or wrongly, assumed jurisdiction in that regard, and the law is not in the condition which my hon. friend from Centre York imagines.

Mr. CAMPBELL. What I meant was this, that if I load a car with flour on a road chartered by the province and want to send it beyond that road, say on the

Grand Trunk, to be carried to Halifax, the Grand Trunk need not take that flour unless I unload it and put it into a Grand Trunk car.

Mr. R. L. BORDEN. I need not go into the details beyond this. These local roads, which are under the legislative jurisdiction of the provinces, by the express provision of the section of the Railway Act which I have just quoted, stand so far as the interchange of traffic is concerned, exactly in the position in which they would if declared to be works for the general advantage of Canada.

Mr. CAMPBELL. Then, do I understand the leader of the opposition to say that the Railway Commission has control over all the local roads as to the rates of freight and the disposition of freight the same as if they were Dominion roads?

Mr. R. L. BORDEN. The section which I have read is about as plain as the English language can make it, and it gives the Railway Commission power over through traffic on those roads.

Mr. CAMPBELL. Do I understand the leader of the opposition to say that the Railway Commission have control over provincial roads?

Mr. R. L. BORDEN. They have control over the through traffic which passes from a provincial road to a Dominion road, to the same extent as if that provincial road had been declared to be a work for the general advantage of Canada. That is what section 8 of the Railway Act expressly provides. So that it is not necessary to have provincial roads declared to be works for the general advantage of Canada in order to accomplish the good result which my hon. friend from Centre York thinks necessary.

Mr. JOHNSTON. For the sake of information, I wish to ask this question: Suppose traffic originated on a provincial road which joined a road under the jurisdiction of the Dominion, on which it was carried for fifteen or twenty miles, does the hon. gentleman mean that the road operated under provincial charter is under the control of the Railway Commissioners of Canada? Because I have in my mind a case in which the Railway Commissioners take the view that it is not.

Mr. R. L. BORDEN. I understand through traffic to be traffic which is carried over both roads.

Mr. JOHNSTON. And both of those roads come under the operation of the Dominion Act?

Mr. R. L. BORDEN. So far as that through traffic is concerned.

Mr. CAMPBELL.

Mr. CLARKE. One word in regard to the Act to which I refer. Section 1 of chapter 23 of 63-64 Victoria, provides:

> The Railway Act, chapter 29 of the statutes of 1888, is amended by inserting, after section 6, the following section:
>
> 6a. Street railways and tramways, while hereby expressly declared to be subject to such of the provisions of this Act as are referred to in section 4, shall not by reason only of the fact of crossing or connecting with one or other of the lines of railway mentioned in section 306 be taken or considered to be works for the general advantage of Canada, nor to be subject to any other of the provisions of this Act.

Implying that other electric railways still remain subject to all the provisions of the Dominion Railway Act; and that is emphasized, I think, by subsection 2 of the same section, which reads as follows:

> The said section 6a shall also apply to all electric railways (as distinguished from electric street railways) passing through or over the Queen Victoria Niagara Falls Park, or through or over the property of the province of Ontario lying upon or along the Niagara river and known as the chain reserve.

So that, street railways as such, and these particular electric railways, are made subject to the Dominion Act as to crossings, so far as section 4 is concerned; but it does not say that other electric roads, such as the Hamilton Radial Railway, shall not have the full benefit of section 306, if it is a benefit, and be wholly within the jurisdiction of the Dominion.

No one disputes that this parliament has the power to say this work shall be for the benefit of Canada. That would remove all possible doubt. We have done it with hundreds of other roads of much less importance to Canada. If they should go to the province and get these powers, the Minister of Justice throws doubt on the power of the legislature to give the relief they seek. But if there is one jurisdiction which has undoubted power, it is this one and the other, whose power is doubtful, is the Ontario legislature. It is only fair that the body which has absolute power should be the one appealed to for the required legislation.

Mr. CAMPBELL. If I understood the position of the leader of the opposition, it was that if freight originated on a provincial line and passed over a Dominion line it could be called through freight and come under the control of the Railway Commission. I think that was his contention. But suppose it originates on a provincial line and goes say ten miles on the Grand Trunk Railway, that would not be through freight.

Mr. R. L. BORDEN. Why not?

Mr. CAMPBELL. There is difference between through traffic and local traffic, and I understood the hon. gentleman's con-

tention to be that they would not control the local traffic.

Mr. HAGGART. The commissioners control the local as well as the through.

Mr. CAMPBELL. That was not the contention of the hon. gentleman's leader. He contended that they controlled only the through traffic. Suppose I shipped flour ten miles on the Grand Trunk Railway, that is not through traffic but local traffic, and the Railway Commission would not have anything to do with it.

Mr. LENNOX. My hon. friend does not quite understand the position taken by the leader of the opposition. When the traffic, originating on local lines, came to the point of connection with a Dominion line, there was no power to compel the Dominion line to take that traffic over. I can tell the hon. gentleman from actual knowledge——

Mr. CAMPBELL. I understand that in the case of this very railway now before the House, the chairman of the Railway Commission refused to compel them to interchange freight because this was a local road.

Mr. LENNOX. As a matter of actual knowledge, I know that the Railway Commission hold that if any local line is connected with a Dominion line, they can control the interchange of freight under section 8.

At six o'clock, committee took recess.

After Recess.

Committee resumed at eight o'clock.

Mr. BOYCE. Thus far in the discussion of this proposed piece of legislation some points of more than ordinary interest to the country at large, and to each province separately, have developed. That such a question should arise in connection with a private Bill originating as this Bill has originated and with the history attaching to it is a circumstance that naturally claims some comment. That history is referred to in the preamble, which says :

Whereas the Hamilton Radial Electric Railway Company by its petition has represented that the said company was incorporated by an Act of the legislative assembly of the province of Ontario, chapter 88 of the statutes of 1894, whereby and by subsequent amendments of the said Act the said company was authorized to construct various lines of railway from the city of Hamilton to different places in the province of Ontario as in the said Act and amendments set forth, and has prayed that it be enacted as herein set forth, and whereas it is expedient to grant the prayer of the said petition : Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows :

I question the expediency of granting the prayer of any petition in the language of the preamble. As stated by several hon. members the Hamilton Radial Electric Railway was incorporated by the legislature of Ontario in 1894, under chapter 88 of the statutes of that year. In 1895, by chapter 101, this Act was amended and the company given an extension of time for the commencement and completion of its works. In 1896 a further amendment was made by the legislature of Ontario—chapter 103 of the statutes of that year. In 1900 a further amendment was made—Chapter 112. And in 1904, by chapter 77, there were further amendments and additions to the Act. Apparently, during 1905 and 1906, this company had no need for further legislation ; but when it did see the necessity for obtaining further powers, it very gratefully forsook the paternal care of the legislative assembly of Ontario and came to this parliament asking for regeneration, for new powers and new and more extensive jurisdiction. One is tempted to ask why these conditions exist, why it should be that, any company, having sought power exclusively within the provincial legislature and having gone to that legislature for a renewal and extension of its power, should, in its last days, come to this parliament and ask to have it declared by statute, forsooth, that its work is a work for the general advantage of Canada, seeking from this parliament, I presume,—and I shall elaborate that presently—what it was unable to get from the province of Ontario. I am informed that an effort was made before the legislature of Ontario to get further concessions but the effort failed, and that because of that failure this Bill is presented to this House. Without going deeply into the merits of the Bill, but confining myself more narrowly to the question which is of paramount importance to this House and to this country I would refer to the fact, at the outset, that there is great danger in adopting this preamble, of trenching upon that sacred principle, which is in the heart of all true Canadians, the principle of provincial rights. That the principle of provincial rights is involved in this Bill is too much a truism to admit of question. The sole question is, how far does the Bill seek to trench upon the rights of the province of Ontario ? The Hamilton Radial Electric Railway Company was by incorporation, an Ontario company, and was by incorporation, and by subsequent legislative enactment admitted to be within the control of the provincial legislature. It came distinctly within the class of cases covered by section 92 of the British North America Act which is the charter of the Dominion. Under the heading of 'Exclusive Powers of Provincial Legislatures,' section 92 of the British North America Act of 1867, provides :

In each province the legislature may exclusively make laws in relation to matters coming within the classes of subjects next hereinafter enumerated, that is to say :

1. The amendment from time to time, notwithstanding anything in this Act, of the constitution of the province, except as regards the office of lieutenant-governor.

2. Direct taxation within the province in order to the raising of a revenue for provincial purposes.

3. The borrowing of money on the sole credit of the province.

4. The establishment and tenure of provincial office, and the appointment and payment of provincial officers.

5. The management and sale of the public lands belonging to the province, and of the timber and wood thereon.

6. The establishment, maintenance and management of public and reformatory prisons in and for the province.

7. The establishment, maintenance and management of hospitals, asylums, charities and eleemosynary institutions in and for the province other than marine hospitals.

8. Municipal institutions in the province.

9. Shops, saloon, tavern and auctioneer and other licenses, in order to the raising of a revenue for provincial, local or municipal purposes.

10. Local works and undertakings, other than such as are of the following classes :

(a) Lines of steam or other ships, railways, canals, telegraphs and other works and undertakings connecting the province with any other or others of the provinces, or extending beyond the limits of the province.

(b) Lines of steamships between the province and any British or foreign country.

(c) Such works as, although wholly situate within the province, are before or after their execution declared by the parliament of Canada to be for the general advantage of Canada or for the advantage of two or more of the provinces.

11. The incorporation of companies with provincial objects.

12. Solemnization of marriage in the province.

13. Property and civil rights in the province.

14. The administration of justice in the province, including the constitution, maintenance, and organization of provincial courts, both of civil and of criminal jurisdiction, and including procedure in civil matters in those courts.

15. The imposition of punishment by fine, penalty or imprisonment for enforcing any law of the province made in relation to any matter coming within any of the classes of subjects enumerated in this section.

16. Generally all matters of a merely local or private nature in the province.

We are asked to declare by this Bill that the Hamilton Radial Electric Railway is a work for the general advantage of Canada, and, as such, comes within the exceptions stated by clause 10. It is not entirely pertinent to the consideration of this Bill perhaps, but still very significant, that this Bill comes before us in a somewhat unusual way. The Bill grew into existence and became concrete in the Senate. I notice that this is not the only Bill of a like nature that has reached this House by the same somewhat extraordinary procedure. I fancy hon. members will see that this is not a practice to be encouraged ; because Bills that affect the commercial interests of any province should first be submitted to the Commons. Add to that the fact that the Bill, having passed the Senate, comes before this parliament and its Railway Committee, at a time when its members are being urged to expedite the business of this House with a view to an early prorogation, and we seem to be faced with what one is loath to believe a studied plan, to use a vulgar expression, to 'railroad' the Bill through this parliament in the hope that hon. members may not notice the drastic clauses it contains.

Now I say that is a practice that ought to be discouraged. I have seen that practice followed in relation to another Bill introduced last session. That was a Bill for the incorporation of the Pacific and Atlantic Railway Company, which crept into this House just about the same way last session as this Bill has done, and likewise towards the end of the session. It was a Bill on all fours with this one, it contained exactly the same mischievous provisions. But it received very little consideration at the hands of the House, because all the members were anxious to close the session. The House closed on the 10th of July, on the 25th day of June that Bill was considered in committee. That Bill purported, not to incorporate, but to declare for the general benefit of Canada a railway known as the Pacific and Atlantic Railway Company, which for the first time was heard of in this parliament under the guise of that Bill. It was shown in opposition to that Bill, just as it is shown in opposition to this one, that it was incorporated in 1886 by an Ontario statute, and that from 1886 up to 1906 that Bill, the creature of the Ontario legislature, had had its charter renewed from time to time by that legislature. But in 1905 when that Bill came before the Ontario legislature again, and when another and better set of men had taken hold of affairs, there was a condition attached to the further extension of the powers of that company that it should spend in actual construction $300,000 within a year. What happened? Was the $300,000 spent? Not a dollar. The hon. gentlemen who were promoting that Bill knew a trick worth two of that, and the gentlemen who are now promoting this Bill are trying to emulate their example. They packed their baggage and came to Ottawa to get rid of the obligation to construct a portion of their work for which they were incorporated, to get rid of the obligation of spending any money whatever in actual construction. They caused the Bill to be introduced into the Senate, declaring that their railway, which for twenty years had not done a piece of work under the legislative control of the province of Ontario, was a work for the general advantage of Canada. Without altering the original scheme, without filing any new plans, without altering their original device with regard to the undertaking, they came here and, in order to get rid of the obligations that a wise gov-

ernment had imposed upon them for the protection of the public, they brought in this Bill by way of the Senate. In my humble way I raised my voice in protest against it. I pointed out the iniquity of such a legislation coming before this parliament at that time, and other hon. members on this side of the House joined in that protest. I protested against the violation of provincial rights. The Bill received its third reading, and a motion to give it the six months hoist was voted down, and it became law. There was in that case, as there is in this, no justification whatever for the legislation.

I appeal to hon. members as to how far they are going to be led like sheep by precedents so pernicious. This Act undoubtedly encroaches upon provincial rights; it raises a question wich this parliament should be loath to interfere with. If we have to remain here another two months to fight against such an invasion of provincial rights it would not be time lost. Looking back over the history of our confederation we find that this very matter was the subject of a very thoughtful speech by the Earl of Carnarvon on the second reading of the British North America Act in the House of Lords, which will be found at page 583 of Volume 85 of the Imperial Parliamentary Debates, and I would invite hon. members of this House to carefully consider the words of the noble earl on that occasion. It will be noted that Earl Carnarvon laid special stress on the ninety-second section of this Act, which he said was the most delicate and important part of the whole measure. To-day forty years afterwards, we are facing some of the difficulties that the noble lord then anticipated. We cannot be too careful about the protection of the rights of the provinces. If the original powers of this company were within the legislative jurisdiction of the province of Ontario, why should they be taken away; why should we interfere with what has been vested in that province since 1894? Is it possible that the promoters have some sinister object, some object ulterior to the obtaining of the passage of this Bill? I wonder whether the change of government in Ontario had anything to do with it? I wonder whether the former Attorney General of Ontario, after the deluge of 1905 in that House, was disappointed at the aspect which the provincial legislature then presented to him and that he advised that company, instead of applying to the Ontario legislature for concessions formerly granted in a perfunctory way, to apply to this as an easier forum to which they could resort and where they could obtain balms for the wounds inflicted on them in Ontario? Did they fear that the conditions that would be imposed by the Ontario legislature in regard to the completing of their undertaking and the fulfilment of their obligations to the people would be too stringent?

Are they to be led to believe that they can come here de novo and have the magic words 'for the general advantage of Canada' inserted in the Bill and have all their sins forgiven. This government can fly in the face of the constitution and of the people of Canada, but there is a time when constitutional principles will be regarded as inviolate, and then the day of retribution for this government will come. There is not one circumstance contained in this Bill, as there was not one circumstance in the Bill to incorporate the Pacific and Atlantic Railway Company last year, which would justify parliament in declaring that either is a work for the general advantage of Canada. But when we inquire into circumstances beyond the Bill, it is not difficult to find the object of the promoters. If in 1894 it was considered that the legislature of Ontario was the proper power to incorporate this company, and if in 1895, 1896, 1900 and 1904, that legislature was considered to be the proper forum to which to apply for amendments of that Act, what ulterior object now prompts the promoters to appeal to the parliament of Canada to be relieved from all the fetters which surround the legislation of the province in that regard, in the interest of the people of Ontario. Will not the granting of such legislation as this harass and embarrass the legislature of Ontario in administering its exclusive powers under section 92 of the British North America Act? I do not know whether this government has any respect for the government of Ontario, but to-day we have heard read a telegram from the Prime Minister of that province; a gentleman who is entitled to high respect, a gentleman who, by his stable policy and his energy in the interest of the people of his province, has won the largest majority that ever supported an Ontario government. Surely a telegram from such a Prime Minister stating that this Bill is dangerous to this province should be treated with some respect. I ask this House and this government to pay as much respect to a protest from the Prime Minister of Ontario as they would to a protest from the Prime Minister of Quebec, the Prime Minister of New Brunswick, or the Prime Minister of Nova Scotia. Would the hon. gentleman who now leads the House dare to proceed with the consideration of a Bill if he got a telegram from the Prime Minister of Nova Scotia, or of New Brunswick or of Quebec, protesting against that Bill. No, Sir, he would immediately call on his followers to stop the measure. But, as leader of the House and of the government pro tem, he treats with contempt an urgent telegram from the Prime Minister of Ontario protesting against this invasion of the rights of the people of that province. I ask the hon. gentleman if he regards that as decent parliamentary treatment to accord to the Prime Minister of Ontario?

Mr. FIELDING. I think that when I was Prime Minister of a province, I can

recall a telegram I sent here protesting against something, but the government of the day did not think it was conclusive ; I do not say they were right.

Mr. BOYCE. Did the government of the day treat that message in the same way as he has treated the message read by my hon. friend from Toronto (Mr. A. C. Macdonell) ?

Mr. FIELDING. What does my hon. friend mean by referring to my treating a message in any way. I have no recollection of ever hearing of that message until it was read here to-day.

Mr. BOYCE. Has my hon. friend no knowledge of the telegram from the Prime Minister of Ontario protesting against that measure ?

Mr. FIELDING. That message was never sent to the government.

Mr. BOYCE. Does my hon. friend doubt the authenticity of such a message ?

Mr. FIELDING. Not in the least.

Mr. BOYCE. As leader of the House, he says that the message not having been sent to him he cannot pay any attention to it. It was sent to an hon. member of this House and read to the House on his responsibility, and yet the leader of the House said he would not pay any attention to it.

Mr. FIELDING. In the first place I listened to the telegram being read and I have not said I would not pay any attention to it. In the second place, it was not sent to a member of this House but to a gentleman outside of the House.

Mr. BOYCE. That telegram is the property of this parliament now.

Mr. FIELDING. It is on 'Hansard,' yes.

Mr. BOYCE. It is on 'Hansard,' and it was read by an hon. gentleman on his own responsibility, and even if he had only stated that there was such a telegram in existence, surely constitutional parliamentary courtesy would allow my hon. friend (Mr. Fielding) to extend the courtesy of paying some consideration to it.

Mr. FIELDING. Will my hon. friend tell me what he means by speaking of the courtesy of paying some consideration to it ? It was read by a gentleman in debate, and I listened to it with due respect ; what does the hon. gentleman ask ?

Mr. BOYCE. I was proceeding to point out ; and surely my hon. friend will see some cogency in the argument.

Mr. FIELDING. I do not.

Mr. BOYCE. Perhaps my hon. friend has not been listening.

Mr. FIELDING. Yes I have.

Mr. BOYCE. I was pointing out that it is claimed that this private Bill introduced at this late stage of the session contains a very dangerous clause and infringes upon the rights of the province of Ontario. Some hon. members of the same persuasion as the hon. leader of the House have argued that ; and in support of that the hon. member for South Toronto reads a telegram, the authenticity of which cannot be doubted, from the Prime Minister of the province of Ontario in which he protests strongly on behalf of that government against this Bill as an interference with the rights of that province. Yet my hon. friend the leader of the House has never risen from his seat or paid the slightest courtesy or the slightest attention to that protest.

Mr. FIELDING. I have no quarrel with the Prime Minister of Ontario on this matter. I feel quite certain that if that gentleman wished to communicate anything to the government of Canada in regard to which he wanted their co-operation or assistance, he would have done so. I am not complaining because he has not. He has a perfect right to send a protest to these hon. gentlemen and they have a right to use it in debate ; but they have no right to complain of lack of courtesy on our part if we do not pay any attention to something which is not addressed to us.

Mr. BOYCE. Then it is the method of this protest and the channel through which it comes that my hon. friend find fault with.

Mr. FIELDING. I have not found any fault with the method of the protest nor with the protest itself. My hon. friend is getting up a quarrel where there is none.

Mr. BOYCE. No, I do not desire to cause any friction on this matter. I merely point out that the hon. leader of the House is treading on somewhat dangerous ground when, in order to promote the private interests of the promoters of this Bill, he sits silent in the face of a protest of that kind. I am told—I was not in the committee, the hon. leader of the House will correct me if I am wrong—that when this Bill was under consideration in the Railway Committee on Thursday last, the hon. gentleman was there part of the time, and announced himself as opposed to the Bill as being an interference with provincial rights.

Mr. FIELDING. I was there for a few minutes, and I raised a question as to the wisdom of the Bill. I was obliged to leave. I said nothing as to what views I held on the Bill. I did inquire as to certain questions raised by the Bill, but I was not there during the discussion and do not know what course it finally took.

Mr. BOYCE. Well, I will put it to my hon. friend in this way. In the position in which he finds himself now——

Mr. FIELDING. I do not find myself in any trouble over it.

Mr. BOYCE. The hon. gentleman himself raised the question on Thursday last as to whether this Bill was an interference with provincial rights We have been talking on this question all day, and my hon. friend has been confronted with a protest from the Prime Minister of Ontario in the name of the provincial government; and yet he will allow the time of this House to be taken up without saying one word as to what his policy is with regard to this Bill. That may be a matter of amusement on his part.

Mr. FIELDING. My hon. friend forgets that we are not taking up the time of the House. The time of the House has been taken up by hon. gentlemen opposite. I am not complaining of it. That is their right.

Mr. BOYCE. That is a very specious way for my hon. friend to argue himself out of a difficult position. He knows that as the leader of this House he ought or ought not to take cognizance of a protest from a procial government. He himself raised the question on Thursday last as to how far this Bill was a violation of provincial rights; yet he sits in the House for a whole day and hears this question discussed, and will not announce what position his government takes on that very important question. How can he complain that the time of the House is wasted——

Mr. FIELDING. I do not complain.

Mr. BOYCE—when he himself, for reasons best known to himself, will not speak in face of such a protest.

Mr. FIELDING. My hon. friend must not forget that I am not complaining at all. It is the hon. gentleman who is doing the complaining.

Mr. BOYCE. Then, I ask, when did my hon. friend change his mind ?

Mr. FIELDING. I have never said that I have changed my mind at all.

Mr. BOYCE. Then my hon. friend, as leader of this House, is in a position of masterly inactivity in regard to a question so vital to the province of Ontario——

Mr. FIELDING. I may not think it so vital.

Mr. BOYCE—and will allow the time of this House to be taken up with a discussion pro and con as to whether or not this Bill is an interference with provincial rights, a question which he himself raised in the Railway Committee. This debate may, and possibly will, drag along all night, and yet my hon. friend sits there, and will not tell us what views he entertains on this question, although he and all his followers know that if he would rise in his place and declare himself one way or the other, that would settle the whole question as far as this House is concerned and would terminate this debate. If my hon. friend is bold enough to be honest and honest enough to be bold, as far as the leadership of this House is concerned, he will announce himself.

Mr. FIELDING. My hon. friend seems to complain that I do not suppress him; but I do not want to suppress my hon. friend. I am perfectly content that he should go on.

Mr. BOYCE. I appreciate very much the courtesy my hon. friend the leader of the House is paying to me, but that does not relieve him of the responsibility that rests upon him. My hon. friend admits that he raised this question in the Railway Committee on Thursday last, and if he would be kind enough to announce the position he now occupies upon it, he would save a great deal of trouble. Will my hon. friend do that ? I will give way to him this moment if he will rise and announce what is the attitude of the government on the question of interference with provincial rights which he himself raised.

Mr. FIELDING. I do not want to interfere with my hon. friend's speech.

Mr. BOYCE. My hon friend, then, finds himself in the somewhat weak and invidious position of having changed his mind very rapidly since last Thursday, when he saw enough of significance and importance in this measure to raise that question before the Railway Committee. He had to leave the committee, as the business of the House required his attention; and when the matter comes before the House on the Monday following, and on the very same question my hon. friend is implored to speak his mind at this hour, when we are short of time, when my hon. friend I presume is himself desirous in the interest of the country to hasten prorogation, and when I offer to give way to my hon. friend if he will only speak, he says he will not interfere. What pressure has been brought to bear upon the leader of this House between Thursday, when on his own motion he raised this question of provincial rights in the Railway Committee, and Monday, when it is brought to his attention on the floor of parliament, and nothing will induce him to come to his feet and announce the attitude his government takes on that very same question ?

Some pressure of great political importance has no doubt been brought to bear on the leader of the House (Mr. Fielding). Possibly it has been impressed upon him that the promoters of this Bill are very strong politically in the province of Ontario and that the question of provincial rights must

be made subservient to the greater interests of the Liberal party. I wonder if the opinion of the ex-Attorney General of Ontario had anything to do with changing the mind of the leader of the House. I wonder whether the example of the ex-Attorney General, who himself announced that he was not a policeman, has so impressed the mind of the leader of the House that he himself has decided that, as there was no need for a policeman to safeguard the rights of Ontario in that province, there is equally no necessity for one here. Perhaps my hon. friend appreciates the circumstances under which the ex-Attorney General of Ontario announced he was not a policeman. When sent to defend his government in the constituency I have the honour to represent, he was confronted on the platform with a message that an act of great political corruption was about to be perpetrated in that constituency, namely, that the crew of the famous 'Minnie M' was to start the next day with one hundred voters to plug the polls of Michipicoten district. The hon. gentleman did not know exactly how to reply. As chief judicial executive of the province, it was his duty to do something. He was there with all the machinery of office, his Crown attorney and constable had the power to swear in more constables if necessary. His answer was summed up in the words: I am not a policeman.

Mr. BENNETT. And that he had not his uniform on.

Mr. BOYCE. Possibly the leader of the House is desirous of taking that position. Now, in view of what has been said, that he is not policing the rights of the constitution.

Mr. FIELDING. A policeman's lot is not a happy one.

Mr. BOYCE. No, when constabulary duty is to be done. My hon. friend has the same opportunity as was given the ex-Attorney General of Ontario to be a policeman and safeguard the interests of the people. I hope he does not expect to share the same fate as that hon. gentleman. That answer of the ex-Attorney General was his dying declaration. The people of Ontario took him at his word and decided he was not the man to police their rights, and so they retired him and his government very quickly and emphatically. I repeat the question to the hon. the leader of the House (Mr. Fielding). He has heard the protest. He has had the protest of the Prime Minister of the province against this Bill on the ground of its interference with provincial rights, yet he says nothing. Let my hon. friend the leader of the House (Mr. Fielding) consider that here is the First Minister of Ontario protesting that the Bill proposed is an outrage on the civil rights of that province under the British North America Act. Does he say it is not? My hon. friend is silent.

Mr. BOYCE.

Mr. FIELDING. Silence is a great virtue.

Mr. BOYCE. No doubt, but silence is liable to be misunderstood especially by the people of Ontario.

Mr. FIELDING. My hon. friend is safe.

Mr. BOYCE. This company is seeking powers which it is not within the right of this parliament to give. My hon. friend the leader of the House takes refuge in silence. Let me remind him that that was not the refuge which his leader the First Minister (Sir Wilfrid Laurier) took on this question. We remember that right hon. gentleman's words when introducing a very famous piece of legislation. He then told this House and country that he stood upon the rock of the constitution. But the Finance Minister (Mr. Fielding), if he ever stood on that rock, appears to have slipped off into the deep waters of silence which envelop him. To repeat in the closing hours of this session what we had in the closing hours of last session is not to commend to the country the stability of the government or its desire to keep intact the constitution of the Dominion. In the case of last session which has been referred to, it was pointed out to the House, that the railway company then seeking powers had been in existence for twenty years, and all that time under the jurisdiction of the Ontario legislature, and that it was coming here merely to evade conditions imposed upon it by that legislature under the Ross government and just before the defeat of that government in 1905. It was pointed out then, as in this case, that the Bill was improvidently brought before the House, and strong reasons were urged why there should be no interference. In that Bill, as in this, there was no new power sought by the applying company except that the work be declared one for the general advantage of Canada so as to deprive the province of Ontario of the power it had exercised over it.

All I can say in closing is that if the government desires to be regarded by the people as a representative and constitutional government, and as upholding the rights of the province and maintaining intact the constitution, it should hesitate before pushing forward such a Bill as this. The leader of the House (Mr. Fielding) takes refuge in silence. Does he think it better to maintain silence rather than even to delay this Bill and the perpetration of the political crime which the passing of it would involve? You have here the declaration of the Prime Minister of the province whose rights are being interfered with, and surely it would be but courtesy that, as this is a private Bill and has come before the House in the last hours of the session, to say that the promoters' interests must not be regarded as greater than those of the province of Ontario. Therefore, in all sincerity I ask the leader of the House to

stay his hand, to break through the silence that has enveloped him and to make the declaration which will say, in all courtesy, to the province of Ontario, that he is a stable statesman and desires to uphold the constitution and institutions of Canada and will not allow this Bill to be proceeded further with this session.

Mr. TALBOT. Before the hon. member for West Algoma (Mr. Boyce) resumes his seat, would he be good enough to state to this committee whether he is for or against the Bill?

Mr. SPROULE. Any one who has so little intelligence as that, I think, ought to be given the information he desires.

Mr. TALBOT. I would like also to ask the hon. member for Hamilton (Mr. Barker) to give us his opinion of the Bill.

Mr. SPROULE. I desire to call attention to some remarks made on this question of provincial rights some years ago. I happen to have a pretty distinct recollection of a long and important debate that took place on this question of provincial rights. Though I was younger than I am to-day, knew less about the question, I felt that the opposition of that time advanced very strong arguments, arguments which in my judgment should have weighed with the House; arguments which I thought would influence the future legislation of both the federal and provincial parliaments. It was away back in 1882 that the question of the Streams Bill was discussed in this House. An interesting struggle arose between the provincial government of Ontario and the federal government here, the federal government standing by a gentleman who was carrying on lumber operations and who desired to have certain rights in certain streams, which rights were disputed. I refer to the old McLaren case arising out of the Streams Bill. The provincial legislature passed an Act taking away rights which Mr. McLaren thought he possessed in relation to a certain stream. The Bill was disallowed by the federal government on the ground that it was not within the jurisdiction of the provincial legislature. There was a stay of proceedings, and the case went into the courts and was ultimately carried to the Judicial Committee of the Privy Council. But the question was imported into this House and a very lengthy and interesting debate took place, a portion of which I propose to read, because in my opinion it bears directly on the question before the committee. I take the speech made by Mr. M. C. Cameron, of Huron, the man who opened the debate. Sir Leonard Tilley moved that the Speaker do now leave the Chair and that the House do go again into Committee of Supply. Mr. Cameron said :

Mr. Speaker, those who, like yourself, are old enough to remember the party struggles, the party triumphs and the party defeats in the old parliament of Canada under a legislative union, the form of government that prevailed before confederation, have a lively recollection of the circumstances and causes that led to these party conflicts in the early days of Canadian history. . . Various schemes were then suggested as a remedy for the prevailing discontent. The double majority was tried, it failed. Government by coalition was tried, it failed. The hon. the First Minister, in the speech to which I have referred, pointed out other remedies. One was the disolution of the union between Upper and Lower Canada, and leaving affairs in the condition in which they were before the union of 1841 ; the second solution of the difficulty was representation by population ; and the third solution was a federal union of all the British North American provinces. The result was a federal union of all these provinces willing to join the great confederation. This union was based on the principle long contended for by the Liberal party, especially of the province of Ontario—the principle announced at their various conventions and gatherings imitated by the leaders of the party and supported by their followers—the principle that all local affairs should be dealt with by the local authorities, and that all affairs of a national character should be disposed of by some joint or federal power.

Now is not that the essence of the question before us, that local affairs should be dealt with by the local authority ? That local authority is vested to-day in the legislative assembly of the province of Ontario.

I am satisfied that the union of the provinces would not have taken place, at all events at the period at which it did take place, has that not been the guiding principle in the minds of the leading statesmen who had to do with that question. I am satisfied it is one of the principles that moved the various provinces to join confederation—the absolute, unchecked, unrestrained control of their own local affairs. Had they thought otherwise that, notwithstanding the union of the British North American provinces, the local affairs of the individual provinces, affairs assigned to them by the constitution, and over which they were supposed to have sole control, should be subject to the revision, and the disallowance of the Dominion government, these provinces never would have joined the great confederation.

Now is not that the essence of the question that the legislature shall have the absolute, unchecked, unrestrained control of their local affairs ? I say that if we pass this Bill we are not. We are not allowing them to control their own local affairs. And is that great Reform party, who then stood so firmly upon the ground of local control, to-day going back upon their record ? Are they willing to sacrifice these principles that were formerly held to be the cardinal principles of the Reform party ? Are they going to take away from a province those local rights that were guaranteed to them at confederation ? I hope they are not, because if they are, they will find that the day is fast

approaching when the provinces will be held together only by a rope of sand. There will be no principles to hold them together, and the strongest argument for doing away with confederation will be supplied to them.

It was known after confederation did take place that, although the powers given to each of the governments were reasonably clear and well defined, still under our constitution, new and untried, different interpretations might be put upon the different powers reserved to the different governments, and so at an early day in the history of confederation, it became necessary to lay down some clear, well defined and permanent rule by which the Dominion government would be guided in passing upon local legislation, and by which the Dominion government would be restrained from the exercise of the power of vetoing reserved by the British North America Act to the Dominion government over the legislation of the different provinces. It was of the first consequence to the well being and prosperity of each province. It was of the first consequence to the security and permanence of the union, that the interpretation put by the Dominion government upon that portion of the constitution which assigned to each government its authority and power in matters of legislation, should be certain and permanent. The hon. gentleman who now leads this House, and who then guided the destinies of this country—who was then and is now Prime Minister—aware of the necessity of having these powers well defined, at an early day in the history of confederation, did, so far as human skill and human ingenuity could, define the powers assigned to each of the governments, and especially the right of the Dominion government to pass upon local legislation. Upon the 8th of January, 1868, the right hon. the First Minister prepared a state paper, which I hold in my hand, dealing with this important question. Permit me, for the satisfaction of the House, to read from that reliable and important document, the views which the hon. the First Minister then entertained with respect to the right and power of the Dominion government in passing upon local legislation:

In deciding whether any Act of a provincial legislature should be disallowed or sanctioned, the government must not only consider whether it affects the interest of the whole Dominion or not, but also whether it be unconstitutional——

And that is one of the questions that we should carefully consider, whether this matter affects the right of the whole Dominion to declare this to be a work for the general advantage of Canada.

Whether it exceeds the jurisdiction conferred on the local legislature, and, in cases where the jurisdiction is concurrent, whether it clashes with the legislation of the general parliament.

We should examine whether it affects the whole Dominion, and if we find it does, will that be a justifiable reason for our interference? If we find it affects the whole Dominion that would be a justifiable reason for interference, but that should not be a conclusive reason. We should look further and ask whether the legislature had within its rights the power to pass the Bill and if we found, notwithstanding the fact that it affected the whole Dominion, the legislature still had the right to pass the Bill, we should not exercise the right of disallowance because the Bill affected the whole Dominion but we should take into consideration the fact that we were interfering with the rights of the province under the constitution.

It is recommended that His Excellency should immediately on their receipt refer the Acts passed in any province to the Minister of Justice and that he should with all convenient speed report as to the Acts that he considers free from objections of any kind, and that he make a separate report or separate reports of those Acts that he considers to be:

1. Altogether illegal or unconstitutional.
2. Illegal or unconstitutional in part.
3. In cases of concurrent jurisdiction as clashing with the legislation of the general parliament; and
4. As affecting the interests of the Dominion generally,

And that in such report or reports he gives his reasons for his opinions.

It will not do simply to make a report classifying Acts in this way but a reasoned judgment that can be analysed so that the arguments that influence his decision may be weighed. In this case the local legislature has by a telegram to its legal adviser instructed him to remonstrate with the federal parliament for attempting to pass this law because it violates a sacred right belonging to the province and all we ask is that an agreement should be come to between the federal and provincial authorities as to whether or not that sacred right shall be interfered with in this case. Will confederation be respected, will it hold good, if you violate the rights of the province and absolutely refuse to give an opportunity of consultation before an irrevocable step of this kind is taken? I ask the leader of the House whether he will respect the remonstrance of the province that the passing of this Bill would be a serious interference with the rights of the province, or if he intends to force the Bill through.

Mr. FIELDING. This is not a government matter at all, it is a private Bill. I do not agree with my hon. friend that it is the duty of the government to deal with every private Bill; the government has its responsibility in legislation generally but there are many instances in which a private Bill is dealt with irrespective of the government. My hon. friend wanted to know if I wanted to force the Bill through. I do not want to force it through, I propose to treat it as any other private Bill, to hear the discussion out and to deal with it on its merits.

Mr. SPROULE. Who is responsible for the maintenance of the constitutional rights

of the provinces in this House, if the government are not ? The government cannot shelter themselves by saying : This is a private Bill and if it violates provincial rights, we are not concerned about provincial rights here, we are perfectly satisfied to violate the rights of the province so long as it is not a government Bill.

Mr. FIELDING. I suppose there might be some members of the House who would not be ready to agree that it is a violation ?

Mr. SPROULE. That may be, but I asked the leader of the House if he takes the position that the government is not concerned about this because it is a private Bill. Who is concerned in maintaining the rights of the provinces ?

Mr. FIELDING. We all are.

Mr. SPROULE. Yes, but the ministers are sworn by their oath of office to a special responsibility, and the leader of the House is bound to advise us when such a question as this arises.

Mr. FIELDING. My hon. friend does not always take my advice.

Mr. SPROULE. My attention has been called to the fact that although some years ago the Kettle River Valley Railway Bill was introduced by a private member the government interfered and controlled the House on it. It is the duty of the government to do the same with regard to this Bill to-night. I shall not detain the House by quoting further from this lengthy speech if I am informed by the government that it is not intended to let this Bill pass. If the government on the other hand should resort to a trial of strength and should help a private member to attempt to force this Bill through regardless of the rights of the province of Ontario, then we shall be obliged to avail ourselves of our rights to the utmost limit of our physical powers to prevent this invasion of the sacred rights of a province of our Dominion. Are we going to violate provincial autonomy by the passage of this Bill? If we are, we are not only doing a grevious wrong to the province, but we are taking a step towards breaking up confederation. Let us confine ourselves to our federal powers and let the provinces administer their powers without our interference. I have here a small book on the Canadian constitution, a book small but important, written by Mr. G. J. Watson, an eminent lawyer of Toronto, and Mr. Watson says :

> As regards the internal and material interests of each of the provinces, their municipal self-government, their systems of education, their public lands and their development, and the administration of justice, the local legislatures are of much greater importance than the federal parliament. Over those vital and complex functions of a free commonwealth, which are known as civil rights and which are the life and marrow of local self-government and constitutional citizenship, the provincial parliaments rule supreme.

He points out that these provincial rights are even more important than the federal rights because the federal parliament was created by each of the provinces yielding a portion of its rights to create that parliament. It was not the federal parliament that created the provincial legislatures; it was the provinces that created the federal authorities and the provinces are as supreme within their powers as the Dominion is within its power :

> It must be borne in mind that the federal parliament is the offspring of the provincial legislatures; that it is not their progenitor, and that in confiding to it such of their powers as were necessary to establish it as a greater representative institution than themselves, there were yet certain powers which they reserved for their own behoof.
>
> As an illustration of these reserved powers, may be cited the last clause of section 94 of the British North America Act. The section is headed 'uniformity of laws in Ontario, Nova Scotia and New Brunswick.' This uniformity has refernce to 'all or any of the laws relative to property and civil rights,' in the three provinces just named and to the procedure of all or any of the courts in those three provinces. But the last clause of this section declares that 'any Act of the parliament of Canada making provision for such uniformity shall not have effect in any province unless and until it is adopted and enacted by the legislature thereof.

We recognized the sacred rights of the province of Quebec when we endeavoured to make these laws uniform in the various provinces. Has the government abandoned the House? I do not see a member of the government present. I think we shall have to adjourn for the want of a representative of the cabinet here. I beg to move, Mr. Chairman, that this committee rise, and that the House adjourn.

Mr. FIELDING. I am sorry that my hon. friend missed me so much.

Mr. SPROULE. I thought that the government had taken to the woods, and abandoned their case.

Mr. FIELDING. I was listening; I was within the sound of my hon. friend's voice.

Mr. SPROULE. Well, I am glad there is one who sticks to his post; the rest seem to be scattered to the four winds of heaven. I was going on to say that when we desired to have uniformity of laws in the various provinces, the British North America Act provided that we should not do it until all the provinces acquiesced by concurrent legislation. In one respect the provincial legislatures have a prominent advantage over the federal parliament; they can at any time amend their constitutions except as regards the office of lieutenant governor, while we cannot amend our constitution; that can

be done only by an imperial Act; showing that the provincial parliament is above the federal parliament. Therefore we cannot interfere with the Acts of the provinces. If we do interfere with them, there is sure to be trouble. That was recognized by Mr. Gladstone in a speech which he made in the English House of Commons on March 22, 1867, on the subject of the Canada Loan Bill, when he said :

> We have for a full quarter of a century acknowledged absolutely the right of self-government in the colonies. We do not expect the laws of Canada or of Australia to be modelled according to our own ideas. We grant them a greater freedom from interference than, as amongst the three kingdoms, the legislature grants to the peculiar ideas that may happen to prevail in one of those three. We have carried it to this point, that as far as regards the administration, I believe it may be said that that the only officer appointed by the Colonial Secretary is the Governor; and I believe there cannot be a doubt that if it were the well ascertained desire of the colonies to have the appointment of their own governor, the imperial parliament would at once make over to them that power.

He goes on to show the importance of the provincial governments, and the rights they possess. I claim that the federal parliament has no right to interfere with those rights, because they are superior to ours. If we do interfere with them, we shall be creating trouble. In view of these arguments and the authorities I have quoted, will the hon. leader of the House still persist in saying that we have a right to pass this Bill? If he is prepared to do that, he must take the responsibility of deliberately interfering with the rights of the provinces and destroying the confederation which we have regarded as sacred up to the present time.

Mr. LENNOX. We have been discussing this matter now for about eleven hours, and yet, strange to say, the questions asked by the leader of the opposition at the beginning of the debate have not been answered. The question as to whether the notice was properly given or not, was only evasively answered by the chairman of the Railway Committee saying that he presumed that the notice had been attended to in the Senate, and that the Senate had ascertained that it had been properly given. I venture to say that that is not a safe principle on which to proceed, and that it is our duty to ascertain definitely and clearly whether or not the necessary notice has been given. The other question asked by the hon. leader of the opposition still remains unanswered, that is, what good and substantial reason is there for asking us to declare this to be a work for the general advantage of Canada? The other day in the Senate, a solemn declaration was passed, every senator present except one assenting to it, that in the future they would not pass legislation or make this declaration until clear and definite evidence was given of the fact. If it is the duty of the Senate, it is much more the duty of this House, to see to it, in the interest of the various provinces, that before we pass legislation of this kind, we shall not accept the bare, bald statement, but require it to be established as a matter of fact in the Railway Committee and to be reported to this House, that the work is a work for the general advantage of Canada. I admit that if this House thinks fit, it has the power, without one tittle of evidence, even in the case of a work which is clearly and beyond all question within the rights of a province, to declare such a work to be a work for the general advantage of Canada; and having so declared, we can rob the province of those rights of jurisdiction which it has. By subsection 10 of section 92 of the British North America Act, the following works are excepted from those assigned to the jurisdiction of the provinces :

> Such works as, although wholly situate within the province, are before or after their execution declared by the parliament of Canada to be for the general advantage of Canada or for the advantage of two or more of the provinces.

So that if we want absolutely to neglect our duty as representatives of the people, we can declare a work, however small and local in its character, to be a work for the general advantage of Canada, and until the people rise in rebellion against our act, the provinces are powerless. That is the position we are in to-night, that there has been no statement made during this debate to show that this is a work really and honestly for the general advantage of Canada, and yet we are asked to say by our votes that it is a work of that character. I venture to think that the country will be somewhat surprised and startled at the propositions which have been made by two hon. members of this House to-day. The first is a proposition from the Minister of Justice (Mr. Aylesworth). We do not expect the Minister of Justice to occupy the position in this House of a mere special pleader, and I venture to say that the argument he made to-day was a piece of special pleading which did no credit to the position he occupies. He referred to the wording of section 306 of the Railway Act of 1888 and to a case said to have been decided under that section. That section provides :

> The Intercolonial Railway, the Grand Trunk Railway, the North Shore Railway, the Northern Railway, the Hamilton and Northwestern Railway, the Canada Southern Railway, the Great Western Railway, the Credit Valley Railway, the Ontario and Quebec Railway and the Canadian Pacific Railway are hereby declared to be works for the general advantage of Canada, and each and every branch line or railway now or hereafter connecting with or crossing the said lines of railway, or any of them, is a work for the general advantage of Canada.

It was argued by the Minister of Justice (Mr. Aylesworth) that that clause in itself,

irrespective of the decision of Mr. Justice Street, meant that up to 1903 the Hamilton Radial Railway Company, having been compelled, in the course of construction, to cross the Grand Trunk Railway thereby, became a railway for the general advantage of Canada. I deny that proposition altogether. I deny that the section was ever intended to cover any such case. In the first place there were no electric railways at that time. I attach no great importance to that, but call attention to the wording in order to see if it could be construed as meaning that every line of railway, even if only five or ten miles long, which happened to cross one of the railways mentioned in this clause, became thereby a railway for the general advantage of Canada. Clearly the object of the enactment was that these trunk lines of railway specially mentioned and their various branches and connections should be works for the general advantage of Canada and to exclude altogether railways which incidentally happened to cross these other lines. The words 'each and every branch line or railway' evidently mean each and every branch line or each and every branch of railway, now or hereafter connecting with or crossing the said lines of railway. A fair construction of that enactment is therefore that the railways and branches in connection with these various trunk lines are to be taken as part of the system and considered for the general advantage of Canada. In that connection I am supported by history. Let any hon. gentleman turn to his own province and find what has been its history in connection with such matters. Is there any case in which railways of the class of the Hamilton Radial have been construed, under this Act, as being railways of a Dominion character? With that one exception, there is not a case in the history of Canada which bears out the view enunciated by the Minister of Justice today. In the various provinces, the courts have never regarded any railway as coming under this clause by reason merely of its having to cross a Dominion line. Does the case of the Grand Trunk Railway and the Hamilton Electric Railway conflict with that view? There was a motion by the Grand Trunk Railway for an injunction to prevent the Hamilton Radial Electric Railway Company from crossing their line. The company had endeavoured to obtain a right of way across the Grand Trunk Railway and had applied to the Railway Committee of the Privy Council for an order and had obtained an order. When the Hamilton Radial Company applied to the Railway Committee of the Privy Council for an order to cross the tracks of the Grand Trunk Railway, their application was opposed by the Grand Trunk Railway, but the committee made an order approving of the place and mode of crossing and prescribing certain conditions. We have therefore the Railway Committee of the Privy Council deciding that under the provisions of the Railway Act, 51 Victoria, chapter 29, the Hamilton Radial, in respect of the crossing, were within the legislative authority of the parliament of Canada. Upon that state of things, the Radial Railway Company proceeded. And Judge Street decided this point and decided no more than this point, that the only authority having control over this matter was the Railway Committee of the Privy Council, subject to the right of appeal to the Governor in Council. Here is the judgment:

> I am of opinion that the question raised here must be treated as absolutely determined by the order of the Railway Committee of the Privy Council, subject to the right of appeal to the Governor in Council.

Then he goes on to say:

> By section 11, subsection (d), the Railway Committee have power to inquire into, hear and determine any application, complaint or dispute respecting the crossing of the tracks of one company by the tracks of another company.
>
> By section 173 of the Act as amended by 56 Victoria, chapter 27, section 1, the above powers are made specially applicable to the case of an electric railway seeking to cross an ordinary railway.

Then he sums it up in this way:

> In my opinion this question was one of those for the determination of which the Railway Committee was constituted, and in which, subject to the right of appeal to the Governor General in Council, or of reference to the Supreme Court, its decisions are by section 21 of the Railway Act made final.

That he decided, and that is all he decided under the application made to him. In giving judgment he does make reference to section 306 it is true, but he confines himself in his judgment to the one point submitted to him—namely, whether there was a right of appeal to him or not by way of injunction to prevent these parties exercising rights given by the Railway Committee of the Privy Council, subject to the appeal of the Governor in Council. He decides—in regard to crossings and crossings only—that the jurisdiction is in the Privy Council subject only to appeal from its decision to the Governor in Council or the Supreme Court. Now, we have a Minister of Justice—and to the Minister of Justice we naturally look for the elucidation of subjects of this kind—who rests a strange conclusion upon this decision of Mr. Justice Street. I am prepared to give my allegiance to that decision, so far as the question up for discussion is concerned, but I submit with all confidence that a fair construction of section 306, according to universal recognition in Canada since 1888, is directly in conflict with the proposition that every line of railway, however short and insignificant it may be, however local in its character, if it crosses a Dominion railway becomes ipso facto a Dominion railway. That is a startling pro-

position to come from the Minister of Justice of this Dominion. It seems a proposition, however, to which there is one convert at all events, the hon. member for Centre York (Mr. Campbell). That hon. gentleman advances a step further. I notice that the Minister of Justice (Mr. Aylesworth) would not venture his own individual opinion in support of the proposition that the mere matter of crossing of a Dominion railway would have the effect declared by reason of the result supposed to flow from the decision of Mr. Justice Street. But the hon. gentleman leaves the impression upon the mind of the ordinary reader who does not scan his words carefully and of the ordinary listener in this House that it is the law that this railway comes within the jurisdiction of the Dominion parliament. I deny that proposition absolutely. But we have the further startling proposition from the coming minister of something—I know not what—the hon. member for Centre York (Mr. Campbell) that all the railways in Canada must ultimately come under federal control. I venture to say that the people of the several provinces of Canada will have a good deal to say before that consummation is brought about. I venture to think that if they believe that the federal power is going to grasp supreme and absolute control of the railways of this country there will be such a stir among the people as has not been witnessed at any time in the past. I believe that, instead of the movement being in the direction of robbing the provinces of their rights and centring jurisdiction in the federal power, the people are more inclined to demand that the federal government shall not encroach upon provincial rights, and that in the very near future we shall have such a movement in that direction as will secure the safety and permanence of our institution.

I wish to repeat here a word that I have said in the Railway Committee more than once. It has been said here that the provinces have been robbed of their rights in this parliament. Hon. members on the government side of the House have stated that on hundreds of occasions undertakings that could not be claimed as undertakings for the general advantage of Canada have been dealt with in our Railway Committee. I say now, as I have said in our Railway Committee, that the time has come when the rights of the provinces must be recognized. The question is not as between the jurisdiction of the provinces and the jurisdiction of the Dominion per se. In the case before us certain gentlemen have a pull in one legislature which they have not in another, and they wish to take advantage of that. Look at the history of this legislation. Take, for instance, what has occurred in the interpretation of this judgment of Mr. Justice Street. We do not hear to-day the interpretation that was put upon it by the company, when applying to the local legislature in 1900 when the matter was fresh in their minds and when the Ross government—or at least when the friends of these gentlemen—were in power in the province. Notwithstanding the judgment of Mr. Justice Street, the local legislature and that alone was regarded as the authority to give extension of powers required. In 1904, when their friends were still in power, when Colonel Gibson was still in office, the application was made again to the local legislature for an extension of time.

Now when there is a change in the government of Ontario, when the people have sent there other men to manage their affairs, and other men to decide upon the question of the Hamilton Radial Railway, then these gentlemen see fit to come to Ottawa and, along with their political friends, to try to force this Bill through parliament by reason of numbers alone. One more point. Assuming that the Act of 1888 had the effect that is contended for it by the Minister of Justice, then what is the position of matters to-day? In 1903 we had a new Railway Act, and the Minister of Justice pointed out that in that Act a different system prevailed, that instead of its providing that these crossing railways should be declared to be for the general advantage of Canada, they should be under control of the Dominion parliament as regards crossings only. A new system, as he suggests. But the Minister of Justice seemed to be of the opinion that having once declared the Hamilton Radial Railway to be a work for the general advantage of Canada, nothing parliament could do afterwards could undo that work. I do not think that is very logical. I turn back to the Act of 1903, and I do not need to waste words as the hon. gentleman did in trying to find something that is not there; I turn to the conclusion of the Act, and I find a list of the Acts repealed, some in part and some in toto. I find at the very head of the list the following:

> The following Acts of the parliament of Canada are hereby repealed
>
> Chapter 29 of 51 Victoria—the whole.

That is the Act of 1888. Assuming that parliament did acquire power by reason of the Act of 1888, when this same parliament repealed the Act of 1888, I understand it to wipe out every vestige of the Act. The power which could assume and take, can give back to the local legislature that which fairly belonged to it at first. So I submit beyond question that this matter stands fairly and honestly within the jurisdiction of the local legislature—unless they can show some good reason why we should declare that, by reason of special facts and circumstances made to appear before us, this is an Act which, owing to these exceptional circumstances, is fairly entitled to be de-

clared a work for the general advantage of Canada. That has not been shown, therefore I submit that the government ought to take the position at once that this Bill should not pass this House. The opposition have a duty to perform but as it has already been alluded to by my hon. friend from East Grey (Mr. Sproule) and by other members on this side of the House, the government has a special duty to perform in this matter. I do not for a moment concur in the view that members of the government are in exactly the same position as ordinary members of the House as regards a great constitutional question of this kind, a conflict of authority between the local legislature and the Dominion parliament. They are put in a position of trust, they are put in a position of having a special duty to perform. I venture to submit that it is the duty of the government, and of the Minister of Justice in particular, and of the leader of the House, to take a definite position upon this matter, and to instruct the House and to say that so far as they are concerned they will see to it that the provinces are not deprived of any of their just rights by the action of this House.

Mr. ARMSTRONG. I have listened with a great deal of interest to the discussion on both sides of the House this afternoon in regard to this important question. Notwithstanding all that has been said to the contrary, I think a great deal is to be said in favour of provincial rights. I am sorry indeed to see that the grand old Liberal party that went up and down the concessions, the side roads, the cities and towns of this country, in 1896, shouting for provincial rights, seem now disposed to go back upon their record. Previous to 1896 one of the principal planks of their platform was provincial rights. They were going to stand by that, they were going to give to the province every just right possible. But here we find them within the last few years doing practically the opposite. We find them in British Columbia taking advantage of the local government and usurping the land of that province; instead of giving that province reasonable and fair treatment, we find them to-day taking charge of lands they have no right to, lands that are undoubtedly the property of the British Columbia government. We find them doing the same thing in the province of Ontario, within the last few months. Now they are taking away from the province of Ontario the right to legislate with reference to railways, a right which cannot be disputed. I want to say further that we should give a warning to all the railways of the Dominion that are coming here for such legislation as this, that they need not expect to have any better consideration than has been given to this Bill at the present time. I am well aware that within the last few years a number of Bills have come before the Railway Committee that certainly deserve the censure of this House, because they were, to say the least, legislation which should be provincial instead of federal. I was surprised to see the leader of the House take the action which he has taken with reference to this measure. I remember well sitting in the Railway Committee and hearing the Finance Minister, now leading the House, read subsection 3 of section 4 with reference to suburban lines of railways within the county of Wentworth and the city of Hamilton. The minister made a number of remarks with reference to that section, and he assured us that so far as he was concerned he did not believe it was wise for us to pass any such legislation in this federal parliament. He urged upon us the necessity of investigating that clause thoroughly before we allowed it to pass the Railway Committee. The clause was thoroughly discussed in the committee and the vote was taken in reference to it. The men who are to-day fighting the cause of provincial rights are the men who stood up in the Railway Committee and condemned the action of the other members who were trying to enforce it through the House. It is not to the credit of the men who are trying to force such legislation which rightly belongs to the province through the federal parliament. In the good old Liberal policy inaugurated in 1895, and the speeches at the time of its promulgation, one of the most prominent planks was that of provincial rights. Sir Richard Cartwright in dealing with this said :

> I think, Sir, we all agree that the constitution of the Senate as it at present exists, is a blot upon public government and free institutions. I think we all agree it is the duty of the Liberal party to preserve the rights of the several provinces and to see that in their sphere the provincial authorities shall have the same rights accorded to them as the constitution accords the Dominion legislature in this larger sphere.

Sir Richard, I have no doubt, was then voicing the sentiments of the Liberal party at that time; but to-day hon. gentlemen on this side of the House who are endeavouring to stand up for provincial rights, are opposed by members on the government side.

This company are asking this legislature for a very unfair and unreasonable Bill, a Bill which will give them an unfair advantage over practically every other electric line in the Dominion and over various cities and towns. Why did they not go to the provincial legislature, why come here if they only require to extend their charter to Niagara Falls or to Toronto? By granting such legislation as this we would be practically holding up Ontario. The hon. member for South Toronto (Mr. A. C. Macdonell) read the telegram from Mr. Whitney, the Prime Minister of Ontario, urging the members of this House to see that justice be done to

that province with reference to this Bill. I am surprised to see prominent members of the Reform party trying to force this legislation through when they know that the Premier of Ontario is strongly opposed to it, and I sincerely hope that they will see that it is to their interest and to the interest of the people at large to have this legislation remain over for the present. Mr. Blake in the debate on the Streams Bill to which reference has been made, said :

> Where the law and the general interests of the Dominion imperatively demand it, then and then only shall the power of disallowance be exercised.

I cannot believe that this is one of the cases where the law and the general interests of the Dominion imperatively demand that this legislation should be placed on the statute-books of this country. Those are strong words and I think they should be sufficient to call the attention of the members of the government to the necessity of allowing this measure to stand over for the present, and of giving it further consideration. After referring to the debate on the New Brunswick school question, Mr. Blake quotes from an authority who says :

> He states that the only exception which he would propose in such cases is where the measure in question prejudicially affected the interests of the Dominion generally.

Mr. Blake uttered strong words in support of provincial rights; he urged upon the House that unless the question is of the most vital importance this parliament should not interfere, he urged upon the House that unless the question is inimical to the interests of the Dominion there should be no interference by the Dominion authorities. I urge this House to weigh Mr. Blake's words in defence of provincial rights. I appeal to the leader of the House to give us his opinion with reference to this Bill as he did on the Suburban Railway Bill in the committee, for I believe that the action taken by the leader of the House on that occasion influenced many members to cast their votes as they did. I feel confident that if the hon. gentleman (Mr. Fielding) were given personal freedom in reference to this Bill he would be one of the first to denounce it. I am satisfied that before this debate closes the hon. gentleman will declare that the Bill seriously affects the rights of the province of Onatrio and that he will not allow it to go through the House. I was surprised to hear the member for Centre York (Mr. Campbell) take the position he did on this Bill. I am satisfied that if he said in his constituency what he said in the House on the question of provincial rights, he would be denounced from one end of the riding to the other. I am satisfied that if he stated that he believed that soon all the railways in the province would be under federal legislation, knowing the people of his riding as I do, and knowing their intelligence, they would decline to endorse any such policy. I trust the day is not far distant when that hon. gentleman will rise in the House and withdraw the language he used to-night. Finally, I urge the members of this House on both sides to stand by the good old platform of provincial rights.

Mr. BENNETT. It seems to be the policy of the government not to allow its supporters to participate in the debates of this House, and so to-night this has been a one-sided discussion. A few weeks ago these gentlemen opposite refused to discuss the Insurance Bill, either believing their position was so weak, or the speech of the Minister of Justice so strong, that they could sit in silence. Only one legal gentleman from the province of Ontario, and he the promoter of the Bill, has spoken on that side of the House in addition to the Minister of Justice, and to do the hon. member for South Essex (Mr. Clarke) justice, he seems to be doubtful as to whether this parliament should enact such a measure. What will come next if we pass such a Bill as this ? Are we going to appropriate all the powers of the provincial legislatures, are we going to attempt to denude them of their control over the water-powers within their provinces ?

If that is to be the attitude of the government on these Bills, which are strictly of a local nature, one can easily anticipate what a conflict there is going to be from one end of this Dominion to the other. We are having a great many of these conflicts between the federal power and the provincial power, which I think is rather unfortunate from a federal point of view. That question was involved recently in a dispute between the province of British Columbia and the federal power with regard to certain lands in that province. At present there is a conflict as to the ownership of certain lands in the county of Renfrew known as the Petawawa military ground. It will be an unfortunate thing for this country, and I think for this government also, if these conflicts continue to arise. The stock in trade of the Liberal party in the province of Ontario for many years was their claim to be the guardians and champions of provincial rights. While the legal decisions perhaps gave them something they could claim as praise, the conflicts did not arise by reason of any encroachment of the federal power. Take, for instance, the case of the boundary between the provinces of Manitoba and Ontario. While it is true that the government of Sir John Macdonald referred that case to the Privy Council for adjudication, that government never took the ground that the province of Manitoba was right or the province of Ontario was wrong. They simply said, here is a conflict between the two provinces, and the federal power must not stand as the arbiter and say decisively to which province the lands belong ; it is a question which must

be decided by the courts exclusively. The case of the Rivers and Streams Bill was on all fours with that. These were cases forced on the federal government, and it had either to take sides with one province or have the question referred to the courts for adjudication. The present is not a case of that kind at all. This is a case in which the Dominion government is actually going out of its way to imperil the rights of the province of Ontario. Now what are the merits of the Bill before the House? It has been stated that this Bill has not been introduced in the ordinary way in the House of Commons and sent to the Railway Committee of this House. Ninety-nine out of every hundred Bills go through that avenue. It is only Bills of a suspicious nature that are first introduced in the Senate. We have an instance of that in the Jordan Power Company Bill now on the order paper. There is another Bill on the order paper in respect to the Port Arthur Power and Development Company, which will be discussed, I have no doubt, at greater length than even this Bill if the government should be so indiscrete as to countenance it, because it is one which in my opinion encroaches on provincial rights to an unlimited extent. This Bill respecting the Hamilton Radial Railway Company is not one to commend itself to this House, though the parties behind the Bill are said to be in pressing need of despatch. This company, according to the preamble of the Bill, first saw the light of day in 1894, thirteen years ago, and under the powers that were given to it by the local legislature, I understand that only some twenty miles of electric railway have been constructed in that time. The company now comes before parliament with a Bill which on its face does not bear the imprint of candour. Who believes, for instance, that this company have in honest contemplation the construction of a line of railway either to Niagara Falls or to Windsor? Hon. gentlemen know that there is no part of the province of Ontario which is so gridironed with railways to-day as the western peninsula.

Mr. CLARKE. We want more.

Mr. BENNETT. If my hon. friend is sincere in that proposition, he might suggest to the authors of this Bill that they should at present get authority merely to extend their line to a point eastward of Windsor, and in a year or two afterwards they could apply for authority to build it to Windsor. Then they would show their bona fides and that they were in earnest; but under their charter they have only built about twenty miles in thirteen years. The great question before the committee is whether there is to be what is known as an encroachment on provincial rights? Every hon. member knows that for years that has been a burning question in the province of Ontario. Election after election has been conducted on the assertion that Sir John Macdonald and his government were autocrats endeavouring to dominate the people of that province, endeavouring to take away thousands of acres that rightfully belonged to it and hand them over to another province, until the minds of the people of Ontario were thoroughly imbued with the idea that the federal power could at any one time, by its great strength, take one of the provinces by the throat and strangle it; and that will be the feeling of the people of Ontario with regard to the Bill at present before the House. Now, the British North America Act provides that railways which extend beyond the limits of a province shall be vested exclusively in the federal parliament. This Bill provides that this railway is to be extended to Windsor, and that in connection therewith the company is to construct and operate ferries across the Detroit river. Now, if this railway company has been able to construct only twenty miles of railway in thirteen years, at the same rate of progress many of us will hardly live to see the time when it will be built to the city of Windsor. It would be in the interest of the country as a whole to have this railway pushed on; but let its promoters show some evidence of good faith by pushing it faster than it has been pushed in the past. If you are going to grant federal charters for railways simply because certain promoters put in their Bills extreme points which will probably never be reached, then we shall be divesting the local legislatures of all powers which rightly belong to them. Now, section 16 of the British North America Act, gives exactly the case in point. It says:

> Generally, all matters of a merely local and private nature in the province.

When this company started in 1894, evidently that which was in contemplation was a purely local railway, such as those that run in various parts of the Niagara peninsula. It was not anticipated that it would branch out and run in competition with the many lines of steam railway that run towards the city of Windsor. And the same is true concerning the Niagara peninsula, which is gridironed with steam and electric railways. The fact must force itself upon those who regard this Bill upon its merits that there is an ulterior object in placing in the Bill words indicating an intention to run towards the frontier at Niagara and Windsor. What do these people expect to escape? Do they think that in the province of Ontario there will be some privileges taken from this and other railways of a similar kind that now exist. Let us say that the political affiliations of the gentlemen behind this Bill are with hon. gentlemen opposite and not consonant with those of the men who are entrusted with the powers of state in the province of Ontario, and who, in all human probability, will be there for years

to come ; is that the reason these men come to this parliament in the dying hours of this session? The Minister of Finance (Mr. Fielding) is, to a great extent, blameable for the position of this Bill. In the Railway Committee the other day that hon. gentleman thought the Bill of an overreaching nature, and invasive of provincial rights. He 'spoke out in meeting,' so to say. It is to be regretted that he was not able to remain longer at the meeting of the committee on that occasion. Had he remained after disclaiming any idea of supporting the Bill, and had he continued to oppose it openly, that would have probably been the end of the Bill. We must disabuse the minds of those in control of provincial railways of the idea that, by inserting certain words in a Bill, by naming certain places on the frontier, they can procure an enactment by this parliament that will quite remove their undertaking from the control of the provincial legislature. Otherwise the provinces will begin to ask where this thing is going to stop. It will be seen at once that parties who, it may be, simply wish to run a railway between two nearby points within the province, will, that it is only necessary to ask for power to run to Windsor or elsewhere on the frontier, to justify coming to this parliament, thus denying the provincial legislature the rights that it has hitherto enjoyed. Another thing to be considered is that this parliament will soon meet again—probably within five or six months. Surely a company which has delayed its work so much that in thirteen years it has constructed only twenty miles of railway—and that not steam railway but merely for electric service—through a country which is not an expensive country for railway building, it is not likely to be in a great hurry to reach the city of Windsor. If, next year, they come here and show a bona fide intention to construct towards the city of Windsor, parliament can consider the desirability of giving them the power they ask. But that will be a vastly different case from simply putting the names of two frontier places in the Bill merely to override the provincial legislature.

Progress reported.

CONSIDERED IN COMMITTEE—THIRD READINGS.

Bill (No. 163) to incorporate the Prudential Life Insurance Company of Canada.—Mr. Gervais.

Bill (No. 164) to incorporate the Fidelity Life Insurance Company of Canada.—Mr. Johnston.

Mr. FIELDING moved the adjournment of the House.

Mr. R. L. BORDEN. What is the programme to-morrow ?

Mr. BENNETT.

Mr. FIELDING. The same as to-day, resolutions, Bills and Supply.

Motion agreed to, and House adjourned at 11.05 p.m.

HOUSE OF COMMONS.

TUESDAY, April 23, 1907.

The SPEAKER took the Chair at Eleven o'clock.

YUKON TERRITORY—APPROVAL OF ORDINANCES.

Hon. FRANK OLIVER (Minister of the Interior) moved :

Resolved, that the ordinance of the 26th of May last, intituled : 'An ordinance respecting liens in favour of miners,' and the ordinance of the 7th of July last, intituled : 'An ordinance respecting the disposal of water from streams and lakes in the Yukon Territory for the purpose of generating power, and for the control and management of the sale, transmission and use of such power,' passed by the Governor in Council, under the authority of provisions which now comprise section 16 of chapter 63, Revised Statutes of Canada, 1906, and which previous to the coming into force of that Act comprised subsection 1 of section 8 of chapter 6 of the statutes of 1898, as that subsection was enacted by section 3, of chapter 34 of 2 Edward VII., copies of which ordinances, as well as of the necessary order in council in each instance, have been laid before this House, are approved by this House, in accordance with the provisions of section 17 of the said chapter 63.

Mr. FOSTER. What does that mean ? Is it that we are passing a law or an Act?

Mr. OLIVER (reading) :

It is provided by section 17 of chapter 63, Revised Statutes of Canada, 1906, that :

Every ordinance made under the authority of the last preceding section shall remain in force until the day immediately succeeding the day of prorogation of the then next session of parliament, and no longer, unless during such session of parliament such ordinance is approved by resolution of both Houses of parliament.

Only two of such ordinances require to be so approved at the present session. One is the ordinance of the 26th May last, intituled : 'An ordinance respecting liens in favour of miners,' and the other is the ordinance of the 7th July last intituled : 'An ordinance respecting the disposal of water from streams and lakes in the Yukon Territory for the purpose of generating power, and for the control and management of the sale, transmission and use of such power.' A copy of each of such ordinances and a copy of the necessary order in council in each instance are herewith.

It is well to explain here that when the statutes were being revised all the provisions of the Yukon Territory Act, chapter 34, of 2 Edward VII., 1902, except sections 5 and 6 of that Act were consolidated and are now to be found in the revised Act, chapter 63, Revised Statutes of Canada, 1906. The provisions of section 6 were decided to be unnecessary and

were repealed. They do not, however, concern the matter now being dealt with. The provisions of section 5 do, however. They are as follows : 'Every regulation made by the Governor in Council under the authority of section 47 of the Dominion Lands Act, applicable or relating to the Yukon Territory, shall remain in force until the day immediately succeeding the day of prorogation of the then next session of parliament, and no longer unless during such session of parliament such regulation is approved by resolution of both Houses of parliament.

In view of the provisions of the Yukon Placer Mining Act, now chapter 64, Revised Statutes of Canada, it was decided that the provisions of section 5 were no longer necessary or effective. They were therefore declared to be effete and were repealed, as will be found by referring to appendix 1 (the history and disposal of the Acts of the Dominion of Canada) at page 35 of volume 4 of the Revised Statntes.

The provisions which now comprise section 17, Revised Statutes of Canada, formerly comprised subsection 2 of section 8 of the Yukon Territory Act, as that section was enacted by section 3 of chapter 34 of 2 Edward VII., and they are so cited in the copies of the two orders in council, herewith, as the authority for the enactment of the ordinance in each instance.

Mr. FOSTER. Well, Mr. Speaker, what we seem to be really doing is passing a Bill into an Act, making it a law, and we are doing that simply by having the hon. Minister of the Interior (Mr. Oliver) coming down at fifteen minutes past eleven with a statement the reading of which is the first knowledge we have of it and asking us to make this ordinance law. If a Bill were to be made into an Act it would have to go through the regular form of notice being given and I think the least we can require is that the minister's explanation should go on 'Hansard', this will be a notice of motion and we will have a little time to think it over and take it up on a succeeding day. We could not be expected to pass legislation on such insufficient notice.

Mr. OLIVER. The ordinances in question have been laid on the table of the House.

Mr. FOSTER. Our notice has probably not been called to them.

Mr. SPROULE. Probably they have not been read by one out of ten members of the House.

Mr. SPEAKER. Stands.

GOVERNMENT LOANS.

On the Orders of the Day being called :

Mr. W. F. MACLEAN (South York). Mr. Speaker, I would like to ask the hon. Minister of Finance (Mr. Fielding) for further information in regard to a question I brought up the other day referring to the obligations of the country now falling due. There is a statement in a Montreal paper that they were to be taken up more or less by the Bank of Montreal.

Hon. W. S. FIELDING (Minister of Finance). There is nothing new to be said with respect to that. The Bank of Montreal is the financial agent of the government in London acting for us in our business there and it is acting with respect to arranging a renewal of a portion of a loan for four years.

Mr. W. F. MACLEAN. At what rate?

Mr FIELDING. It is a 4 per cent loan and we will try to renew it at the same rate. Otherwise the statement in the papers is correct. The Bank of Montreal is not acting for itself, but it is simply taking it up as an agent managing it in London in the usual way.

Mr. FOSTER. Under the permanent contract ?

Mr. FIELDING. Yes.

ADDRESS TO HIS MAJESTY.

Mr. FIELDING moved :

That the address to His Most Excellent Majesty the King which was adopted by this House on the 25th March last, transmitted to the Senate, and at the request of this House returned for further consideration, be taken into consideration to-morrow.

Mr. FOSTER. Is it intended to proceed now de novo and make a completed document of the address or simply to amend what we have already passed? An amended address does not seem to be quite the proper thing.

Mr. FIELDING. The suggestion seems to be a good one and I think the address should go on the order paper as a completed document. I shall see that the amendment is inserted in the notice as it will appear on the order paper.

Motion agreed to.

RAILWAY ACT AMENDMENT.

Bill (No. 75) to amend the Railway Act—Mr. Aylesworth—read the second time and House went into committee thereon.

On section 1,

Mr. FOSTER. The minister might explain the Act before we go into the clause.

Hon. A. B. AYLESWORTH (Minister of Justice). It is so long since this Bill was under consideration that the explanations given may have passed out of mind. The Bill consists simply of two clauses. The first confers on the Board of Railway Commissioners the power to make application to the Minister of Justice in any matter coming before the board in which in their opinion the interest of the public requires the employment of counsel on behalf of the public interest as opposed to any

conflicting interests that may be represented before the board. The second clause deals with an entirely different matter. It has been, under the provisions of the Railway Act, 1903, and perhaps for a previous period, I am not at all, at the moment, sure, the custom to file with the Secretary of State securities for bonds given by railway companies. Those securities are mortgages practically upon the property of the company and if they were to be subject to the ordinary regulations applying to such mortgages they would require, under the local statutes of various provinces, to be filed in the offices of the clerks of the county courts in every individual county in which any property covered by such mortgage might happen to be. That would be a very troublesome and onerous thing to be compelled to do, and by the Railway Act of 1903 it was dispensed with. But the Railway Act of 1903 was enacted in the year 1903 and it did not come into force until the first of February following. It would have application to any such security entered into and filed after that date, the first of February, 1904, but the position of a security which was entered into within the six months prior to that time, is possibly doubtful. At all events it has been thought that it would be better to have this cleared up and for that reason the second clause is enacted here applying to securities of that character.

Mr. FOSTER. The second clause simply makes the law applicable to a portion of those bond mortgages that is applicable to those deposited since 1903. The security of course in either case is not diminished or made any greater?

Mr. AYLESWORTH. No.

Mr. FOSTER. The titles are searched and it is seen that the mortgages are valid and the bonds are based on these.

Mr. AYLESWORTH. It does not touch the bonds, but it relieves the lender from the necessity of filing, in each individual office of the country where his property is, a copy of his mortgage.

Mr. FOSTER. Which would be an expense without any compensating advantage.

Mr. AYLESWORTH. Without any advantage.

Mr. FOSTER. The first clause throws into the hands of the Minister of Justice the power to distribute a good deal of patronage in the employment of counsel before the Railway Commission. The opinion has been expressed here that a Board of Railway Commissioners or such a body is just as well to be as little dependent on counsel as it possibly can be. The employment of counsel is apt to lead to loss of time and with a great deal of the work of the commission it is not necessary, although in certain cases it should be done. Could not the Railway Commission employ its own counsel without applying to the Minister of Justice?

Mr. W. F. MACLEAN. I wished to direct attention to this very issue and have given notice some time ago of an amendment to be found at page 386 of the Votes and Proceedings which I think meets the case in a much better way. It is this:

Section 3.—And it shall be the duty of the Attorney General of Canada, and he is hereby authorized and directed to enforce the Railway Act and the Special Act, and for this purpose to cause to be instituted any and all such proceedings, civil or criminal, as in his judgment may be necessary or proper to prevent or to punish violations thereof, and to enforce and collect all the penalties that may accrue thereunder.

This Railway Bill is very important but it has been discovered that the only person who can enforce it at present is the private litigant. The government by their declaration here have absolved themselves from any enforcement of it, and my proposition is that we put in a clause specifically calling on the Attorney General or any other officer named to enforce that law and if necessary to employ counsel and take up the case on behalf of the public himself if he sees fit. There ought to be also an appropriation of public money for this purpose which would enable him not only to employ counsel in special cases but in any case. This argument is supported by the fact that to-day the Interstate Commerce law of the United States is being enforced by the Attorney General of the United States to great effect. It is the policy of the administration at Washington to-day to enforce that Interstate Commerce Bill in all its clauses.

The result is that the railway law of the United States is to-day being administered in the interests of the public. Only last week in Chicago a decision was given out by the United States District Court the net result of which is that the Chicago and Alton Railway and the Standard Oil Company are liable to fines amounting to over $29,000,000 for violation of the rebate law. This decision was given because the duty was imposed on the Attorney General of the United States to enforce the law, and he did enforce it. He employed the most eminent counsel he could get and had any number of agents working on the case. We have just as good a law in this country, but there is no duty imposed on any public officer to enforce it; and what I want to see is the same provision made here that there is in the United States, namely, that the Attorney General of this country shall be specifically instructed to enforce our Railway Act. I do not believe in this petty way of giving him authority to employ counsel to enforce the law if the Railway Commission ask him to do it. He ought to enforce the law, and the

Minister of Railways and the government as a whole ought to enforce the law. We have the absurd statement put forward here that it is not their duty to enforce the law, but that that duty rests on the attorneys general of the provinces or on private litigants. But something that proved my case came out the other day during the discussion on the Bill of the Minister of Customs, when the hon. minister admitted that every officer in his department was directly instructed to enforce the Customs Act and to see that the King's revenue was not defrauded. I also elicited from him the statement that the Attorney General of Canada is to assist in the enforcement of the Customs law. The same is true with regard to the Inland Revenue law. We could not prevent smuggling into the country if every customs officer were not specially instructed to enforce the Customs Act. The Railway Act ought to be enforced in the same way. We have in this country what we call responsible government, which means that somebody is responsible for the administration of the government of the country, and the government of the country, I take it, includes the enforcement of the laws. Therefore I ask the acting Minister of Railways to accept this suggestion of mine instead of the milk and water amendment which the Minister of Justice proposes. The American Railway Act has this express provision :

The commission is hereby authorized and required to enforce the provisions of this Act.

Then it goes on :

And the Attorney General of the United States is authorized and directed, whenever he has reasonable grounds to believe that any person, corporation or company has knowingly received or accepted any sum of money or other valuable consideration as a rebate, to institute, in any court of the United States of competent jurisdiction, civil action to recover such money.

On the next page I find the following :

It shall be the duty of the several district attorneys of the United States, whenever the Attorney General shall direct, either of his own motion or on the request of the interstate commission, to institute and prosecute such proceedings as are provided by this Act, and such proceedings shall not preclude the bringing of suits for damages by any of the parties injured..

Both the Railway Act of the United States and the Railway Act of this country are excellent Acts, designed to be for the public interest ; but in the United States the whole administration undertake the enforcement of the law because the statute imposes that duty upon them, while in this country the enforcement of the law is left to private litigants. In our Railway Act there is an excellent provision against discrimination, but there is no public officer to enforce it. There is a similar provision in the American law, and it is enforced by the United States Attorney General. The consequence is that the people of the United States are securing for the first time fair treatment from the railways ; but in this country the people are not getting their rights. I propose to make the Attorney General of the Dominion responsible for enforcing not only the general Railway Act, but all special railway Acts. If that were the case to-day, the Grand Trunk Railway Company would be liable for its refusal to carry passengers at a penny a mile between Toronto and Montreal. There is apparently nobody responsible for the enforcement of the election law either. It is high time that this parliament recognized that it is useless to pass laws unless we go further and impose upon some particular person the duty of enforcing these laws, and it is to that end that I suggest this amendment, which I hope the Minister of Justice will see his way to accept instead of the one he has put on the order paper.

Mr. BARKER. I think both clauses of this Bill are reasonable ; but there is always danger, especially under a clause like the first, of drifting into what may be the engagement of a standing counsel for the commissioners. The Railway Commissioners have at their head a very able judge, and I presume there will always be a man of his standing at their head ; but if once we begin allowing the commission to call for counsel to argue cases before them, we may find very shortly that some gentleman at the Bar will always be called for, so that he will soon become a standing counsel to the commission. I do not think the Minister of Justice intended anything of that kind by this Bill ; but I would suggest that in line four, after the words 'proceedings or matter,' the words 'of special importance' be inserted. Again in line seven I would suggest that the word particular' be inserted before the word 'question.'

Mr. AYLESWORTH. I have no objection.

Mr. SPROULE. It seems to me that it would work out in about this way : You will have a fruitful crop of lawyers all over the country who may be friends of the government employed in these cases, because no municipality or corporation will venture to recommend a lawyer in any case who is not favourable to the government, and the government will always have that class of men around them. On the other hand, it is going to do away with one of the merits which the commission is always said to have over the Railway Committee of the Privy Council. It was claimed that in this commission any municipal representative, such as reeve or a warden, though not a lawyer, might appear and argue the case of his municipality in a common sense way with-

out being hampered with the opposition of a lawyer on the other side. I can imagine what help any municipal corporation could look for from that commission if its reeve or warden were opposed on behalf of the railway company by some eminent lawyer. While I admit that there are some cases in which it may be necessary to have a lawyer to bring out the points of law, I do not believe that the best results would be accomplished by generally resorting to that course. If it is resorted to, the affect will be what I have stated—the lawyers who are supporters of the government will find themselves chosen for service of this kind while others will be allowed to remain at home.

Mr. BRISTOL. I think the legislation is in the right direction. The Board of Railway Commissioners, as I understand it, is intended to protect the public interest. It was felt that the railway corporations of this country, with their permanent counsel and their permanent interest, might overbear the public interest and it was necessary there should be some tribunal which would look after the public interest in a reasonable way. The Minister of Justice in this Bill provides that if, in the opinion of the tribunal—which I venture to submit, so far as we have had experience of it, we may describe as an independent tribunal endeavouring to protect the public interest—it is desirable to have counsel to argue a case on behalf of the public, the Minister of Justice, if he thinks it in the public interest to do so, may appoint such counsel. Surely that is a great protection for the general mass of the public as against the railway corporations. It seems to me that this is most proper and beneficial legislation so far as it goes, though, personally, I would like to see it go somewhat further. I have often felt that the average lawyer appearing before the railway commissioners and instructed by a client on matters pertaining to his individual interest—although that individual interest may be the interest of the public in general—is very much handicapped by the fact that he is opposed by the most skilled and highly-paid counsel in this country. If the Railway Commission see fit to appoint counsel to attend to a case in the public interest, I am sure that hon. members of this House would like to see the best counsel opposed to that of the railway companies. In that view I do not see how we can object to the measure. But, as I have suggested, the Bill should go further. The direction in which I should like to see an extension made is this—that counsel may be appointed not merely to argue the case, but to see to it that proper evidence is brought forward to the satisfaction of the commission. Every lawyer knows that if the evidence is not in to support the case, the most able argument will not avail.

Mr. SPROULE.

Now, I think that my hon. friend from South York (Mr. W. F. Maclean) has better ground to go upon in support of his contention than the statutes of the United States. With all possible respect to the Minister of Justice, I think that if he will read chapter 21 of the Revised Statutes of Canada. 1906, an Act respecting the Department of Justice, he will find provided every authority that he can require to enforce any federal law of this country which he thinks it proper to enforce No doubt the hon. minister read that when he assumed his duties. But I would like to read it to this House so that hon. members may understand its scope, and if it is not broad enough we might amend it so as to give the Minister of Justice all the powers that it is desirable that he should have. What are the duties of the Minister of Justice? Subsection (b) of section 4 provides that he shall :

(b) see that the administration of public affairs is in accordance with the law.

I venture to submit that if he sees that the administration of public affairs is in accordance with law it is his duty to give attention to every case in which the public interest is involved, whether his attention is called to the matter by the Railway Commission or by anybody else. I hold that every member of this House has a right to bring to the attention of the minister any matter he thinks is not in accordance with the law or in which he thinks the law of the country is not properly administered and to ask the minister to give it his attention. In addition to that, subsection (c) of the same section provides that the Minister of Justice shall:

(c) have the superintendence of all matters connected with the administration of justice in Canada, not within the jurisdiction of the governments of the provinces.

So, apart from everything else, the Minister of Justice is, so to speak, the general manager of the Justice Department. Having the superintendence of the administration of justice so far as federal laws are concerned, he may take it upon himself to see to it that every federal law of Canada is properly observed. But even that is not all his powers. By section 5 the Attorney General is given the fullest possible powers, such as the Attorney General of England has by law or usage, except such as are especially given to the attorney general of each province. So while I think that this present legislation may not be necessary, I believe that it will be an assistance to the Minister of Justice in doing his duty, because it will give the Railway Commission the power to bring to the minister's attention any case in which the public interest is involved, and it will then be the duty of the minister, if he thinks it is necessary to do so, to retain counsel to properly

uphold the public interest. Personally I approve the section and would like to see it go to the extent that in every case thought proper, counsel may be appointed not merely to argue the case in the public interest, but to see to it that the proper evidence is presented to support that interest.

Mr. BERGERON. I read a newspaper item the other day which seems to explain a part of this Bill. It was to the effect that an investigation was to be held by the railway commissioners into the telephone companies and that Mr. Shepley has been called upon and instructed by the commission to act as counsel. Of course, there is no authority, in advance of the passing of this Bill, to appoint such counsel, but this will give the commission the necessary authority to appoint Mr. Shepley as proposed. I do not wish to discuss the employment of counsel in these matters on general grounds. At the same time I do not see much use in engaging counsel as the head of the commission, Mr. Killam, is a good lawyer and does not need advice. Besides I do not imagine that the Minister of Justice intends to investigate the telephone companies in the way that the insurance companies have been investigated and make this a matter of inquisition. Under these circumstances it seems to me that it would be useless to authorize the government to pay large sums of money for the services of that attorney or to force the telephone companies to similar large expense which does not seem to be demanded in the public interest.

Mr. AYLESWORTH. With reference to the point alluded to by the hon. member for Beauharnois (Mr. Bergeron) the first thing that strikes me is the usual newspaper inaccuracy, to call it by the mildest term—or, perhaps, to speak of it as a tendency to exaggerate might be fitting. The only foundation for the newspaper report alluded to, is the circumstance, that the telephone and express companies have recently represented to the Board of Railway Commissioners their schedules or tariffs of rates. That is precisely the kind of matter in regard to which the provisions of this Bill would be most useful, as the member for Centre Toronto (Mr. Bristol) has pointed out. In that matter the interest of the company will be protected before the board by skilled counsel who are possibly in the permanent retainer of the companies or who at all events have the advantage of the fullest possible time for preparation and the assistance of skilled accountants and of business men to enable them to present to the commission in the most effective manner possible the interests of the companies in support of, perhaps a high tariff, or at all events such tariffs as the companies have asked the board to approve. The interest of the public may be directly opposed, and there may be no one to represent the public before the board. I ask hon. gentlemen, whether of the legal profession or not, to consider the practical position of no matter how capable a man—even though you select a man most capable for the position, even though you take the present chief commissioner of that board—I ask hon. gentlemen to reflect for a moment upon the position he would necessarily be in in endeavouring not merely to pass upon the question of the propriety of the changes proposed to be made in any such tariff, but to make the necessary inquiries into the circumstances of business relations, into the needs and necessities of the case, with the object of protecting the interests of the public on the one hand and at the same time doing no injustice to the honest interests of the companies that are before him for consideration.

Mr. SPROULE. Has not the board power now to employ experts in any of these lines if they think necessary ?

Mr. AYLESWORTH. I think my hon. friend (Mr. Sproule) will see that the mere employment of experts would not answer the conditions which exist. Suppose you have on behalf of the telephone or express company, the most skilled expert they can secure (in the person may be of their manager or of the witnesses they select to support the tariffs they propose) those witnesses must be cross-examined and the work of cross-examining, if it is to be effective, is not the ordinary fireworks that one may see in a police court, but it is a thoroughly effective cross-examination by some one skilled in the subject, some one instructed in a technical knowledge of the matter, and some one who is in a position to bring out of—it may be a hostile witness—such facts as exist, but which otherwise than under the handling of a skilled cross-examiner would probably never be brought to the notice of the commission at all. It seems to the commission as well as to the government that when the public is opposed to the companies, the public should be represented by counsel and solicitor. I state at once to the committee that it was that very circumstance in connection with the presentation of the tariffs of these two companies to the board for approval, and recognition of the amount of work which was entailed on some one, if the interests of the public were to be presented, that led to the introduction of this measure.

Mr. R. L. BORDEN. It does not seem to contemplate the appointment of counsel for the purpose of cross-examination or general conduct of the case.

Mr. AYLESWORTH. There is an amendment to meet that. My hon. friend from Toronto (Mr. Bristol) put his finger upon exactly the point in the framing of this section which the chairman of the commis-

sion noticed immediately upon its being introduced into the House. The Bill was given its first reading on the 21st of January last, and on the 24th, as soon as he had seen it, Mr. Killam wrote me pointing out that it would be advisable in his judgment to insert the words 'conduct or' before the word 'argue' so that the instructions would be: 'To conduct or argue the case on any question arising in the application.' In other words, to put the matter into the hands of some lawyer who would be selected for the purpose by reason of the character of the application and the special nature of the service that would be required in that matter, putting the whole matter into his hands to be conducted before the commission. I ask that amendment to the clause.

One word with reference to the observations of the hon. member for East Grey (Mr. Sproule), we are not proposing by this legislation to take away in the least degree that character from the Board of Railway Commissioners to which he has referred, and which we are all agreed in considering to be one of its great excellences. It is not proposed to make it a lawyer's tribunal or in any way to exclude from participation in the work of that commission any person, municipal official, or other, who chooses to attend. I have had a little experience before that board, and I have scarcely ever appeared there when there was not some application in which lawyers were not concerned, or in which, on one side or the other, interests were represented by a layman. I am sure there never has been any tribunal in this country where the views of any person who appears before that board, have been received with more sincere attention and considered with more thorough care, no matter whether that person was a professional man or otherwise. No one has any idea that this legislation is to make any difference in that regard. It is intended for that kind of special matter—and, in that respect I am pleased to have the suggestion of the hon. member for Hamilton (Mr. Barker)—it is intended to apply to that kind of special matter in which you have the interests of the public without representation, while you have the interests of the companies protected by the very best counsel they can procure. It is not intended at all to apply to the general run of applications before that board, or to be any ground for the appointment or retainer of any standing counsel to assist the board or to appear there upon either one side or the other in the ordinary cases. In an ordinary application between two railway companies, or between a railway company and a municipality, each party has its own interest to protect and each will be represented as in any ordinary litigation, but when you come to something such as I have stated, where there is one party vitally interested, and where, as to the other side of the inquiry, there is nobody with any special pecuniary interest to protect, there seems to be necessity for some such authority as this Bill proposes to confer upon the board and upon the Minister of Justice.

With regard to the political views of the person who may be selected, I do not doubt that it is likely that the Minister of Justice, or any member of any government that may be in power, would naturally have confidence in people who would have confidence in him, and that very probably the selection would therefore be, in the main at all events, from the political party to which the minister and the government belonged. I think that hon. gentlemen will see exactly that condition of things, if they will look about them, in the province of Ontario to-day, where they will see the administration of justice in every county and in every court in the hands of Crown prosecutors who are universally of the political party of which the present government of Ontario consists. That is something that is incidental to the disposition of public business in this country under the party system of government.

Now, with regard to the observations of the hon. member for South York, just a word. It is impossible, I suppose, by anything that any one can say to induce the hon. gentleman to look at the constitution of the United States, to which he is so fond of referring. If he will do so, he will see, what has already been pointed out to him repeatedly in this House when he has referred to the very advantageous system of law under which, as he considers, that country prospers, that their system is radically and entirely different from ours, that they have their federal courts expressly constituted for the administration of the federal law; and with that knowledge before the framers of our constitution an entirely different system was deliberately adopted. I am not discussing here, I do not think this is the time or place to discuss, whether that was a wise course on the part of the framers of the British North America Act. If this parliament thinks that the statute in that regard ought to be amended, this parliament no doubt will address His Majesty on the subject. But that is not the present question. At the present time we are taking our constitution as it has been given to us by the imperial parliament, and under that constitution the administration of justice in the provinces is in the hands of the provincial authorities and not in the hands of the Dominion authorities. It is thought that ought to be changed, that is an entirely different question. But so long as we have our constitution in that shape, it is radically different and proceeds upon altogether a different idea from that of the

United States. It is of but little service to cite what they do, according to the hon. gentleman, with so much greater propriety, and so much better effect, across the line than we do in this country. I think we shall have to worry and struggle along as we have been doing for forty years back, with such a constitution as we have got, until some one has found a better one by some constitutional means. But under our present constitution the administration of justice is upon the provincial authorities, and with special directions to the Attorney General of Canada in special cases. Otherwise there is not on him the responsibility which the hon. gentleman thinks ought to be upon him; and so far as the present incumbent of the office is concerned, I have merely to say that he has responsibilities enough already without looking for more that have not been imposed upon him by parliament.

Mr. BERGERON. I am afraid my hon. friend (Mr. Aylesworth) has become a rabid partisan, or his memory fails him, when he spoke a moment ago about the political side of this question, and the appointment of lawyers by the Department of Justice. He says he knows of no case where the late government made appointments from the other side. He seems to forget that on a very memorable occasion, when the Conservative government was in power, there was a commission to investigate some charges against one of the departments and two Liberal lawyers were appointed. These two lawyers were very liberally paid for the work they did. That is an example which shows to my hon. friend that the governments do not resemble each other. Now I am not going to discuss whether counsel should be appointed. I think we are creating machinery that will prove very costly for this government. We have a great many commissions, these commissions are wheels within wheels. Now, if we are going to create a kind of legal advisory board for these commissions, there will be no end to it. But if there must be counsel, and if the reasons given by my hon. friend are good, why not appoint the Solicitor General to advise the board and plead before the board? He is a good lawyer, one of our best lawyers in the province of Quebec. He is paid a very large salary, and does not seem to have much to do. Why not appoint him to do that work, if there must be a counsel, and save the country the large expenditure which we are providing for by this Bill?

Mr. LEMIEUX. My hon. friend (Mr. Bergeron) says that a previous Conservative government appointed two Liberal lawyers to prosecute charges made in parliament against one of the departments of government. Does he refer to the late Mr. Geoffrion as one of the lawyers?

Mr. BERGERON. Yes.

Mr. LEMIEUX. I think he is in error. Mr. Geoffrion was retained by private parties who were prosecuting a complaint against the department in question; afterwards Sir John Thompson, the Minister of Justice, seeing that Mr. Geoffrion had rendered so important a service to the country, proposed that he should be paid out of the public funds.

Mr. BERGERON. The power given by parliament at that time to investigate the department left power to appoint counsel to those who were conducting the investigation. They proposed Mr. Geoffrion and Mr. Osler, of Toronto, and their names were accepted immediately, and they were paid by the government.

Mr. W. F. MACLEAN. The Minister of Justice is begging the question that I raised. In the first place, the member for South York has pointed out that in the definition of the duties of his office the Minister of Justice has to enforce and administer the laws of this country. I always believed that that was a portion of his functions, at least I always understood that he was to enforce the laws of this country. But we have the confession from him this session, once before and again today, that unless he is specifically instructed to enforce the law he does not consider it his duty to do so, and that that must be left to the Attorney General or to a private suitor. I disagree with that view entirely. If we make a law we ought to enforce it, and he proposes to enforce it only in part. If somebody asks him to employ counsel, then he will protect the public. He confesses that the public ought to be protected. He says that there are powerful corporations ranged against the public, he says that powerful corporations have the ablest legal talent in the world, and he says the public ought to be protected. He always said that if the duty was imposed upon him by a special statute he will discharge it. This is the special statute, and I want it put in this law that he must enforce it, as the Minister of Customs has a law governing his department, where every officer of the service in that department is bound to enforce the law, and where in certain cases they have the assistance of the Attorney General. It is very well to talk about the public having rights to be protected, but we want a system by which some responsible officer shall have the duty imposed upon him of enforcing the law. How can the public ever get their rights as against these corporations if there is not some one to look after public rights? There is no difference between the federal system in the United States and our system in this matter. The minister is dragging a red herring across the trail, because it is in a special Act that the duty is imposed upon

the Attorney General of the United States. It is not a general Act. The hon. gentleman takes the position in this House that if the duty is imposed upon him he will discharge it. His argument therefore falls to the ground, and he is trying to humbug this House, as he will try to humbug the people of this country. But I do not propose to allow him to get away from his duty which the law imposes upon him. The law says :

That he shall have the superintendence of all matters connected with the administration of justice in Canada, not within the jurisdiction of the governments of the provinces.

Thus it is provided in this very Act that he shall have the superintendence of matters connected with the administration of justice in Canada, not within the jurisdiction of the governments of the provinces. Surely he has something to do in regard to the administration of this law, and it does seem an absurdity that we should make laws in the interest of the people of the whole country and that we are not to have somebody whose duty it is to enforce them. What would the people of the old land think of an attorney general or a solicitor general if he got up in parliament and said that they had a different system there? When they make a law in the parliament of England they have a responsible member of the government to whom to look for the enforcement of that law. It would be the most shameful confession that was ever heard if the Attorney General or Solicitor General of England got up and said that they had no power to enforce the law. Yet that confession is made here notwithstanding the imposition of the duty upon the Minister of Justice by this Act and by special Act and he says that the American system is different from the Canadian system and that he should not be charged with the responsibility of enforcing the law. He says, however, that he will administer the law if the duty is imposed upon him. To give the House some idea of how serious it is to fight for the public interest in a great case of this kind let me state what was done the other day in this connection in the state of Illinois where the Standard Oil Company was brought before the United States. True it was in the United States court, but we have courts in which you could bring action of that kind. This is what took place :

During the six weeks of the trial more than three tons of documentary evidence was submitted to the jury. Way-bills, shipping orders, receipts, pages from accountants' books and transcripts of records, numbering more than 15,000 were scrutinized by the court and the twelve men who voted for the conviction of the defendant.

There was a trial lasting six weeks, the Attorney General of the United States engaged the ablest counsel he could get, he put half a dozen of them on the case, they had all kinds of assistants in the way of special agents, they had all kinds of witnesses and it cost a large sum of money, but the result was that the law which the people passed through their representatives was vindicated. I challenge the Minister of Justice to get up and tell this House why, in his opinion, contrasting the American system of government with our system of government, we cannot, as the American Congress has done, impose upon him or some other member of the government the duty of administering our law. No private litigant can secure his rights as against the great railway, telephone or telegraph companies of this country. At the most he can spend a few hundred or a few thousand of dollars of his own money to try to get his rights. But he is up against companies of unlimited resources with the ablest lawyers in the country and there is nobody to obtain his rights for him. The minister has made the statement that : If this irresponsible railway board request me to appoint counsel to conduct a case and protect the public interest I will do so. Now, is it responsible government if we are going to have an irresponsible body like the Railway Commissioners acting as the guardians of public rights? I say we have political government in this country—at least I hope we have—and political government means responsible government. political government means that the law make a body, the legislative body makes the law and there should be some kind of responsibility on the part of some one in this legislative body to see that the law is enforced. No such petty defence as was made here to-day as the alleged difference between the two systems of government will fool the people of this country. They will ask that some provision be made in its railway law for its enforcement and for the protection of public rights, and that it shall be administered by some one responsible to this House, some one that we can get at. If some one comes to this House next session and says that public rights are being invaded the Minister of Justice will get up and say : The Railway Commission has not called my attention to it, it has not asked me to name a solicitor to investigate and conduct the case and therefore I am immune from any criticism. The hon. minister in his confession will say that this sacred obligation imposed upon him by the Act which created this office and the Department of Justice does not apply to cases of this kind; it only applies to a case in which this irresponsible Railway Commission request him to intervene and appoint counsel. I ask the farmers of this country and the representatives of the farmers in this House if that is what they expected when they voted to have this Railway Commission appointed to protect their rights? I ask the farmers of the west with whom the great issue is transportation and the supply of the means of transportation, of rolling

stock and of proper equipment, if the attitude of the Minister of Justice is satisfactory to them? These railways can be dragged into court if they do not provide the proper equipment and if they do not give the people proper freight rates and they are relying on some one to enforce the law and protect them in that respect. But the confession is heard to-day that nobody is responsible for the enforcement of the law except the private suitor who may be the farmer out west. The farmer will not stand for any such statement as that; neither will the public of this country who are paying an enormous sum for the maintenance of this Railway Commission. It is a good commission but it ought to be strengthened and it ought to be backed up, as it is in the United States, by the Department of Justice or by some other responsible department upon whom should be imposed the duty of administering the Act. We have not an enforcement of the Act here to-day. We cannot protect the public and are those members of this House who represent the farmers and particularly those who represent the people of the west entirely satisfied to have the employment of special counsel to protect the public interest limited to a declaration of request of the Railway Commissioners whoever they may be? They are an irresponsible body. They are in office for a fixed term. They can only be removed in the most difficult way and yet the minister proposes that it shall be left to them to call upon the Attorney General to take over the administration of the law if they think it proper in the public interest. Here is an attempt to evade the enforcement of the law and I intend to press my amendment which is a very straight, and clear cut amendment. If it is proposed that this duty shall be imposed upon the Solicitor General or the Minister of Railways I will accept that, but I will not go on and be humbugged by an alleged comparison between the two systems of government. The amendment proposes to make the Railway Act like the Customs Act and to impose upon the government responsibility for the administration of it. It may be all right to protect the public revenue and see that it is collected, but why is it that public rights are not to be protected? There is this difference between the two Acts: The Customs Act was passed by the Conservative government and here is a Liberal government that passes a great Act but makes no provision for its enforcement. I do not think that the country will accept the subterfuge that was offered to-day by the Minister of Justice, and I intend to press my amendment notwithstanding the suggestion of the hon. gentleman.

Mr. BRISTOL. I would call the attention of my hon. friend (Mr. W. F. Maclean) to section 28 of the Railway Act. It seems to me that my hon. friend will find that not only is the Minister of Justice responsible for this but that the Minister of Railways is also responsible under the existing Act. Section 28 says :

> The board may, on its own motion, or shall upon the request of the minister——

That is the Minister of Railways.

> —inquire into, hear and determine any matter or thing which under this Act it may inquire into, hear and determine——

So that if there is any grievance in the country under the operation of this Act the Minister of Railways should deal with it under this section, and I venture to submit also that the Minister of Justice is responsible under the present statute. I quite appreciate the argument of the minister that it is the duty of the provinces under subsection 14 of section 92 of the British North America Act, which assigns the duties of the respective legislatures, to administer justice. That is something which is exclusively under the jurisdiction of the provinces. I do not think the Minister requires an Act of this parliament to give him the right to interfere even although the duty may rest on the province. The Minister of Justice of Canada, in any case in which a federal Act is affected, can interfere if the province does not enforce the Act. That certainly has been done. I might mention the historic instance of the East Hastings ballot boxes. In that case the minister took action and through the detective department swore out informations ; Mr. Shepley was appointed to prosecute and thereafter the province took up the prosecution and the Department of Justice did nothing further in the matter. That shows that if the present administration desires to do anything in connection with the administration of a federal law, it has the right to do so, although it may not have the duty to do so.

Mr. SPROULE. At the time of the creation of the Board of Railway Commissioners, and during the discussion of that subject some years previous to that time, the chief argument against the formation of such a board was that it would simply create another legal tribunal, which it would be difficult to approach, and before which proceedings would be expensive and slow, and burdensome to the parties interested. In answer to that it was said that the composition of this commission was a guarantee to the contrary, that it would be composed first of a legal man of high attainments, well skilled in the law, a railway expert and a common sense man. These three gentlemen would compose the commission and they were to be empowered to call in any expert assistance they required to give information along any line or to assist them in the elucidation of any question. As the board was constituted, it was said it would proceed in a common sense way without being surrounded by

the ordinary rules of evidence that would govern a court in bringing out information, that the main desire of the court would be to ascertain whether allegations were facts or not, and then the legal mind was to determine what was to be done. In regard to a case coming before them today the minister says the commissioners require some one to conduct the case and cross-examine. I thought the legal mind would be the cross-examiner and if he wanted expert information or advice, he would be able to bring that to his assistance. This was to be done expeditiously and economically and it was said that the public interest would be safeguarded. It is proposed now that in any case, in the interest of the public, the board may ask the Minister of Justice to appoint expert counsel. Will that promote the economy that was promised? Suppose we have a counsel like Mr. Shepley retained at $100 a day, will that be economy? Will that be what the people expected from that common sense tribunal? Not at all, it will a tribunal before which lawyers friendly to the government may at any time be called to plead and from which they will be able to draw large sums.

> And the board may direct that the cost of such counsel shall be paid by any party to the application.

Suppose there is an application from my county or from a merchant and the Railway Commission advise the Minister of Justice that in the public interest counsel should be appointed; he appoints counsel and then the county or the merchant may be called upon to pay $100 a day for expert counsel selected by the government when they would be prepared to provide their own counsel. I merely draw attention to this because that in my judgment is likely to be the outcome of this provision. The Railway Commission was appointed for certain purposes, but when it comes to discharge those functions, it is found to be impotent without being surrounded by counsel for the conduct of investigation. Looking to the future, when we come to examine the accounts in connection with this commission. I venture to predict that in practice we will find a crop of lawyers friendly to the government drawing large sums of money from this commission, large fees for little work. I coincide very largely in the suggestion of my friend to my right, (Mr. Bergeron) that if the Solicitor General is of any use in the world—he has no work to do, he admits that—and if he is an able lawyer as we are led to believe, why should he not be employed for that purpose? He is receiving from the country a large salary and giving no return. Why not employ him rather than employ outside lawyers at $100 a day, as was paid to Mr. Shepley for 103 days in connection with the Insurance Commission.

Mr. W. F. MACLEAN. Why is the word 'particular' inserted in the section in its amended form?

Mr. AYLESWORTH. That is the amendment suggested by the hon. member for Hamilton (Mr. Barker) and I accepted it at once because it was never the intention in framing this measure that it should be of general application or that its provisions should be utilized except in special and particular cases where the public interest was especially involved.

Mr. R. L. BORDEN. What does the Minister of Justice think of the suggestion made by my hon. friend from Beauharnois (Mr. Bergeron)? We have an able lawyer filling the position of Solicitor-General; why should not his services be utilized in the public interest? The Act relating to the Solicitor General of Canada is very short. Section 2 is the only important section, the first merely giving the title of the act:

> The Governor in Council may appoint an officer who shall be called the Solicitor General of Canada, and he shall assist the Minister of Justice in the counsel work of the Department of Justice, and shall be charged with such other duties as are at any time assigned to him by the Governor in Council.

His duties are thus twofold. I am not aware what other duties have been assigned to him, but it is a matter of current belief, I do not know whether well-founded or not, that the duties of the Solicitor General have not at any time since the creation of that office been very onerous; and it is a pity to have a man of ability as a lawyer rust in that position when his services might be usefully employed in the public interest. I would suggest to my hon. friend the Minister of Justice that the section might be amended to read in this way:

> The Board of Railway Commissioners for Canada may, in any special application, proceeding or matter pending before it, if in the opinion of the board the public interest so requires, apply to the Solicitor General of Canada to appear before the said board to represent the public on any question arising in the application, proceeding or matter as to any public interest which is or may be affected thereby or by any order or decision which may be made therein, and upon such application to him by the board, or of his own motion, the Solicitor General shall so appear and take such part in the proceedings as may be necessary for such purpose.

I think that would be a reasonable provision and would give to the people of the country the services of the Solicitor General. It would obviate the necessity of employing counsel who would not be likely to do the work so well as it might be done by the Solicitor General himself.

Mr. AYLESWORTH. There is nothing whatever in this Bill to interfere with,

much less preclude, what has been suggested being practically done under the Bill if it becomes law. The Minister of Justice is entitled, under the Solicitor General's Act, to the assistance of the Solicitor General in the counsel work of the Justice Department. This work is literally of that character, and this is exactly the kind of work in which the Minister of Justice might, with propriety, as far as he was able, protect the interest of the public if his other duties would admit of his doing so. This is just the kind of work, I take it, in which either the Minister of Justice himself or the Solicitor General, might properly represent the public before this very important tribunal. There is nothing in the statute to interfere with that being done, but it is not perhaps practicable that the Solicitor General or the Minister of Justice himself should take part in every matter before the Board.

Mr. R. L. BORDEN. If the Minister of Justice is not disposed to accept that, why not make an amendment to this effect in the latter part of the section: that the Minister of Justice may instruct the Solicitor General, or if for some good reason he is not able to appear, may instruct some other counsel. I would like to have the duty imposed on the Solicitor General by the terms of this statute.

Mr. AYLESWORTH. That is a very much wider question.

Mr. R. L. BORDEN. I am suggesting this because the Minister of Justice does not seem disposed to accept what I proposed at first.

Mr. AYLESWORTH. The responsibility for the administration of this statute ought to be upon a member of the government. The Solicitor General is not in that position, and the amendment which my hon. friend proposed was to substitute the name of the Solicitor General for that of the Minister of Justice.

Mr. R. L. BORDEN. The Solicitor General is a person of some importance in the mother country.

Mr. AYLESWORTH. In the mother country neither the Attorney General nor the Solicitor General is a member of the Cabinet.

Mr. R. L. BORDEN. Quite so. These, however, are not matters of public administration. They are matters which concern the public interest before the Board of Railway Commissioners. They are distinct from those matters with which the cabinet is specially concerned. If a man is fit to fill the position of Solicitor General, he should be fit to represent the public interests before the Board of Railway Commissioners. If he is not of that calibre, he should not be Solicitor General at all. I do not regard my suggestion as any reflection on the Minister of Justice, because the Solicitor General must have some responsibility, and the government should be willing that he should accept the responsibility of appearing for the purpose of protecting the public interest before the Board of Railway Commissioners. Of course, in all these matters, the Solicitor General would consult his chief, the Minister of Justice, but he would be named in the statute as the person upon whom the responsibility devolved. However, I do not desire to urge that point.

Mr. LENNOX. The Minister of Justice points out that he is in a position to appoint the Solicitor General in any case if he sees fit. Of course he is, but the latter part of the section does not seem to contemplate that, because it provides that 'the board may direct that the costs of such counsel shall be paid by any party to the application, proceeding or matter, or by the Minister of Finance out of any unappropriated moneys.' Then the Minister of Justice says, as is the fact, that he is the person charged with the responsibility of administering the Act, and that for that reason he does not see the propriety of the suggestion of the leader of the opposition that the name of the Solicitor General should be substituted for that of the Minister of Justice. I apprehend that the leader of the opposition would probably be satisfied to modify his proposition to this extent, that instead of striking out the name of the Minister of Justice, it should provide that upon the application of the board to the Minister of Justice, the Minister of Justice should instruct or request the Solicitor General to appear in the case and conduct it. In that case the responsibility would still be upon the Minister of Justice, but his first duty would be if possible to avail himself of the services of the Solicitor General. It might also be provided in the section that he should request the Solicitor General, or, if his services were not available, some other counsel to conduct the proceedings.

Mr. FOSTER. May I ask if any order in council has been passed defining such other duties as are to be carried out by the Solicitor General?

Mr. AYLESWORTH. I am not prepared to answer at once for the years and years before I came into the government. I can say that none has been passed since I came in.

Mr. FOSTER. The hon. gentleman is the chief of the department, and he could find out whether such an order in council has been passed ?

Mr. AYLESWORTH. I can ascertain.

Mr. BERGERON. I can tell the hon. gentleman (Mr. Aylesworth) that he can

learn much on that subject by reading the files of 'Hansard.' Let him turn to the speeches of Sir Richard Cartwright against the appointment of a Solicitor General and against the appointment of Controllers of Customs and Inland Revenue. When he does this, he will be in a position to answer questions from this side of the House. I would call attention to these words in the Bill: 'The board may direct that the costs of such counsel shall be paid by any party to the application.' Suppose that the express companies or the telephone companies are before the Railway Commission, represented by counsel—and as has been said, they will be represented by the best counsel they can find. The result of having these words in the Bill might be that these concerns would be called upon to pay not only their own counsel but the very high fees of the gentleman chosen on the recommendation of the Minister of Justice. I do not think this would be fair. Ultimately all these charges come from the public for the telephone companies or express companies will seek compensation for all their expenses from their customers, the public at large. It seems to me that the suggestion of the leader of the Opposition (Mr. R. L. Borden) should be accepted.

Mr. AYLESWORTH. Is not the position to which the hon. gentleman (Mr. Bergeron) refers just the position in which parties in court are usually placed? Jurisdiction is given to the courts to determine the question of costs, especially upon which party of those before the court costs shall fall. By this clause, the Board of Railway Commissioners is empowered to make an order as to the payment of costs of counsel who may appear for the public. It is not to be supposed, that the board will order that one of the litigants in the case shall pay these costs unless there is cause for it. It might be that some particular portion of the costs would be occasioned by one of the parties putting forward some utterly untenable or improper contention, assuming some position, which, in the opinion of the board they ought never to assume. It would be just and reasonable that the costs occasioned thereby should fall upon the party who causes them. Ordinarily, it is probable, each party will be left to bear its own costs. But this is a useful power and one that I should be very sorry to see absent from the Bill—that this body which is practically a court, and a court, as I have said, of the very highest authority, should have control over costs, so that it may impose them as occasion may make necessary.

Mr. R. L. BORDEN. That is not unreasonable, but my point is that I am most anxious to get my hon. friend the Solicitor General (Mr. Bureau) at work. I know that he is longing to work——

Mr. BERGERON.

Mr. AYLESWORTH. I think there need be no anxiety on that score.

Mr. R. L. BORDEN——and I feel that his reasonable desires in that regard should be gratified. I hope the Minister of Justice will make some amendment to this Bill so that the Solicitor General shall be able to look to this statute and say: I have here a duty imposed upon me which I propose to discharge in the public interest. It is a responsible duty, and, not only that, it is an interesting duty. And it would make the position of Solicitor General much more acceptable to an active and able man than it is at the present time. I believe it would be agreeable to the Solicitor General to have imposed upon him the duty of protecting the public interests in matters relating to public service corporation, and the duty is one which, I believe he would fulfil very well indeed.

Mr. AYLESWORTH. It certainly does not seem that anything is to be gained by specially mentioning the Solicitor General in this statute. I am entirely in earnest in what I indicated a moment ago: the duties of the Solicitor General, as defined by statute, are to assist in the counsel work of the department. The present Solicitor General is discharging these duties and discharging them effectively. If he is not engaged to the full extent of physical endurance with other duties, there is every intention on his part, I am sure, as on the part of every one engaged in the administration of this statute, to take his full share of the work in connection with it. That is exactly the situation of affairs, and it would seem an unnecessary thing, when this Bill has provided that the Minister of Justice may instruct counsel to say 'the Solicitor General or other counsel'—for the Solicitor General is but counsel after all.

Mr. BERGERON. Why not provide simply that the Department of Justice shall act? The duty would then fall upon the Solicitor General or upon somebody else who may be appointed.

Mr. W. F. MACLEAN. What does the Minister of Justice mean by these words in the Bill, 'or of his own motion.'

Mr. AYLESWORTH. That the Minister of Justice may act without being called upon by the board, if necessary.

Mr. W. F. MACLEAN. Why, that is my real point. That makes the Minister of Justice responsible; and yet he (Mr. Aylesworth) has told us that he assumes no responsibility. He says he will not move because he is not called upon to move under the constitution, our constitution in that respect being different from that of the United States. And now he is imposing upon himself, the very duty which I have always contended he should assume——

Mr. DUNCAN ROSS. Then, what are you kicking about ?

Mr. W. F. MACLEAN. I am kicking because the minister has said that it is not his duty to enforce the law, because our constitution is different from that of the United States——

Mr. AYLESWORTH. I did not say anything of the kind.

Mr. W. F. MACLEAN. The hon. minister (Mr. Aylesworth) has said that to me time and time again. The Prime Minister (Sir Wilfrid Laurier) told me to go to the attorney general of the province of Ontario if I wanted to have the Railway Act and the special Acts enforced. And the Minister of Justice told me the same thing. And now, of his own motion, he may appoint somebody to enforce the Railway Act of this country. Yet he said he would not do it, because our law was not the same as the United States law.

Mr. DUNCAN ROSS. The first thing you know he will repeal it.

Mr. W. F. MACLEAN. These words put upon the Minister of Justice the responsibility of enforcing this law.

On section 2,—deposit of mortage to secure bonds, &c.

Mr. AYLESWORTH. The former Minister of Railways (Mr. Emmerson), shortly after this Bill was introduced, asked me to propose as an additional clause, an amendment to section 299 of the present Railway Act, which I will do, if there is no objection. The hon. member for Westmoreland has expressed the view that this amendment, which seems to be of a formal character, is necessary. Section 299 of the present Act deals with the purchase of a Railway upon sale under mortgage or by the court, and as the railway may be purchased by a person who has not a corporate power to operate it, the section provides that the Minister of Railways may give an order to the purchaser authorizing him to operate the railway until the end of the then next session of the parliament of Canada. Subsection 5 provides that such purchaser must apply to the parliament of Canada at the next following session after the purchase, for legislative authority to operate the road. The proposal is to change the words 'next session after the purchase' to 'next session after the granting of such order by the minister,' thus making it accord with the earlier section which requires the obtaining of an order during the recess of parliament. I understood from the hon. gentleman (Mr. Emmerson) that in a case in New Brunswick it would have been desirable had the law been amended as now desired.

Mr. BERGERON. Was there not a similar case in Quebec ?

Mr. AYLESWORTH. I have not heard of it.

Amendment agreed to.

Mr. BRISTOL. Is the Minister of Justice of opinion that clause 2 would override the provincial registration law which requires the registration of all conveyances which in any way affect any interest in land. It appears to me that it would be necessary, in view of this proposal, to amend the registration laws of the provinces so as to exempt mortgages which are securities upon railway properties.

Mr. AYLESWORTH. The intention is to substitute this provision for the requirements of the various provincial registration laws and to make it unnecessary to register these railway security mortgages in the registration offices of the province.

Mr. OSLER. Does this clause not cover mortgages on real estate ?

Mr. AYLESWORTH. It is intended to do so.

Mr. OSLER. Surely a mortgage on real state ought to be registered in the provincial registration offices.

Mr. AYLESWORTH. Under the present law a mortgage of a railway right of way is registered only with the Secretary of State.

Mr. BRISTOL. It seems to me that the registration of land titles is entirely within the purview of the provincial legislature, and that an enactment of this kind by this parliament cannot override the provincial registration Act. Is it the opinion of the Minister of Justice that this provision would be affective against provincial law ?

Mr. AYLESWORTH. It is my opinion that this legislation is within the power of this parliament or I should not be here proposing it. I think it is incidental to railway legislation.

Mr. LENNOX. Will this amendment cover the case of a sale which is made during the sitting of parliament ?

Mr. AYLESWORTH. If the purchaser is able to obtain parliamentary authority for the operation of a road during the sitting of parliament, without getting any interim order from the minister, no doubt he will do so, but he has the option to obtain from the minister an interim order which will be good until the end of the then ensuing session of parliament and it is proposed to change the time within which application to parliament must be made.

Mr. W. F. MACLEAN. I beg to move the following as an additional clause :

It shall be the duty of the Attorney General of Canada, and he is hereby authorized and directed to enforce the Railway Act and the Special Act, and for this purpose to cause to be

instituted any and all such proceedings civil or criminal as in his judgment may be necessary or proper to prevent and punish violations thereof, and to enforce and collect penalties that may accrue thereunder.

I have had that clause specially drafted to make some one under this parliament responsible for the administration of the law. The Grand Trunk Railway to-day, under its special Act, is bound to give the people of this country a penny-a-mile service between Toronto and Montreal, and that Act is not enforced. I have appealed to the courts of the province of Ontario and the judgment of one of the judges was to the effect that the Railway Commission had jurisdiction in this case. I intend to appeal from this decision and I have to do all that at my own expense notwithstanding that we have this great Railway Commission and any number of law departments in the government. I ask hon. members in this House, especially those who live on the Grand Trunk Railway, to support me in this motion.

Amendment negatived.

Bill reported.

Mr. AYLESWORTH moved that the Bill be read a third time.

Mr. W. F. MACLEAN moved that the Bill be not now read the third time, but that it be referred back to Committee of the Whole House for the insertion of the following amendment:

Section 4.—It shall be the duty of the Attorney General of Canada, and he is hereby authorized and directed, to enforce the Railway Act and the Special Act for this purpose, and cause to be instituted any and all such proceedings, civil or criminal, as in his judgment may be necessary or proper to prevent any violation thereof, and to enforce all penalties that may accrue thereunder.

House divided on amendment (Mr. W. F. Maclean).

YEAS:

Messieurs.

Alcorn,	Foster,
Ames,	Fowler,
Armstrong,	Henderson,
Avery,	Herron,
Barker,	Hughes (Victoria),
Barr,	Jackson (Elgin),
Bennett,	Lalor,
Bergeron,	Lennox,
Blain,	Leonard,
Borden (Carleton),	Macdonell,
Boyce,	MacLaren,
Brabazon,	Maclean (York, S.),
Bristol,	Marshall,
Chisholm (Huron),	Paquet,
Christie,	Roche (Marquette),
Clements,	Schaffner,
Crocket,	Sproule,
Daniel,	Staples,
Elson,	White.—38.

NAYS:

Messieurs.

Adamson,	Lavergne (Drum. & Arth.),
Archambault,	Law,
Aylesworth,	Lemieux,
Beauparlant,	Lovell,
Beland,	Macdonald,
Bole,	Macpherson,
Bourbonnais,	McCool,
Boyer,	McCraney,
Brown,	McIntyre (Strathcona),
Bureau,	McKenzie,
Burrows,	McLennan,
Caldwell,	Marcile (Bagot),
Carrier,	Marcil (Bonaventure),
Carvell,	Mayrand,
Cash,	Michaud,
Clarke,	Miller,
Conmee,	Oliver,
Copp,	Pardee,
Cyr,	Paterson,
Crawford,	Pickup,
Demers,	Proulx,
Derbyshire,	Reid (Restigouche),
Desjardins,	Rivet,
Devlin (Wright),	Robitaille,
Dubeau,	Roche (Halifax),
Fielding,	Ross (Yale-Cariboo),
Finlay,	Rousseau,
Finlayson,	Savoie,
Gauvreau,	Schell (Glengarry),
Geoffrion,	Schell (Oxford),
Gervais,	Sinclair,
Girard,	Smith (Nanaimo),
Gordon,	Talbot,
Hall,	Telford,
Jackson (Selkirk),	Tolmie,
Johnston,	Turgeon,
Kennedy,	Verville,
Knowles,	Watson,
Lanctot (Richelieu),	Wright (Renfrew.)—80.
Lapointe,	
Laurence,	

Amendment (Mr. W. F. Maclean) negatived.

Mr. TAYLOR. I did not vote owing to the fact that I am paired with Mr. Calvert, the chief whip of the government. The hon. member for East Durham (Mr. Ward), the hon. member for Prince, Prince Edward Island (Mr. Lefurgey) and the hon. member for Dundas (Mr. Broder) have not voted.

Mr. JOHNSTON. How would you have voted?

Mr. TAYLOR. I would have voted for the amendment.

Mr. WARD. I was paired with the hon. member for West Northumberland (Mr. McColl). Had I not been so paired I would have voted for the amendment of my hon. friend (Mr. W. F. Maclean).

Mr. BRODER. I was not in the House to hear the motion put.

Mr. R. L. BORDEN. Mr. Speaker, I beg to move another amendment. It has already been discussed in committee and is practically the same as that of which I was speaking to the Minister of Justice. I move:

That the Bill be not now read a third time, but that it be referred back to Committee of the Whole with instructions to amend the first section so that it will read as follows :

1. The Board of Railway Commissioners for Canada may, in any application, proceeding or matter of special importance pending before it, if in the opinion of the board the public interest so requires, apply to the Minister of Justice to appear by himself or by the Solicitor General before the said board and represent the public in the application, proceeding or matter as to any particular public interest which is or may be affected thereby or by any order or decision which may be made therein ; and, upon such application to him by the board, or of his own motion, the Minister of Justice may so appear by himself or by the Solicitor General and take such part in the proceedings as may be necessary for such purpose, or if the Minister of Justice and the Solicitor General are unable to appear, the Minister of Justice may instruct counsel accordingly ; and the board may direct that the costs of such counsel shall be paid by any party to the application, proceeding or matter, or by the Minister of Finance out of any unappropriated moneys.

Mr. BERGERON. Before the vote is taken I merely wish to call the attention of the hon. Minister of Justice (Mr. Aylesworth) to the nominations which have already been made according to what I read in a newspaper :

Ottawa, April 22.—G. F. Shepley, K.C., as counsel, and W. S. Buell, of Brockville, as solicitor, and Mr. Richardson, of Toronto, as expert accountant, have been appointed to assist the Railway Commission when it investigates the rates of the Bell Telephone Company in Montreal about the middle of next month.

Who has anticipated the action of parliament? There is no authority to appoint any of these gentlemen. It is something unusual that this should happen before parliament has pronounced upon it.

Amendment negatived on the same division.

Motion agreed to, and Bill read the third time and passed.

At one o'clock, House took recess.

House resumed at three o'clock.

SURVEYS OF PUBLIC LANDS.

House in committee on Bill (No. 172) respecting the Surveys of the Public Lands of the Dominion and the Surveyors entitled to make such surveys.—Mr. Oliver.

Mr. HAGGART. The Bill is not on our files.

Hon. FRANK OLIVER (Minister of the Interior). The Bill apparently is not printed, but it is hardly necessary to have it printed under the circumstances. Some weeks ago the House agreed to the Surveys' Bill which was taken from the Dominion Lands Act. The idea was that we would pass the Surveys Bill and the Dominion Lands Act Bill, but at this stage of the session it becomes impossible to pass the Dominion Lands Act and therefore, unless we repeal the Surveys Bill that we did pass, we would have two Acts on the statute-book covering the same ground. It was not intended that the Surveys Bill should have been assented to until the close of the session, but on one of the occasions when the Governor gives an interim assent the Surveys Bill was assented to and so it has actually become law. The present Bill is simply to repeal the Surveys Act that went through so that the Dominion Lands Act as it stands now will remain until we bring in further amendments.

Mr. SPROULE. Are we going to pretend to pass a Bill that is not in possession either of the House or of the minister ?

Hon. W. S. FIELDING (Minister of Finance). The Bill was introduced in manuscript and sent to the printer, so that there is really no Bill before us. We will have to allow it to stand.

Progress reported.

BUSINESS OF THE HOUSE—PROROGATION.

Mr. FIELDING. I think it might facilitate the business of the House in the closing days of the session if I state now what measures the government desire to proceed with and what they propose to drop. Most of the matters on the order paper will have to stand. I think that few of them are matters of controversy. So far as I know all the legislation that is contemplated is now before the House by way of notice. There is a possibility, though not a probability, that we may have to bring down some further supplementary estimates, but the chances are that we will not have to ; if they are brought down they will be simply small items that have been overlooked.

The Prime Minister (Sir Wilfrid Laurier) had desired to deal with a measure this session which he was obliged to lay aside without even introducing it, but it was his desire that I should make a statement to the House concerning it at a convenient opportunity. It is in relation to the celebration of the 300th anniversary of the founding of the city of Quebec. It is felt that that celebration is of a national and not of a local character. It is expected that the city of Quebec will contribute out of its municipal moneys and the government of Quebec will make a handsome contribution. A deputation presented the claims of the celebration upon the government of the Dominion ; the representations which they made were very strong and made a very favourable impression on the ministers who heard them, and the government had come to the conclusion that the national character of the movement should be recognized, that it was an occa-

sion upon which the government might well contribute a substantial sum towards the management of the celebration. If the Prime Minister had been able to remain here, we should have endeavoured to prepare a measure to be passed at the present session. However, as that was not found convenient, it was decided to make a public statement that the government appreciate the value of the movement; they recognize the celebration of the founding of Quebec by Champlain as an occasion of a national character and at the next session the government will not only introduce a measure to give a substantial grant in aid of the movement but will probably propose legislation with a view to creating a national commission for the management of the celebration.

With regard to the measures that are now on the order paper, the Bill respecting the public lands of the Dominion, as already intimated by the Minister of the Interior, is not to be proceeded with, and if there be no objection I move that order No. 17 which deals with that measure be discharged.

Motion agreed to and order discharged.

PATENT MEDICINES BILL.

Mr. FIELDING. I desire to make a similar motion with regard to item No. 21, which deals with the Bill respecting Proprietary and Patent Medicines. The Minister of Inland Revenue made a statement that he was doubtful about proceeding with it and I now move that order No. 21 be discharged.

Mr. BERGERON. I am very sorry that my hon. friend has found himself obliged to abandon the passing of this Act. I think it is very important and that it should have been proceeded with this session. It has been on the order paper since the 21st of February, and surely there has been time enough to dispose of it. I am sure that the public are waiting the passing of that Act with a great deal of interest, and I hope my hon. friend will find the means to pass it before the end of the session.

Motion agreed to, and order discharged.

Mr. FIELDING. That disposes, I think, of all the matters on the order paper on which we desire to postpone action. The other matters I hope we shall be able to deal with in a few days. Of course, it is impossible at present to fix the precise day of the closing of the session. Very much will depend on the progress we are able to make to-day; but so far as the government business is concerned, I see no reason why it should not be disposed of within the next three or four days, and prorogation be reached by Friday or Saturday. I have every reason to hope that that may be accomplished, because I have had information from some hon. gentlemen opposite that they share in the desire of the government to bring the session to a speedy close.

ADMINISTRATION OF JUSTICE IN SASKATCHEWAN AND ALBERTA.

House went into committee to consider the following proposed resolution:

Resolved, That it is expedient to provide that the salaries of the judges of the Supreme Court of Saskatchewan shall be as follows:—

The chief justice of the court, $7,000 per annum.

Four puisne judges of the court, each $6,000 per annum.

And that the salaries of the judges of the Supreme Court of Alberta shall be as follows:—

The chief justice of the court, $7,000 per annum.

Four puisne judges of the court, each $6,000 per annum.

And that in the province of Saskatchewan the salaries of eight judges of district courts shall be, each $2,500 per annum during the first three years of service; and after three years of service, each $3,000 per annum.

And that in the province of Alberta the salaries of five judges of district courts shall be each $2,500 per annum during the first three years of service; and after three years of service, each $3,000 per annum.

Mr. BERGERON. How are the courts constituted now in the Northwest provinces?

Mr. AYLESWORTH. Up to the present time the courts in the new provinces of Saskatchewan and Alberta have been simply the continuation of the court of the Northwest Territories that was in existence prior to the establishment of those provinces—that is, one court consisting of a chief justice and seven puisne judges, each having jurisdiction throughout the whole of both provinces. The legislatures of the respective provinces at their recent sessions have passed statutes practically in the same terms, by which each province constitutes its own superior court and a number of district courts of inferior jurisdiction. The superior court in each province is to consist of a chief justice and four puisne judges. That will mean an addition of one judge for each province. Then each province has established a number of district courts, which have limited jurisdiction up to certain specified amounts, and has parcelled out the province into a number of judicial districts, Saskatchewan being subdivided into eight, and Alberta into five. That, then, is a body of eight judges in the one province and five in the other who have had no previous existence. This resolution proposes to continue to the chief justice and to the several puisne judges of the high court their salaries at exactly the same amount as now, and to make for the new district judges exactly the same provision which the present Dominion statute makes for the county judges in the province of Ontario. There are in the province of On-

tario sixty-seven judges of county courts, each receiving $2,500 per annum during the first three years of service, and after that $3,000 per annum. The amount proposed for the district judges of Saskatchewan is the same as the Ontario county court judges now receive, notwithstanding the fact that the jurisdiction of the district courts of Saskatchewan is in some respects larger than that of the county courts in Ontario, and notwithstanding also the consideration which has been much pressed upon me by gentlemen coming from those provinces, that the cost of living is higher there, and that the salaries of the judges ought to be correspondingly increased. After giving the matter the most careful consideration I could, though the whole tendency of my feeling is towards the view that our judges are by no means overpaid but rather the contrary, I still do not see my way to accept the proposal that the judges of those provinces should receive a higher rate of remuneration than the judges of the province of Ontario, where for many years the salaries were below the present figure, and where they have been only raised within the last year or two to the figures I am now proposing for Saskatchewan and Alberta.

Mr. BERGERON. That means fifteen appointments of new judges—eight in one province, five in the other, and two for the Supreme Court. What kind of a system have they in those provinces? Will the judges of the Supreme Court sit only in banc, or will they go around on circuit?

Mr. AYLESWORTH. The system has probably not yet taken very definite shape, as the Act has not gone into force, but will go into force on proclamation. The system which I understand the new provinces intend to establish is the system that obtains in Ontario—that the judges of the High Court should hold the sittings of that court in banc at the capital of the province, and should go on circuit to various portions of the province to hold assize. The district judge in each case will of course reside in his own district.

Mr. W. F. MACLEAN. With regard to Ontario having 67 county judges, I can only say that we could well spare 17 of those to be sent as a delegation to the Northwest provinces. If we could relieve the country of those unnecessary judges, I would like to see it done.

Mr. AYLESWORTH. If my hon. friend will address himself to his friends in the Queen's Park, that might possibly be done.

Mr. W. F. MACLEAN. I address them and also the Minister of Justice, because we pay for those judges. This government stated some years ago that they would take that matter up with the provinces. They had a conference with the provinces some time ago, but I do not believe that any conclusion was reached in that matter. I do not speak in a partisan way on this subject, but the Minister of Justice at once jumps into a partisan temper and says, go to the Queen's Park. We have a superabundance of county judges in the province of Ontario. The provincial government may, in a measure, be to blame—I do not say who is to blame. But I would like to see the number reduced, and, if we could send some of them out to the west and save their salaries, it would be a good thing for us.

Mr. BENNETT. Would these judges of necessity be appointed from the bars of these two provinces?

Mr. AYLESWORTH. I do not think it is essential.

Resolution reported, read the second time, and agreed to.

Mr. AYLESWORTH. I am not in a position to go on with the Bill embodying these resolutions.

Mr. R. L. BORDEN. The Bill is printed, is it not?

Mr. AYLESWORTH. I am ready to go on if no objection is raised.

Bill (No. 146) to make certain amendments to the statute law in its application to the provinces of Saskatchewan and Alberta—Mr. Aylesworth—read the second time, and House went into committee thereon.

On section 2—amending section 16 of the Naturalization Act.

Mr. R. L. BORDEN. This is a similar provision to those which are to be found in the law in regard to the other provinces?

Mr. AYLESWORTH. Simply applying the provisions to the conditions of the new provinces.

On section 3—amending section 20 of the Naturalization Act.

Mr. R. L. BORDEN. Is there any special change in this?

Mr. AYLESWORTH. I am not provided at the moment with a copy of the present Naturalization Act, but my note from the gentleman who prepared this clause is that the clause is simply the provision of the existing law, with changes of terms to fit it to the conditions of the new provinces. I think I may assure the committee that there is no change which would affect the present conditions in the other provinces. However, I will send for the volume if desired, so as to make certain.

Mr. R. L. BORDEN. Section 2 of this Bill, I understand, applies only to the two provinces? The reason why I inquire is because the Bill is one 'to make certain amendments to the statute law in its application to the provinces of Saskatchewan and Alberta.'

Mr. ALCORN. I looked at the Naturalization Act and found that the change made here is to authorize the district court and the officers of that court, instead of the Superior Court, to naturalize the alien.

Mr. AYLESWORTH. That is what is intended. I did not expect to have this Bill considered in committee to-day, and I therefore am not certain at the moment whether or not a clause should be inserted with reference to the requirements as to Dominion controverted election petitions; and there are possibly one or two other things that ought to be thought of which I would like to have an opportunity to consider. I will therefore move that the committee rise, report progress, and ask leave to sit again.

Motion agreed to, and progress reported.

BOUNTIES ON IRON AND STEEL.

House went into committee to consider the following proposed resolution:

Resolved, 1. That it is expedient to repeal chapter 8 of the statutes of 1899, chapter 68 of the statutes of 1903, and chapter 39 of the statutes of 1904, from and after the 1st January, 1907.

2. That it is expedient to provide that the Governor in Council may authorize the payment out of the Consolidated Revenue Fund of the following bounties on the under-mentioned articles manufactured in Canada for consumption therein, viz.:

(a) In respect of pig iron manufactured from ore, on the proportion from Canadian ore produced during the calendar years—

1907.. .. .. $2 10 per ton;
1908.. .. .. 2 10 per ton;
1909.. .. .. 1 70 per ton; and
1910 .. .. 0 90 per ton.

(b) In respect of pig iron manufactured from ore, on the proportion from foreign ore produced during the calendar years—

1907.. .. .. $1 10 per ton;
1908.. .. .. 1 10 per ton.
1909.. .. .. 0 70 per ton; and
1910.. .. .. 0 40 per ton.

(c) On puddled iron bars manufactured from pig iron made in Canada during the calendar years—

1907.. .. .. 1 65 per ton;
1908.. .. .. 1 65 per ton;
1909.. .. .. 1 05 per ton; and
1910.. .. .. 0 60 per ton.

(d) In respect of rolled, round wire rods not over three-eighths of an inch in diameter, manufactured in Canada from steel produced in Canada from ingredients of which not less than fifty per cent of the weight thereof consists of pig iron made in Canada, when sold to wire manufacturers for use or when used in making wire in their own factories in Canada, on such wire rods, made after the 31st December, 1906, six dollars per ton.

(e) In respect of steel ingots manufactured from ingredients of which not less than fifty per cent of the weight thereof consists of pig iron made in Canada, on such ingots made during the calendar years—

1907.. .. .. $1 65 per ton;
1908.. .. .. 1 65 per ton;
1909.. .. .. 1 05 per ton; and
1910.. .. .. 0 60 per ton.

3. That it is expedient to provide that no bounty shall be paid under the foregoing provisions in respect of iron or steel made in Canada by the electric process after the 31st December, 1908.

4. That with a view to the encouragement of the smelting of Canadian iron ore by electricity it is expedient to provide that the Governor in Council may authorize the payment out of the Consolidated Revenue Fund of the following bounties on pig iron and steel ingots manufactured in Canada, for consumption therein, when such pig iron and steel is the product of Canadian iron ores smelted in Canada by electricity, viz.:

(f) On pig iron manufactured from Canadian ore by the process of electricity smelting during the calendar years—

1909.. .. .. $2 10 per ton;
1910.. .. .. 2 10 per ton;
1911.. .. .. 1 70 per ton; and
1912.. .. .. 0 90 per ton.

(g) On steel ingots manufactured by electric process direct from Canadian ore, and on steel ingots manufactured by electric process from pig iron smelted in Canada by electricity from Canadian ore during the calendar years—

1909.. .. .. $1 65 per ton;
1910.. .. .. 1 65 per ton;
1911.. .. .. 1 05 per ton. and
1912.. .. .. 0 60 per ton.

5. That it is expedient to provide that bounty shall not be paid on steel ingots from which steel blooms and billets for exportation from Canada are manufactured.

6. That it is expedient to provide that the Governor in Council may make regulations to carry out the intentions of these resolutions.

7. That it is expedient to provide that the Minister of Trade and Commerce shall be charged with the administration of the foregoing provisions.—Mr. Fielding.

Hon. W. S. FIELDING (Minister of Finance). Since these resolutions were placed on the notice paper, a number of petitions have been presented to the House, chiefly I think from the province of Ontario, very largely signed by people who object to the granting of these bounties. I have no doubt that many of the signers of these petitions have objection on general principle to bounties, and would be prepared to oppose the adoption of the bounty principle in any shape or form. I think, however, that probably many others who signed the petition did so under a misapprehension as to the facts, and particularly under a misapprehension as to the degree of burden under which the system of bounties has placed the tax payer of the country. I think it will be generally admitted that if there is any industry in the country which deserves encouragement—if we are to adopt the principle of aiding any industry by protection in the form of bounties, or of custom duties or in any other form—it will hardly be questioned that the iron and steel industry should receive the favourable consideration of the

House. A country which possesses large resources of iron and fails to develop them, would certainly not be a progressive country. The parliament of Canada has for a number of years encouraged the iron and steel industry by way of bounty. There were reasons of a special character why it was well that this industry should be aided in the form of a bounty, rather than by way of a duty. If it be admitted that the industry is entitled to the same measure of protection as the other industries of the country, then the only question to be considered was whether that aid should take the form entirely of a customs duty, or whether it might not, in whole or part take the form of a bounty. I need hardly remind hon. gentlemen that iron is at the foundation of a great many manufactures, and upon the supply of iron, either cheap iron or iron at moderate cost, will depend the success of a great many other industries in the country. If we had applied what I might call the ordinary rate of duty, or of protection, to the iron industry, the consequence would be that iron would be made so expensive that you would have to give compensating duties to the various industries that used iron, and as a result we would be obliged to have a high tariff generally upon the whole metal schedule. A little reflection, will, I think, satisfy most hon. gentlemen that that would have been a misfortune, and that it was decidedly to the benefit of the country that if the iron industry was to be aided, for a time at least, that aid should take the form of a bounty, because you then need not necessarily put higher duties upon the manufactured articles into which iron goes. At all events that is the view which our government took in the revision of the tariff of 1897. The iron industries had then been established, not on a very extensive scale but on a sufficient scale to attract considerable notice in the country, and we certainly had every desire to continue and enlarge the operations of that industry. But we felt that if we should confine the aid entirely to a customs duty, that any such duty which would enable the industries to make reasonable progress would have to be very considerable, and therefore we would have to put higher duties upon the other articles which the manufacturers of the country would produce. Take, for example, the industry of the farmer. In a variety of ways he is a consumer of iron. If we had put a high duty, say on pig iron, then the duties upon agricultural implements, and the duty upon the various things into which iron enters, would necessarily have been higher than the figures at which they were placed. So we concluded that it was wise, in aiding this industry, that we should grant a bounty on the iron and steel, and then have but small customs duties on these other articles. There are some people who contend that a bounty is the best form of protection. That is a question upon which I do not desire to dwell, but there are some advantages in connection with a bounty.

The first advantage is that the taxpayer knows precisely what amount he is paying. It is always a question of debate what is the burden imposed upon the consumer by the customs duty; I suppose that always will be a debateable question. But with a bounty to an industry, at all events we know precisely what the country is paying. There is another consideration that ought to commend it to the consumer. If you put a duty of 40 per cent upon an article for the encouragement of the home industry, you increase the price of all the articles of that class which are imported, and in nineteen cases out of twenty you increase correspondingly the prices of the home made article. So the additional burden is placed on the consumer both with regard to the home product and the imported article. In the case of the payment of a bounty, you do not enhance the price of the imported article at all. That article comes in at a moderate rate of duty, free it may be in some cases, and the effect of the bounty does not touch the price of the imported article. It enables the home manufacturer, the man who produces the bountied article, to sell his product somewhat cheaper than he otherwise would. So I think, even from that point of view, there is much that can be said in favour of the bounty. Certainly, I think in the particular case to which I refer, it can be established that the maintenance of the bounty on the iron industry for a limited period has been a wise policy, and that we shall do well, while looking forward to closing that policy at no distant day, to continue it for the short time contemplated by these resolutions.

Mr. BENNETT. What are the relative proportions of Canadian and American iron ore that enter into the make-up of the ordinary Canadian pig iron, such as is used for the manufacture of rails?

Mr. FIELDING. Rails are manufactured in Canada, either at Sydney or at Sault Ste. Marie. In Sydney the iron is entirely Newfoundland ore, except some small percentage of other ore, it may be, with which it is blended. At Sault Ste. Marie they use largely American ore.

Mr. BENNETT. I may tell the minister that, as a matter of fact, a great deal of the pig iron that is made at Midland goes back to the Soo and is there used for rails. That is why I referred to the proportionate parts. I know they bring to Midland, not only ore from the Helen mine, which is a Canadian mine, but they bring in a lot of American ore.

Mr. FIELDING. I am glad to know that they use some of the Midland ore at the Soo, and I think they use iron which they themselves produce from some Canadian and some imported ore, and they also use,

to a considerable extent, imported pig iron. The Algoma Steel Company of Sault Ste. Marie produced, in 1905-6, 6,222,891 tons of steel. There is no bounty particularly on the rail, but that would include all that went into the rail. The ingredients used therein are as follows: Canadian pig iron, 180,472 tons; foreign pig iron, 21,219 tons; other ingredients, 46,821 tons. The sources of the Soo supply are varied, whereas in the case of rails made at Sydney, they are made practically all from Newfoundland ore.

Mr. BENNETT. Could the minister give me that data before he passes on—the proportionate parts in the Midland pig iron of American and of Canadian ore?

Mr. FIELDING. I have not the information at hand, but before the Bill passes the final stage I will be happy to get it.

Mr. HAGGART. What is the meaning of this language:

> In respect of pig iron manufactured from ore, on the proportion from Canadian ore produced during the calendar years.

That is extraordinary language.

Mr. FIELDING. If the two ores are blended they come in at proportionate rates. There is a distinction made between pig iron produced from foreign ore and pig iron produced from native ore. If in any case they use both ores, they are paid in proportion to the respective ores used. There has always been that distinction.

Mr. HAGGART. That may be the intention, but that is not the meaning of the sentence.

Mr. FIELDING. That is the way it is understood, and that is the way it is applied, at all events. There is, I think, an erroneous impression that the iron and steel industries are protected to a particularly large degree. I think that is a mistake. I have no doubt that some of our farming friends will be surprised if I tell them that the protection afforded to the iron and steel industry is not so great as the protection afforded to some lines of agricultural products, but such is the fact. Now, when you grant a bounty on the production of iron and steel you are enabled to get along with a lower rate of duty than you would have if there were no bounty. Let us first see what the rate of duty is on iron products. Take pig iron at an average of $16 per ton, the customs duty under the preferential tariff amounts to about 9½ per cent; or if it were imported under the general tariff, 15½ per cent. Hon. gentlemen will see that these are not the ordinary rates of protection granted to other industries, and if there were nothing but the customs duty in this instance, the protection afforded would be very much below the protection afforded to other lines of industry. Then take steel billets of the value of $24 per ton, the customs duty is 10½ per cent under the general tariff and 6¼ per cent under the preferential tariff. These are very low rates of duty. They would not be considered a protection in any other line of industry, and if there were not any bounty to supplement them, they certainly would not be any substantial protection to the steel industry. If we add the bounty and duty together, and it is fair to do so, we shall still find that the protection afforded to the iron and steel industry is by no means an excessive one. Take again pig iron at the value of $16 per ton. The duty under the preferential tariff is $1.50; the proposed bounty on iron from foreign ore in these resolutions is $1.10. That will make the duty and the bounty together $2.60. The duty and the bounty together will amount to 16¼ per cent. So that the encouragement given by parliament under these resolutions to the pig iron industry, adding the bounty and the duty together, will only be 16¼ per cent, taking the average price of pig iron for some time past. Hon. gentlemen will admit that this is by no means a large protection. It is less protection than is accorded to many other lines of industry. In that case 16¼ per cent is under the preferential tariff. Take the general tariff duty and the bounty and they will amount to 22½ per cent. Now take steel ingots and billets of the value of $24 per ton. The duty is $1.50, the proposed pig iron bounty is $1.10, the proposed steel bounty is $1.65. Here you take the duty, the bounty on the pig iron and the bounty on the steel and add them together, and you have a duty and bounty of $4.25, equal to about 17¾ per cent under the preferential tariff. In that case you take the bounty on the pig iron, the steel bounty and the duty on the steel, and add them all together, and you still find that the protection given to the steel ingots and steel billets amounts to only 17¾ per cent. Now, I believe that if our farmer friends, many of whom signed this petition against the bounties, had had these facts fully before them, they would not have taken the strong position they did against the bounty.

Mr. W. F. MACLEAN. Why didn't you educate them long ago?

Mr. FIELDING. I am educating them now.

Mr. HAGGART. Their argument was that all the manufactures should be made out of Canadian ore; that if there was a protection at all, it should be given to the Canadian manufacture out of Canadian ore. Following the line of the remarks of my hon. friend behind me, I would like very much to know what percentage of Canadian ores goes into this industry.

Mr. FIELDING. I have not the information just in that particular form, but it is a fair question and before the third reading of the measure I will have a memorandum prepared and placed on 'Hansard' answering each one of these questions. My hon. friend uses the argument that these things ought to be made out of Canadian ore. That is in part true, but it is not true entirely, because from the beginning there has been a recognition of foreign ore as well as native ore, with a discrimination in favour of native ore. It is well to remember in regard to foreign ore that in the case of the furnaces at Sydney what they call foreign ore is ore from Newfoundland. Many people are not disposed to look upon Newfoundland as a foreign country. I remember that when these bounties were under consideration several years ago the hon. gentleman who at that time led the opposition, that eminent Conservative leader, Sir Charles Tupper, raised the question as to whether it would not be wise to treat Newfoundland in reference to bounties as a part of Canada and to grant bounties on Newfoundland ore as freely as if it were native Canadian ore. However, we did not feel quite free to do it. Newfoundland ore has been treated as foreign ore and as a consequence the Sydney industries have not received as much bounty as they otherwise would have done. There is another point that must be remembered. In the development of the labour industry of the country, in the creation of labour and the production of wealth that flows from labour economically applied, you have as much labour probably in the production of fuel as in the production of ore, and if you import foreign ore and develop a great iron and steel industry with the use of native fuel, although you are using foreign ore, you will be doing a great deal for the development of native industry by the creation of an increased market for fuel. In view of the results which have been accomplished by the continuance of this policy for many years, first under one government and then under another, even if it had cost the country a very considerabe sum of money, I think a good case can be made out to justify the outlay, having regard to the importance which the iron and steel industry will always bear to the general development of the business of the country. But I think it is as capable of proof as most things are capable of proof in an argument of this character, that every dollar which has been paid out of the treasury for some years past in connection with the development of the iron and steel industry has come back to the treasury from the general development of the country in connection with the establishment of these great industries.

Mr. W. F. MACLEAN. Now, that is protectionist.

Mr. FIELDING. I do not state anything except the facts of the case. If my hon. friend can apply them I will not object. I will give you the plain facts. It is difficult perhaps to present precise figures to lead to an absolute conclusion, but I think the figures which I shall be able to present to the House will go a long way towards establishing the contention I make that the government has received back in the way of increased revenues that which it has paid out in the way of bounties. The iron and steel business is carried on at certain ports. We have the ports of Midland, Deseronto, Hamilton, Sault Ste. Marie, Sydney, North Sydney and Londonderry. With the exception of Hamilton these were all rather small communities. Hamilton was a large and prosperous city and whether or not the iron and steel industry was established there it would have made considerable progress. The increase in the business of Hamilton is not to be entirely attributed to the establishment of the iron industry. A qualification of my figures should be made as respects that port. Let us take the customs collections at these ports for nine years past. I am treating these nine years, because these are the years during which there has been a great development in the iron and steel industries. There was some good work done at some of those ports before that time but it was not large enough to interfere with my comparison. I take for nine years the customs collections at the ports I have named and I find that they amount to $11,785,036.12. For the previous nine years the customs duties at these same ports amounted to $7,101,850.06, showing an increase in the customs receipts at these ports which I have mentioned, in the last nine years of $4,683,186.06. Now, the bounties paid during the past nine years on iron and steel amounted to $7,948,118.28, which is a little under $8,000,000. The increase in the customs duties at the ports mentioned was $4,683,186.06. We have at once accounted largely for a return into the treasury of the sum which has been paid out by way of bounties.

Now, it may be said that some portion of this would have come to us anyway. I think it is fair to admit that some proportion would have. I think that as respects Hamilton some proportion of the increased business of Hamilton is due to other causes. But these large increases during these nine years are due largely, chifly, almost wholly with the exception of that qualification in the case of Hamilton, to the establishment of these iron and steel industries. I will take the industries at Sydney particularly with which I am more familiar; a large proportion of the people who have worked in these industries came from abroad and would not have come except for the establishing of these industries. A large per-

centage of the increase in customs duties came in the way of duties levied on machinery and materials used in the creation of the iron and steel furnaces and this is due directly to the establishing of this business, Then, a great many of our lower province people who worked at the Sydney furnaces were people of an adventurous character who would probably have gone abroad, most likely have gone to the United States as they did go in bygone years. So that I think it is a reasonable argument that the establishing of these industries brought new people into the country, thus adding to its wealth, and that it had the no less good purpose of keeping at home many of our own people who, but for the establishing of these industries, would probably have gone abroad as they did in former times. So, I think we may attribute this increase of $4,683,000 in the customs revenue from these ports directly to the establishment of the iron and steel industries.

Then, you must take into consideration some other things as to which I have no precise figures but as to which I am sure I will have the judgment of the House as I proceed. There is the matter of excise duties. I have not the figures at hand but I have no doubt it will be found that there has been a large increase in the excise duties in the same way as there has been a large increase in the custom duties. If you add something for them you are increasing to a very considerable extent the receipts at each port which has been built up or created by the iron and steel industry. Then there is another consideration. I have spoken about the collection of customs duties at the particular ports mentioned, but the trade of a large part of Canada has received a stimulus from the establishment of these iron and steel furnaces. Large quantities of goods have been imported at our great importing cities and towns, such as Montreal, Toronto, Quebec. Halifax, St. John, Charlottetown, and all the great importing centres of our country. They have imported large quantities of goods which have gone into consumption at the points at which furnaces have been established. If we had the means at hand of making a close calculation I have no doubt that we would find the increased consumption of goods which have paid duties at these several ports to which I have referred has contributed to the increase in the customs receipts, which I have just mentioned, and I think I have made out a good case to show that probably every dollar that the government have paid out by way of bounties to the iron and steel industry during the last nine years has come back into the treasury in consequence of and due directly to the establishment of these industries.

Mr. FIELDING.

Mr. R. L. BORDEN. Before the hon. Minister, of Finance goes any further I would like to ask him whether he has made any arrangement to have the right hon. the Minister of Trade and Commerce (Sir Richard Cartwright) come over from the Senate and answer his very strong protectionist speech.

Mr. FIELDING. The Minister of Trade and Commerce, having been made acquainted with the subject matter of these resolutions, recommends them to the favourable consideration of the House.

Mr. W. F. MACLEAN. Does he also recommend them to our farmer friends?

Mr. FIELDING. I am putting the argument for our farmer friends and I think in such a way that the good farmers in the country will say that they never knew how little protection iron and steel got. For several years the policy of bounties was continued, and then we entered upon what is called the sliding scale. For several years the bounties diminished year by year.

Mr. FOSTER. That was a back-sliding scale.

Mr. FIELDING. For one year it was a back-sliding scale. We have had it in all shapes and forms in order to adapt ourselves to the varying conditions of the country. For several years the bounties continued to decrease and we now propose to arrest the decrease and continue them for three and one-half years beyond the date at which they would have expired. The bounties under existing legislation would have expired on the 1st of July of the current year. We propose to extend them for three and one-half years beyond that, or four years from the 1st of January. We take as our starting point, not the rates of the schedules as they stand to-day, but the rates of the schedules as they stood in 1905-6. At that time the rates were 55 per cent of the original grant. The original grant was $3 on pig iron from native ore, $2 on pig iron from foreign ore and $3 on steel made under the conditions of the Act. We take 55 per cent, which was about the rate of a year ago, and so we established a new scale of duties beginning with that 55 per cent and running for four years. For the current year, 1907, in respect of pig iron made from foreign ore, we take a rate of $1.10. For the second year we keep the rate at $1.10 as we desire to keep the full advantage for two years. For the third year we reduce the rate to 70 cents and for the fourth and final year we deduce it to 40 cents.

So much with regard to pig iron manufactured from foreign ore. Now with regard to pig iron manufaccured from native

ore we desire to give it a little more encouragement If there has been any complaint with regard to the operation of the bounties in the past it has been that they have not developed the mining of native ore. That is the point that the hon. member for Lanark (Mr. Haggart) referred to a moment ago. Therefore, instead of having the difference between the native and foreign ore remain in the same ratio as during the past year or two, we propose to give the native ore a substantial difference of $1 per ton for two years. Thus on pig iron manufactured from foreign ore for 1907-8 the rate will be $1.10 per ton, but if made from native ore it will be $2.10 per ton, the advantage to the native ore thus being a full dollar during these two years.

Mr. W. F. MACLEAN. Are there any new ore fields in sight in Canada being developed or opened up in connection with new railways?

Mr. FIELDING. I have seen it stated that within the last few weeks, since the resolution was put on the order paper, some deposits of native ore in eastern Canada have been placed under bond by some of our large furnace companies, but I have no information except that in the press.

Mr. W. F. MACLEAN. Are not new fields being opened in the Rainy River country ?

Mr. FIELDING. There are some operations there with a view to supplying the furnaces at Port Arthur, which I am told will use Canadian ore.

For these two years we have $1 per ton in favour of native ore. For the third year then, while the foreign will get 70 cents per ton we will give the native $1.70 per ton. In that case the dollar advantage in favour of the native ore is continued. Finally, in the fourth year, while the foreign ore will get 40 cents per ton the native ore will get 90 cents per ton. Thus in the discrimination between the native and foreign ore we keep the full difference of $1 for three years and in the fourth year we reduce that difference to 50 cents. That, I think, will be regarded as a very substantial encouragement for the native ore.

I particularly mentioned pig iron because I wished to call attention to the difference between the native and foreign ore. In addition to the provision we have made in this way for a still further encouragement of native ore, we are asking the attention of the committee to a special provision with regard to assistance to the process of electric smelting. There are vast bodies of ore in Canada which would have great value if they were within easy reach of the deposits of fuel, but they are far away from the fuel supplies, and to bring the fuel to the ore or the ore to the fuel would involve such a heavy charge for transportation that there would be great difficulty and practically these ore bodies are not now capable of development. But while these ores lie far away from the supplies of fuel, in many cases they lie quite near water-powers and with the great development of our water-powers which has taken place in the last few years, we are seeing the way open to bring into practical use these great deposits of ore. Several years ago the government sent commissioners to the old country to investigate this question of electric smelting which was just then engaging the attention of the scientific world. As a result of the inquiries then made, some experiments were initiated at Sault Ste. Marie, and a quantity of iron was produced there by the electric process. I think that the attention of the House was drawn to the matter at the time, and I am sure there was a general recognition of the desirability of having these ores developed by electric power if it could be done. There is no longer any question as to the possibility of electric smelting; it was only a question of economy.

Mr. R. L. BORDEN. Would not section (a) carry it without any additional provision?

Mr. FIELDING. I wish to point out a difficulty which we met. The bounties which we are granting under the first part of our resolutions, create no distinction between electric smelting and smelting by the ordinary blast furnace process. It was represented to us that it would take two years to establish an electric smelting process, and by the time a process was established two of the four years would have passed, and the two years remaining would hardly be inducement enough to encourage people to go into the enterprise. It was represented to us that if we would give to the electric smelting the full four years we give to the ordinary smelting they would be encouraged to go ahead, but if while they were getting their house in order, spending time and money in establishing the process of smelting, two years should pass and then they would only have two years of these bounties, and that at the reduced scale, there was not sufficient inducement to encourage them to go on. They asked us to take that into consideration and try to meet them.

Mr. R. L. BORDEN. Are some persons actually proposing to invest capital in this method of producing pig iron?

Mr. FIELDING. Yes, we had representations made to us that one body of gentlemen are now considering the propriety of establishing an electric smelting system within reach of Niagara Falls. There, with the power already developed, they would be able to get into shape in less than two years, but in other portions of the country

where the power has to be created and developed, it would take the full two years.

As an indication to the House of the attention which the proceedings of Canada in this matter have attracted in Europe, I would like to call attention to a quotation which I think has already been given to the House in some reports of the Department of the Interior. It is well known that Sweden is a great iron producing country and that the experience of that country in everything regarding the production of iron is very valuable. As a result of the inquiries that have been made by Canada, Professor E. G. Von Odelstierna, who is a recognized authority in Sweden, has made the following statement:

> I require, therefore, now to add that this expansion of the iron industry of Canada will very soon be reached, to judge from the gratifying results obtained from the electric smelting experiments at Sault Ste. Marie, Ontario. We have, therefore, to fear that the iron industry of Sweden can expect a dangerous competition from Canada, which not only can cut out our market in the United States, but also our market in England, if that country should adopt the proposed customs union with the colonies; also in regard to China and Japan is Canada better situated, which is clearly evident from a look at the map.
>
> The Canadian government, which already saw the importance for the country utilizing and smelting their rich ore deposits in the country and not only export the ore, has unconsciously given our government a sharp lesson. As already known, this patriotic government appointed a commission to investigate all the inventions made in Europe for the reduction of iron ores and the making of steel by the electric processes, and enabled the commission to publish a standard work on this subject. On account of these investigations it was considered to be of advantage to further experiment with Canadian raw material in Canada, and the first process employed was the one invented by Heroult.

The results of the experiments made at Sault Ste. Marie, though on a small scale, I am satisfied are such as to justify people interested in the iron and steel industry in entering on the operation of the electric process at points within easy reach of our great water-powers. Another reason which I understand has some force in this connection is that there are qualities in these ores which cannot be easily handled by the ordinary blast furnace process; but by means of the electric smelting process these objectionable ingredients can be very easily removed. At all events, the information we have leads us to believe, having regard to the great quantities of these ores which we have and the splendid water-powers prevailing in portions of Canada where fuel is not to be had, that this is a very important movement; and I believe the House will consider that, if we encourage the iron industry at all, we should extend special encouragement to this new process which is so full of promise for the development of our iron deposits at points within easy reach of such operations.

Mr. SPROULE. There seems to be very little definite information of a practical nature on the subject.

Mr. FIELDING. The experiment was necessarily on a small scale; but my hon. friend will find in the reports of the Department of the Interior every year very full statements of the operations and the results that have been attained. There is quite a lengthy report on the subject.

Mr. R. L. BORDEN. Can the iron be produced by this process at approximately the same cost as by the ordinary process, or is it likely that the cost will be greater, or that the iron will have certain qualities which will make it very valuable for certain purposes?

Mr. FIELDING. The results show, I understand, that it will produce a finer grade of iron.

Mr. SPROULE. You could use ore containing a higher proportion of sulphur?

Mr. FIELDING. Not only sulphur, but other ingredients which cannot be handled by the other method of treatment. I do not think there will be any question of the wisdom of the government in encouraging the industry in that form. There appears to have been a somewhat unnecessary alarm on the part of some portion of the public with regard to the amount of burden which these resolutions may impose on the country. I think I have presented to the House a fair argument to prove that even if this policy of aid to the iron and steel industry should impose a considerable burden on the country, nevertheless the end would justify the means; but I have shown that the burden in this connection is not a large one, because probably all the money will come back to us in increased trade. But as to the sum which these bounties will call for in the next four years, I have seen it stated in the public press that they will probably call for $25,000,000 and certainly not less than $18,000,000. I think that is an alarmist statement.

Mr. W. F. MACLEAN. It will all come back.

Mr. FIELDING. I think it will all come back; but I have had a calculation made with the view of ascertaining the probable amount that will be required under these resolutions to respond to the claims of those who may carry on these operations. If we take the operations of the blast furnaces for the past year as a basis, and allow for a moderate increase, which we put at ten per cent for each year, we shall as a result of these resolutions be called on to pay during the next four years, in the way of iron and steel bounties by the ordinary pro-

cess, $7,500,000. The amount likely to be paid under the electric smelting process is more difficult to estimate, because it is a matter of conjecture how many people will take advantage of it. I would not regard it as a disaster if many people should take advantage of it and if we should be called on to pay a larger sum than we estimate. I am inclined, however, to think that the operation of the electric process during the next four years will not call for more than $500,000 of bounty.

Mr. SPROULE. If they build at Niagara Falls, it will come into operation much earlier than it otherwise would. Have you made any provision that they can take advantage of these bounties if they commence operations before 1909 ?

Mr. FIELDING. Yes, they would get the full benefit of the Act. In this respect we do not make any distinction between electric smelting and general smelting if either comes into operation during the first four years, as it would then come within the provisions of the first part of the Act. There was a provision in the Bounty Act before, for paying bounties on certain forms of rolled iron and steel. These we have abolished, as we have dealt with these matters in the tariff, so that these resolutions do not call for any payment of bounty on rolled iron and steel. There is also an item calling for payment of a bounty on wire rods. That has no fixed time. That arises from the fact that wire rods are on the free list. It has been deemed desirable that they remain on the free list in order that we may encourage the production of wire in Canada as cheaply as possible ; and if we have wire rods manufactured in Canada and do not levy a duty on them, it seems desirable to aid their manufacture by bounty. The provisions of the existing law in that respect are continued, and it will be for parliament to determine at a future day whether we shall continue that encouragement. As respects the bounties generally, it is our judgment that after the liberal aid which has been granted now for a long period of years, at the end of the four years now provided for, these industries should become self-sustaining—at all events, that they should no longer have any claim for bounties. It is perhaps not possible for any one of us to say what we will do four years hence ; but I think it should be understood that if parliament grants these bounties now, they should, with respect to iron and steel, cease at the end of the four years. The question may then come up whether or not the matter should be dealt with by the tariff. That is a question which the House may reserve for consideration and for freedom of action. In the meantime, the policy of these bounties will be regarded, I think by the House, and I trust by the country, including many who have been prejudiced against them, under the impression that they impose a very heavy burden on the country, as a wise policy to be continued for the short period provided for by the resolutions now submitted.

Mr. R. L. BORDEN. Will the hon. minister be good enough to tell me at what amount he estimates the bounties which will be called for during the present fiscal year, which will end on the 31st of March, 1908. I am referring to all the bounties covered by the resolutions now before us.

Mr. FIELDING. The figures were prepared for the period of four years. The amount paid in the way of bounties on iron and steel for the year 1906 was a little over $2,000,000, and we are estimating that there will be an increase of about ten per cent each year. I have not the figures for the nine months just closed.

Mr. W. F. MACLEAN. What other metals are we paying bounties on ?

Mr. FIELDING. There is a bounty Act on lead, but not a bounty; because the terms of the Act provide that when lead advances in price beyond a certain point, the bounty shall cease; and the price has been in that happy condition for several years.

Mr. R. L. BORDEN. The minister, I presume, is referring to the gross amount when he speaks of the 10 per cent increase.

Mr. FIELDING. There will be a progressive reduction in the rate of bounty, but I am assuming a development in the trade and an increase in the output, and I estimate that this will cause an increase of 10 per cent in the bounty.

Mr. R. L. BORDEN. The estimates for the current fiscal year, then, is $2,200,000 ?

Mr. FIELDING. Yes, that will probably be near it.

Hon. GEO. E. FOSTER (North Toronto). I am sure the House has listened with interest to the statement of the Minister of Finance (Mr. Fielding). I do not know exactly what we should call it. Is it an explanation? Or is it an apology?

Mr. FIELDING. No apology.

Mr. FOSTER. Or are we to accept it merely as an indication of advance in the new way ? Taken altogether, this half-hour that we have just passed through has been a rather rich half-hour to the country and to the House. I am sure that my hon. friend (Mr. Fielding) has been very much enjoyed by hon. gentlemen on this side.

Mr. FIELDING. Thanks.

Mr. FOSTER. I was reminded, while he was speaking, of the tariff and fiscal history of this country for the last fifteen or twenty years. As he was giving his advanced ideas I could not but think of

the position taken by my hon. friend and his supporters in the early days of this propaganda, this system of philosophy, or method of political teaching, or whatever it may be called. When, so to say, the school houses and colleges for the teaching of the principles of protection were established, my hon. friend and his coadjutors went about nights, as well as in the day time, playing the part of incendiaries, trying by inflammatory speeches to destroy the institutions of this system of protectionist education. But they found these institutions, better guarded than they thought, more completely protected by the goodwill of the people. Change their tactics as they might, whether they tried to play the incendiary or made open attacks, they found that, in spite of all they could do, the educational work extended and progressed. After a time they were actually compelled by public opinion to attend these schools. They were very poor attendants at first. They played truant almost every day, and, while doing so, instead of being quiet as they should have been, they were telling horrible tales of the schoolmasters and of what was being taught in the schools, trying to prejudice the minds of those who were responsible for inaugurating this system of education and against the teachers and their philosophy. But, day by day, the pressure became still stronger and these gentlemen were obliged to spend their hours in the protectionist schools. For a time they proved themselves refractory students. They would not study the text books, they would not make the copies, they would not work out the sums. They made faces at the teachers. They kicked up all kinds of rows in school and behaved themselves in the most disagreeable manner possible. But, steadily, steadily, the pressure became stronger, and then they lapsed from the mischievous into the sullen mood. Those who have been in schools, especially those who have taught schools, know that kind of student. They were sullen for many and many a week, for many and many a month—for many and many a year. But, at length, they began to understand that certain prizes were held out to them if they would be particularly good boys, learn their lessons well and prove themselves good students. As a result of these prizes, these prospective honours and public emoluments, our sullen students, one of them being the hon. gentleman (Mr. Paterson) who sits opposite me, began to display a more cheerful countenance. Under the stimulus of the prospects which they had discerned, the prizes which they coveted, they began to look into their text books they began to make the copies, they began to do the sums on their slates. Progressing they committed whole pages of the new philosophy to memory. And so they went on. And now they come before us as masters of a great new philosophy which, to hear them speak, one would suppose had been conceived in their own brains. In this year, 1907, and what strong protectionists they are! you would think they had been nourished in their infancy at the paps of protection, that they had imbibed nothing but the true mother-milk from the time they were able to cuddle themselves in the bosom of the country. They stand here and proclaim the fundamental doctrines of protection. Let me congratulate the Minister of Finance; he did it well. He went back to the elemental truths. There was not an argument in the old repository of arguments that he did not bring out, newly polished and shining with increased brillancy—until I began to think myself a student again beginning to learn something of the reasons for and the processes of the protection philosophy pure and simple.

We welcome the hon. gentleman (Mr. Fielding). From his years of apostacy and violent opposition, from his refractory moods, his sullen moods, his semi-cheerful moods—all these passed away, we welcome him as a teacher of the art and philosophy of national development by means of the protective principle. Listen to his argument. He planted himself squarely on the foundation of the iron industry. One foot on the ore beds of this country and the other foot on the ore beds outside this country, he declared that no nation could become great unless it produced iron. The iron business, he declared, was the foundation of other industries and of the prosperity of the country. When we commenced, and when the fathers of this movement before myself commenced, this was the very thing we all said. And I remember with what ridicule it was received by the hon. gentleman (Mr. Fielding) and those who were with him. Iron a foundation of other industries? they said: Why, that is the very reason why it should be left unburdened by duties. How are you going to make the country prosperous; how are you going to lay this foundation; how are you going to build up an iron industry, if you are going to tax that industry under your scheme of protection? Protection! Why they called it robbery, they said it was the bane and curse of Canada. They declared that it was not only a robbery of the common people, but a delusion and a snare to the nation. Their very Prime Minister (Sir Wilfrid Laurier) went over to England so imbued with the old heresy that he warned the English people to beware of protection, that it was a bane and a curse, that it had been partially tried in Canada and had so worked out in this country.

So, though he wanted a preference for this country, he would not have it if it was necessary to get it, that the English people should introduce even the first edge of a protective principle into their policy. The Minister of Finance now says that if you are going to have a great country you must

develop your iron resources and the iron industry. That is exactly what the old teachers taught him when he was a boy kicking up his heels and making faces at the teachers because they told him so, and yet to-day in his more mature years, when he is grey-haired and wiser, he has to come to this parliament to propound the same doctrine and, to do him justice, he propounds it forcibly and well. What a pity it is that his old friend and former leader, who now has a seat in the luxurious chairs of the Senate, was not in his seat here to-day to cheer him up and pat him on the back, and say: Good boy, go it; you have gone one better than the old teachers; I believe what you say is all a pack of lies and nonsense; but go it, our salaries are depending on it, and we will do anything to keep the place warm for ourselves and our party. And then the Minister of Finance tells us: Why, these bounties all come back to the country again, and the good comes back enriched and strengthened rather than in attenuated form. He told us there were nine towns and ports and cities that had been built up by the iron industry. That is what we used to say. We used to say that if you would only protect our industries you would revive and give impetus to them. We did not lay so much stress on the excise as my hon. friend does. We did not ply the argument that men would use more tobacco and drink more liquor, and that the treasury would consequently grow richer as our iron industry would develop. The Minister of Finance says: We will pay out $7,000,000, but we will get it all back. That's what we used to say. But in these days the Minister of Finance talked of the iron industry as a drag on the ankles of the people of Canada, and that if this drag were not on them they would move more swiftly forward towards prosperity and expansion. But now the Minister of Finance has gone so far as to say: Put on the bounties, more will go out, but in proportion as more goes out more and more will come back; if $25,000,000 go out more than $25,000,000 will come back, and you will add eight or nine more cities, and you will stimulate the general business of the country. Splendid protection theory and splendid protection practice. But he did not confine it to the iron industry; he said: Don't you see, it is not only protecting the iron industry and developing our ore beds, but it is developing the coal industry as well. That's what we used to say. We used to say these two industries were twins, that if you developed the one you developed the other, and the Minister of Finance and his political friends used to laugh at us and jeer at us. But to-day the Minister of Finance puts forth the same argument, and tells the benighted farmers of this country, whom his leader, Sir Richard Cartwright, used to coquette with when they were dressed up in the calico frocks of the Patrons of Industry; used to flirt with in the highways and the byways of Ontario; used to say to them along the country roads: Dear brethren, you are my love; we will both go together and work out the destruction and ruin of these Tory protectionists, and we will make the farmers rich.

Mr. BENNETT. They buncoed them all right.

Mr. FOSTER. It is wonderful how things do come around. But the Minister of Finance does not stop at saying that if you pay out money in bounties more will come back. He has further arguments. You generally find it so; a man who becomes a proselyte to a cause which he has hated at one time of his life, feels he has to justify himself for the years he spent in hatred of the thing, and therefore he has to go further in his advocacy of the new-found principle than his teachers used to go. And so the Minister of Finance tells us that it will keep people at home. That is what we used to say in the days of the Hegira, when Edward Blake was preaching the slipping away of the people to Kansas. We used to say: Stop the flight; stop it by introducing industry, by building up cities and giving employment at home. But these gentlemen opposite laughed at us consumedly, and the Minister of Finance laughed at us, and the Minister of Customs used his voice to tremendous effect trying to show the absurdity of an argument like that, and he grew so vivacious and boisterous that measures had to be taken to keep him in order, and his old constituency had to go to work and defeat him once so as to bring him down a litle in his pride and robustness. And now the Minister of Finance tells us that the system of protection keeps people at home. Good. It does. We are obliged to the Minister of Finance for a recantation of all his former heresy. But he goes further; the proselyte has yet some time to make up, and he must work hard, and he tells us that it brings foreigners to settle with us; it keeps our own people at home, brings other people in and adds to our population. What more is there to be said? Let us raise our eyes to the gods and thank them most reverently for all these latter days mercies.

But a year or two ago the Minister of Finance saw the bounties back-sliding and he stepped manfully into the breach, but why does he contemplate any more back-sliding process? If the bounty is good, why does he not keep it up? Is he afraid we will get too much of an iron industry, or of a development, or that we will have too many towns and cities, or to keep too many people at home, or get too many people from abroad. The back-sliding process had to be stopped by him in order that all these things might stay with us. There is only one reason

why he contemplates a change. The zeal of the proselyte ceases for the moment, because he thinks of the old friends who stood by him in these days, and whom he has left, and he feels he must do a back-sliding trick again in order, don't you see, to get into a little intimate relationship with the old friends who held him in their arms when he was an infant, and who cry out to him now from their hearts: Please, Mr. Fielding, don't go so fast with your subsidies and protection. And he feels that he must just throw one little sop to them, and that sop is that may be at the end of four years he may back-slide out entirely and not have any more bounties. Did he not say somewhere in a speech in Nova Scotia, four or five years ago, that he hoped to have all bounties in this country swept off in four or five years? I think it is just a prospective reaching backwards of his when he feels that he must do something to placate the friends whom he has left. Well, here we are, and what a change from 1878, when we were fighting against him and his cohorts to develop the iron industry and every other industry, to keep people at home, to draw people from abroad; when we, the Conservative party, were fighting with shield and sword against the cohorts of hon. gentlemen opposite. The battle won, shield and sword laid aside, one contending army victorious, and to-day the two armies in the same fold. Now, I want the Hon. Mr. Fielding to come around with me on some of the platforms in Ontario, and we will take a half-an-hour round each of us, and we will make these old farmers in Ontario and elsewhere feel that they are whittled to the little end of a small stick on this protection business, and when Mr. Fielding gets through with them, and when I come gently up and support his admirable presentation of the question, that in paying out bounties they are getting more back than they are paying out, that after all the iron industry is not heavily protected, and that anyway it is the right thing to do, because it develops the iron industry, and the coal industry, and builds up towns and cities, and keeps our people at home, and brings people from abroad——

Mr. PATERSON. May I go with you too?

Mr. FOSTER. Well, there are limits to one's patience. Now, just one point more, and that is by way of caveat. The session is too late, the time is too short, for me to attempt to combat the one heresy that my hon. friend still clings to, but which in due course of time no doubt, if he lives long enough, we will see him fling away as he has flung away these other old shibboleths of his party, that you are doing all this in the best way, in the cheapest way, and in the most permanent way by a system of bounties rather than a system of customs duties. My belief is exactly the opposite. My hon. friend has given me new confidence in my faith, because he has just now gone back on the bounty system with reference to angles and rolled iron and the like of that. He added on the bounty system, he has taken it off now, and has gone back to the customs system. But when you look into the question you will find that the only permanent, and steady, and least costly way of developing an industry is not by bounties, which simply hold the thing even as long as they are applied, and which allow the industry to lapse back into its place of competitive disadvantage as soon as they are taken away, which do not enlarge the market but which simply give a fillip to the manufacturer for the time being to enable him to hold his own in the market. That system of bounties is the most expensive, the least scientific way to encourage home industries, and it is in the end by far the most expensive way. Let us take what mercies we have and be thankful for them. I feel something like the man whose occupation is gone. I used to think it was my duty to preach protection in this country, but to whom shall I preach it now? There is only one class that my hon. friend seems to fear—though I have no fear of them—the farmers of this country. The farmers of this country are protectionists in principle and protectionists in heart. Through the joint efforts of the Minister of Finance and my own, I have no doubt that in the next year or two we will be able to convince even the obdurate farmers that we are both of us on the right side in this matter, on the side of protection and the encouragement of home industry.

Mr. PATERSON. It appears to me that the old confusion of ideas still prevails in the mind of my hon. friend who has just taken his seat (Mr. Foster). He does not seem to get even yet a definite understanding of the trade question in this country. He labours under delusions. He speaks of the Liberal party as being all the time opposed to the promotion of home industries, he pictures us in days gone by as if we were the enemies of all advancement and of all progress, and as if he and his friends were the men to whom the present prosperity of the country is due. In that he is all wrong. If he will read my own speeches in 1876 before he came into the House at all, he will find the views I then held, and the policy I then supported is the policy I support to-day; the views I then held I hold now. I advocated that the industries of this country could be promoted, could be encouraged, could be developed under a revenue tariff, better than they could under the principle of a protective tariff, the essence of which is the prohibition of the importation of any goods into this country that can be made here. That policy we opposed, we opposed the

measures they introduced. That was their avowed policy. They claim that we are all one on the trade question now. Well unless they have wonderfully changed we are not all one. But we have not changed, we still stand by a revenue tariff, a tariff that will permit the importation of goods upon which we can get the revenue that this country requires. We stand to-day for what we enunciated then. But they stand by a protective tariff which, in its essence, as I say, excludes all goods that can be made in this country. We stand by a revenue tariff with protection as an incidence ; consequently we are wide apart. Revenue is the principle on which we act ; what protection there is in it, and there must be inevitably some protection in it, is merely an incidence. They cannot see it, that is why I say that the same confusion of ideas prevails in their minds that has ever prevailed. But let us change the tactics. It may be that there were strong expressions uttered by some hon. gentlemen on the Liberal side in days gone by ; that has been alluded to, but I do not feel that I am affected at all by that allusion. I am however bound to admit that at times when I heard some remarks that were made, when I was exasperated with the follies of hon. gentlemen opposite, perhaps I could not be described as a very enthusiastic supporter of their policy; I grant that. They say we are all one, that we have come to them, that we are working in the same direction, that we have adopted their policy

Some hon. MEMBERS. Hear, hear.

Mr. PATERSON. 'Hear, hear,' they say. Well, let us grant it. Take the iron bounties if you like ; in 1887 they inaugurated their policy. They worked it for ten years. We have been working it for ten years too; they say the same policy exactly. What is the result ? Barrenness—absolute barrenness on their part ; flourishing industries everywhere on ours. If it is the same old policy, if we are united on the same policy, as I have said elsewhere, we stand to remain in power here dear knows how long. If there is any difference in the trade and prosperity of the country it must be due to the men who worked the policy because the policy, hon. gentlemen say, is the same. Surely intelligent men will reason in that way. They worked for ten years with this policy in regard to iron and steel and eighteen years in regard to other things. But, take their ten years working of this same policy; they increased the trade of the country by $37,000,000 in ten years. We have been working the same policy—different men, but the same policy—and we have increased it by $311,000,000. The same policy. The people will say, they tell us it is the same policy, but for pity's sake let us keep the men in who are getting very much better results out of it. What other argument could there be ? There is no other argument. How could you produce any other argument ? There is no other explanation. The hon. gentleman talks about their policy being the same, their declared policy of adequate protection the object of which is to shut out every pound of goods that comes into this country. They went the length of advocating in this House that because a few hundred pounds of butter are coming into this whole Dominion, although we export millions and millions, we should double the duty on every pound of butter that comes into Canada. Figure up for yourself the number of pounds that all the babes as well as the grown people use on a slice of bread and there is only butter enough imported into this country to spread one slice of bread once a year. Yet, they want the duty doubled to carry out their principle, the national policy, protection, and they say that we are in the same boat as they are. Now then let us look at the figures. They illustrate the difference that there is between the two parties, between a revenue tariff and their policy. The imports into this country in 1887—and they view imports as a bad thing—amounted to $112,000,000. They decreased to $110,000,000, or $2,000,000 less in 1895. From $110,000,000 as they were in 1895 they have gone up to $294,000,000. We have not adopted the prohibitive tariff of hon. gentlemen opposite. We have adopted a revenue tariff ; only as an incident there is ample protection for the legitimate industries of this country under which they have thriven as they never thrived before and there have been imports coming into this country which have given to us a sufficient revenue and the trade of the country has increased about threefold. The hon. gentleman seems unable to get rid of the idea that the country is in the same shape and that the policy is the same as it was when his friends were in power notwithstanding the fact that he has these figures before him. I need not go on with the argument. The figures are there palpable and plain and if the policy is the same that they worked and that we worked, if they only increased the trade of the country by $37,000,000 and if we have increased it by $311,000,000, it seems to me the people will say that the men who are administering it now know a great deal better how to work the policy than these hon. gentlemen opposite did.

Mr. OSLER. It is very delightful and amusing to hear the voice of the hon. Minister of Customs who has just sat down. I have not had the pleasure of hearing it for some time. But it is a curious thing that on every occasion where the prosperity of the country is in question as it is now and comparisons are made, it is assumed that Canada is the only country that has

advanced by leaps and bounds. If you go to the United States and take their industries in the lines which have been referred to by the hon. member, you will find they have increased to a greater extent than we have increased under a strong protection government. We find the industries such as we want to have here being increased to a greater extent than our industries.

Mr. MILLER. Is the hon. gentleman correct in making that statement?

Mr. OSLER. I think so.

Mr. MILLER. That the proportionate increase has been greater?

Mr. OSLER. Yes.

Mr. MILLER. I think not.

Mr. OSLER. And you will find that in every country the proportion of increase in the last ten years has been quite as great as that of Canada. Canada is now attracting a large immigration. We have not only the natural increase but an enormous influx of immigration. Naturally our trade has increased, but I do not think it can be claimed that we have increased to as great an extent as have our neighbours to the south. With regard to the question of bounties or of protection, or of a revenue tariff, I think it is a question of trying to make one's conscience or ideas fit in to avoid the word 'protection' but if we had not protection in the past and we had not protection now I think we would be very much worse off than during the period of dull times which ended about 1897. The prosperity we have had since then has been so great and so world-wide that even in Italy the railways are in almost as congested a state as ours are here. All the world has been prosperous for nearly ten years and we have enjoyed our proportion of it. But, I think that to a great extent this prosperity is due to our protective policy and we are delighted to have had the speech which we have listened to from the hon. Minister of Finance (Mr. Fielding) upholding the protectionist policy that was adopted by the Conservatives.

Mr. T. CHISHOLM. I can scarcely understand why we are being urged so strongly by the government to continue to grant bounties to the amount of millions of dollars to the iron and steel manufacturers of Canada. The hon. Minister of Finance (Mr. Fielding) and the hon. Minister of Customs (Mr. Paterson) are able to make out a very good story; they certainly have made a very plausible story. I have no doubt that they would be able to make black appear white or white black. That is what ability can do. But, it does not convince me in regard to this matter. I thought that these iron and steel industries had ere this ceased to be infant industries. They are of age—some of them at least. We have been spoon-feeding them with government pap now for twenty-one years, and I think they should now be able to sustain themselves. Some of those on the Atlantic seaboard have every advantage they possibly could have; they have the three materials necessary for the manufacture of iron, namely: iron ore, coal for fuel and limestone for flux, in the neighbourhood of their works; and I think that under these circumstances they should be able to compete with almost any other plants in the world. They have also the great advantage of having the competition of land and water for the transportation of their products and I am told that they have the further advantage of a reduced rate on the Intercolonial. I am told that the government, that is the people of Canada, lose $1.50 on every ton of iron and steel that is shipped by these manufacturers from Sydney to Montreal. If this is true, it is exactly equivalent to $1.50 per ton bounty because it comes right out of the pockets of the people of Canada as the deficits and losses on the Intercolonial Railway have to be made up out of the public exchequer.

Then again they have a protective duty of $7 a ton on their completed product and that seems to me to be a duty quite sufficient to give them the Canadian market almost entirely to themselves. In the face of all these advantages I can scarcely see how the government can come to this country and ask the people to grant millions and millions of dollars in cold cash in the form of a gift or clear bounty. They have already been given about $10,000,000 and it is estimated that if the present proposal is carried out they will receive from $15,000,000 to $20,000,000 more; that is their output will be so stimulated and increased that they will receive this large sum in addition to what they have already received. I wish to be perfectly fair in this matter and I will assume that they will receive the lesser sum, namely that they will receive $15,000,000 in bounty in addition to the $10,000,000 they have already received; that means a total of $25,000,000 to be granted by the people of Canada to these manufacturers of iron and steel.

The population of Canada at the last decennial census was 5,371,315. This number divided into $25,000,000 gives $4.65 for every man, woman and child in the Dominion of Canada, to be paid in cash as bounty to these iron and steel manufacturers. I was perfectly astounded when I began to apply this calculation to the constituency of East Huron, which I have the honour to represent. Since the last redistribution or gerrymander, just before the last election, the population of East Huron amounted to 19,227. Multiplying $4.65 by 19,227 gives the enormous sum of $89,405.45 or we may say in round numbers $90,000 that is asked to be given by the people of East Huron, in clean, cold cash, as a gift or bounty to

these iron and steel manufacturers. There are three ridings in Huron, and for the entire county this would mean $270,000 to be given to these millionaires, to these Canadian Carnegies. I am quite satisfied that if the rich men who own these works would go to East Huron and submit a by-law to the people of that constituency asking the ratepayers to give them a bonus of $90,000 in aid of their works—that is if they were not backed up by any undue influence, political ties or anything of that kind—not one vote would be cast in favour of such a by-law; Liberals and Conservatives would unite to oppose it. It is an enormous sum. I have taken the population for the various municipalities in the riding and, applying this figure $4.65 to the populations, I find that the cost to each municipality would be as follows:

Municipality.	Population.	Contribution.
Blyth..	871	$ 4,050 15
Brussels..	1,114	5,180 10
Grey..	3,557	16,540 05
Howick..	4,140	19,251 00
Morris..	2,606	12,117 90
Turnberry..	2,141	9,955 65
Wingham..	2,392	11,122 80
Wroxeter	446	2,073 80
East Wawanosh	1,960	9,114 00

Nothing but the prospect of securing some industry of great local and national importance would induce the ratepayers of East Huron to grant these enormous amounts of money to these very wealthy men. I know that the estimate I have made is an underestimate. Huron is the second wealthiest agricultural county in the Dominion of Canada; the people there are wealthy and they buy larger quantities of dutiable goods per head than are purchased in many other parts of Canada. Therefore I am satisfied that instead of paying $4.65 per head of population as my figures show, they will pay probably $5 or $6 per head. I wish to be as fair as I possibly can, but I feel that I must protest against the granting of this money in this way. These industries should be able to do for themselves.

Mr. CALDWELL. Would the hon. member prefer to have it in the shape of a tariff rather than in that of a bounty?

Mr. THOS. CHISHOLM. We have the tariff also, we have a tariff of $7 per ton on the finished product. Why not entirely abandon the import duty, make iron and steel entirely free, if the bounty system is the proper one. The minister says that the iron and steel industry is the foundation of all other industries in any country. Why not make it absolutely free, and simply give them their assistance in bounties, if the principle of the bounty is correct.

Mr. FIELDING. We would have to give more bounties then.

Mr. THOS. CHISHOLM. The question is one of time, not of principle. You say that bounties should cease in four years, I say they should cease now. The argument that the iron and steel industry is the basis of all industries has no foundation that I can see. There might be some little excuse for giving a bonus or bounty to new industries such as electric smelting, but I can see no ground whatever for giving this enormous amount to the wealthy men who are now engaged in the iron industry in Canada. Some of these men can and do, on a summer holiday of three or four weeks, spend as much money with a steam yacht as a poor farmer in Huron can save up in his whole lifetime. Are the poor men, the needy men, are the farmers of this country to be taxed, to give all this money to these Canadian Carnegies? I do not see any prospect of our even getting a library from any of them; the probability is that they will spend the money in their own way and for their own purposes. It is no wonder that the poor are getting poorer and the rich richer throughout Canada. I would have been ashamed to go back to my riding unless I had entered a protest in regard to this matter; I have entered my protest and I feel that I have only done my duty.

Mr. LALOR. I want to add my protest to that offered by my hon. friend from East Huron (Mr. Chisholm) against the iron bounties now proposed by the Minister of Finance. I am opposed to these bounties as are also the farmers of the agricultural riding I have the honour to represent in this House. During the past few months I have received a number of petitions from people in the counties of Haldimand and Monck protesting against these iron bounties which they regard as a heavy tax imposed on the farmers and all the people of Canada for the purpose of developing iron industries in the province of Nova Scotia, from which the Finance Minister comes, and where he has so many followers. I cannot understand why he should wish to develop an industry which is so largely local. In my own county of Haldimand we have an industry which is in just as much need of a bounty and of encouragement; that is, a factory which has recently been established for the manufacture of window glass and in which $100,000 has been invested. It comes to that county because there is to be found there the proper kind of sand as well as natural gas. The people interested in the industry are very wealthy capitalists from the United States who have a patent window glass machine, and if they receive proper encouragement from this government in the way of either a bounty or a duty on their product they would develop one of the greatest industries there is to-day in the Dominion of Canada. But that industry does not receive any assistance from this government, while the Minister of Finance places an enormous burden on the people of this country in the

way of bounty to the iron industry. I figure that it will cost every man, woman and child in the county of Haldimand at least $5 a head to pay their share of these bounties to the iron and steel industries of Nova Scotia and other places where they may be located. If they were given for the purpose of cheapening the product so that the farmers of this country would obtain agricultural implements at a lower price than they do now, they might be of some benefit to the people, but I know for a fact that these implements are not being sold any cheaper than they were. The people receiving these bounties will put them into their pockets and keep them, while the people who contribute them do not get one dollar of them back. The Minister of Customs has told us about his revenue tariff, which he claims has lightened the burden of taxation on the people; but a few days ago the Minister of Finance told us that he would have a surplus of $23,000,000 on the nine months of this year. Surely a tariff which produces a surplus of $23,000,000 is more than a revenue tariff, otherwise the duties would be placed on such a basis as to yield only sufficient revenue to pay the expenses of the country. But when we look at the Trade and Navigation returns and find that in 1895, the last year in which the Conservative government was in power, the revenue from customs duties was only $17,000,000, whereas in 1906 this government has taken by way of duties $46,000,000 we must surely come to the conclusion that hon. gentlemen opposite are taking from the pockets of the people, by means of a revenue tariff or a protective tariff, whatever the Minister of Customs likes to call it, every dollar of taxation that they can possibly take. There was never a more mistaken idea than the idea that a revenue tariff, as the Minister of Customs calls it, lightens the burden of taxation on the people. The Minister of Customs has framed this tariff in such a way as to take from the people every dollar he can possibly take without giving ample protection to the industries of the country. If he protected our industries as he should the competition among them would lower the prices of goods to the people to a very much lower extent than they are now. In fact, the only way to cheapen goods for the people is to manufacture them ourselves, and the only way to do that is to give them proper protection. But with the tariff as it is now, every dollar you raise under it comes out of the pockets of the people. Our population has not increased very much during the past ten years, but our taxation has nearly trebled under this government during that time.

Mr. PATERSON. The hon. gentleman confuses the rate of taxation with the revenue, two different things altogether.

Mr. LALOR.

Mr. LALOR. I do not care whether you call it revenue or taxation. The bold fact remains that in 1895 $17,000,000 of taxation in the way of duties was raised from the people of this country and last year $46,000,000.

Mr. JOHNSTON. What is the rate of taxation?

Mr. LALOR. These figures are taken from the hon. minister's own report.

Mr. PATERSON. The same figures, as the hon. gentleman will see, worked out in a table in the report, show that the rate of taxation was very much higher under the previous government than under this government.

Mr. LALOR. The hon. gentleman has a strange way of working out the figures to suit his argument. The simple fact remains that we raise $46,000,000 in the way of duties last year against $17,000,000 in 1895, and our population has not increased in the last ten years over ten per cent. The hon. gentleman would not put a higher duty on butter because he says not more than enough butter comes into the country to spread a slice of bread for every man, woman and child in the country. Let me tell the hon. gentleman that that is one slice too much. The duty should be raised so that not enough butter would come in to spread that one slice. The farmers of this country could supply every pound of butter required without importing even enough for one slice. I would like to go further into the question of the iron bounties, but the government this session, as in every other session since I have been in the House, have brought these important matters down in the dying hours of the session when half the members have gone home and when they hope to escape from criticism because we have not the time to discuss them as we would like to do. I just wish to protest on behalf of the great counties of Haldimand and Monck against the imposition on the farmers of those countries of the taxation involved in these bounties.

Mr. FIELDING. The only thing I take exception to in the hon. gentleman's remarks is the statement that these bounties are only for the benefit of the province of Nova Scotia. That is an incorrect and unjustifiable statement. The province of Ontario has received from these bounties in the past nine years over $3,000,000, and when the hon. gentleman speaks of them as something for the benefit of the province of Nova Scotia only he is pursuing a very unfair course.

Mr. LALOR. I did not mean to impute them only to Nova Scotia, but chiefly to Nova Scotia.

Mr. FIELDING. He said Nova Scotia only.

Mr. HENDERSON. I desire to enter a protest against this system of taxation which, although not a new thing, I think ought to have been abandoned years ago. I do not approve of the principle of bounty; the bounty is a wrong system for the fostering of industry. Its effect is only temporary. You may grant bounties for a period of years, but at the end of that time your industry is about where it began. On the other hand, if you adopt a system of protection and continue that system, you foster the industry and enable it to increase until it becomes self-sustaining, an industry founded upon a sound basis. I object to this system of bonuses for the iron and steel industry, because it takes the money from one class of people who can ill-afford to be without it, and pays it into the pockets of another class who need it far less. See how it works out. There has been a great increase in the duties on tobacco since the present government came into power.

Mr. FIELDING. The hon. gentleman (Mr. Clements) behind him says the duty is wrong.

Mr. HENDERSON. The hon. gentleman (Mr. Fielding) is wrong. There is a great difference between tobacco and butter.

Mr. FIELDING. If my hon. friend (Mr. Henderson) will allow me I spoke of the hon. member for West Kent (Mr. Clements) who said that the tobacco duties should be increased to a dollar a pound.

Mr. HENDERSON. My contention is that the present government has unduly increased duties on tobacco coming into the country. They have laid a tax on practically one-fifth of the people in this country of $1,800,000 for the last year. The working people, including those in the iron industry, the men in the foundries and in the shops, are taxed heavily under these tobacco duties to produce a revenue, and then the government turns around, and hands the money over to the producers of iron. This is unfair. The day labourer should not be called upon to take out of his hard earnings, the sum to pay these bounties. Again, the farmer is called upon to pay an increased duty on sugar. This year that increased duty will be $343,000 over what it was the year before. And then the government turn around and pay this money, in the form of a bounty, to another class of people, to assist different industries. And the Minister of Finance tells us that it makes no difference, because the money all comes back again. The fact is that this government are continually following the policy of taking from one class of people in order to pay to another. And they do it most unfairly, as the hon. gentleman behind me has shown because they take it from those who can least afford to pay it, and they hand it over to those who least need to receive it. When the minister said that it made no difference, because the money all came back again, I was surprised that he did not propose a policy involving the payment of $15,000,000 instead of $7,500,000—for what difference does it make how great the amount if the money all comes back again? I think the people of this country will not regard it in that light. I think the minister's statement is a fallacious, a misleading statement.

Now, with reference to what the Minister of Customs (Mr. Paterson) has said with regard to the rate of taxation. He has been contending for his favourite policy for tariff for revenue. Honourable members will recollect, that six, eight or ten years ago, the favourite expression of the Liberal party was 'Tariff for revenue only.' Do you ever hear a man on the Liberal side now use the word 'only' in this connection now? It is dropped out entirely.

Mr. PATERSON. What is it now?

Mr. HENDERSON. Tariff for Revenue; —that is tariff for taxation. But now their tariff is tariff for protection—they cannot call it any thing else. If the minister will look into the matter he will see that there has been a great increase in taxation in the last fifteen years. I have given the calculation before now to the minister, and I stand by the same to-day. The rate of taxation last year, all told, and including bounties paid—for that is taxation as the minister of Finance himself admitted to-day—estimated on all goods dutiable and free last year amounted to 19·37 per cent. And the highest rate it ever reached under Conservative regime during the last five years of their rule was 18·28 per cent. I am aware that the minister will turn to his Trade and Navigation returns and will quote figures to show me that the rate is only about 15 per cent. But he omits certain items of taxation which I have included, and which ought to be included.

Mr. PATERSON. You should go by the book.

Mr. HENDERSON. I have been too long in the House under Liberal regime to go by one book, I believe in going by all the books. I believe in making a book for myself,—I think I can make one as good as the Minister of Customs can make. In making up his figures he only includes the items of taxation so called, while I include all the items of customs taxation whatever they may be called—the bounties on iron and steel, on coal oil, on binder twine, which are as forms of taxation, the increased duties on tobacco, and all the rest. The Minister of Finance says that my hon. friend from West Kent (Mr. Clements) demanded a higher rate of duty on tobacco. I am not going to discuss that question. I am simply pointing out what has been done by these hon. gentlemen who claim to be low tariff people yet who have increased the rate of taxation as I have shown.

I have entered my protest against this bounty system of taxation. I think the time has come when it should be abandoned. The system of protection carried out in the ordinary way will be much better for the encouragement of industry than a system of bounties, besides avoiding the injustice of taking money from one class to give it to another. I am not going to discuss the question raised by my hon. friend (Mr. Paterson) about the high duty on butter. He knows, that, speaking for myself, I never objected to high rates of duty on agricultural products. I have always favoured that, I stand on the same ground still. I am favourable to a high rate of duty on all the products of the farm so as to give the farmers of this country as much of the market as we possibly can. They can produce every thing we want and they are entitled as a hard working people, to all the market we can give them. We regard the market of Canada as the best asset the farmers have, and we are in duty bound to see that that market is not invaded by the surplus products of another country.

Mr. BOLE. I want to correct a statement made by the hon. member for Toronto, when he said that trade had increased in the United States to a greater extent than in Canada. I had the facts in my mind when he spoke. I have the figures now. The total trade of the United States in 1895 was $1,709,000,000 ; the total trade of the United States in 1905 was $2,858,000,000, an increase of 60 per cent. The total trade of Canada in 1895 was $224,000,000 ; the total trade of Canada in 1905 was $550,000,000, an increase of 150 per cent. Some two or three years ago, when I was asked to address a certain audience I made a calculation as to certain countries, and I went carefully into the figures, and I was impressed with the relative position of our own country. I figured out that Canada had a very large percentage over all other countries in the matter of total trade. I think Italy comes second, Japan third and the United States fourth or fifth.

Mr. R. L. BORDEN. I would ask the hon. gentleman (Mr. Bole) what would be the foreign trade of the United States, if, instead of being all united under one flag, they consisted of thirty or forty different states? Did that ever occur to him? The great fiscal authority on the other side of the House in years gone by, Mr. Charlton, used to dwell on that very much, and any one who considers for just one moment what would be the result of a state of things such as I have alluded to, must realize how absolutely fallacious and imperfect is any such comparison as that which the hon. gentleman has just put forward.

Mr. PATERSON. Would it not be the same in Canada?

Mr. HENDERSON.

Mr. R. L. BORDEN. To a certain extent, yes ; but not nearly to as great an extent. The Minister of Customs always seems to me to be struggling with an uneasy conscience when he deals with this question of the tariff. I think I can tell him why that is. Of course, he recollects very well a resolution for which he stood sponsor in 1893 ; it is rather lengthy, but I will quote two paragraphs :

> That the customs tariff of the Dominion should be based, not as it is now, upon the protective system, but upon the requirements of the public service.

And yet the Minister of Customs boasts continually of the surplus of $10,000,000 or $12,000,000 or $15,000,000, and is not ashamed.

Mr. FOSTER. That's where his conscience is touched.

Mr. R. L. BORDEN. This resolution further says :

> We denounce the principle of protection as radically unsound, and unjust to the masses of the people, and we declare our conviction that any tariff changes based on that principle must fail to afford any substantial relief from the burdens under which the country labours.

But now the Minister of Customs defends items in the tariff on the principle of protection, and no other principle, and he has applauded and supported the Minister of Finance when he did the same thing. And yet the Minister of Customs was the gentleman selected to defend those two particular paragraphs in the resolution of 1903.

Mr. PATERSON. Have you got the speech I made then?

Mr. R. L. BORDEN. Yes, and it is worse than the resolution. I do not think it is a very good speech, and so I will not inflict it upon the committee. Suffice it to say, that speech was exactly the opposite of the speech which the Minister of Finance has favoured us with this afternoon. In 1893 the leader of the Minister of Customs, in calling upon him to act as sponsor for that resolution, used this language :

> I leave it to the judgment of every freeman to the farmers and above all, I leave it to the workingmen in the cities, if protection is anything else but slavery.

Mr. PATERSON. Did I say that?

Mr. R. L. BORDEN. No.

Mr. PATERSON. Oh, well.

Mr. R. L. BORDEN. You did not say it, but your leader said it when he was inducing you to propose that resolution, and from the beginning to the end of your speech there is not one word in repudiation of what your leader said.

Mr. PATERSON. Read my speech.

Mr. R. L. BORDEN. I have more mercy on the committee than to read a stale old speech of the Minister of Customs made in days gone by.

Mr. PATERSON. I have not seen it for a long time now.

Mr. R. L. BORDEN. I will send it over, and it will be a great surprise to the Minister of Customs when he does see it. But there is another speech of the Minister of Customs. In days past he has talked a great deal about the burden of protection, but to-day he has taken new ground with regard to that. May I awaken his recollection for a moment? Does he recollect the days when he stood in this House and proclaimed by speech, and I think by resolution as well, that the true measure of taxation in this country was per capita taxation?

Mr. PATERSON. I have forgotten that.

Mr. R. L. BORDEN. You have forgotten it?

Mr. PATERSON. Is the true measure of the public debt.

Mr. R. L. BORDEN. Let us see if that is what he said.

Mr. PATERSON. That is the view I take. What year is this in?

Mr. R. L. BORDEN. 1893. It is fourteen years ago, and the hon. gentleman has made many curvets since that time. But here is what he said :

> Of course if the population remained stationary at the figure it was in Mr. Mackenzie's time, and if you figured the per capita tax from 1883 to 1888 on that basis, it would be far more than $4.60 per head. But they have taken the estimate of increased population into account, and, therefore, for purposes of comparison this is absolutely accurate, so far as I can judge, and cannot be assailed from any point.

A little before that he says :

> Sir, I do not hold them to too strict a line. I take these figures from their own Trade and Navigation returns. I ask them to take it on the basis on which they put it there, and no basis can be fairer. Take the Trade and Navigation returns and read the per capita tax imposed by the government from confederation to the present time.

And so on through that column and the next column. The hon. gentleman was taking as a fair basis, a fair method of computation of the taxation of the country, the per capita taxation, and now he shies off from that altogether, he takes the rate of duty which, according to my hon. friend from Halton (Mr. Henderson), he does not state with too great accuracy, and he leaves out of comparison altogether the per capita taxation which was his staple argument in days gone by. And if he used the per capita basis at the present time, what would he find ? He would find I suppose—I have not looked at the figures recently—that the per capita taxation has increased by about 250 per cent. Perhaps that is an underestimate.

Mr. PATERSON. The per capita of revenue contributed.

Mr. R. L. BORDEN. It comes out of the pockets of the people, does it not ?

Mr. PATERSON. I see that the hon. gentleman has the same confusion of ideas as the hon. member for North Toronto. Neither this government or any other government can compel you or me to buy a dollar's worth of goods anywhere, we do that ourselves, no one compels us. There is only one thing that the government does in standing between the people and the goods they buy, and that is when they say that the merchant shall not get any goods into this country until he has paid so many dollars and cents on every hundred dollars worth of goods he imports, on the average. There is where the government comes in, for that they are responsible, for nothing else. The increased purchase is voluntary on the part of the people. When the hon. gentlemen went out of office they were charging $18.28, on the average on every hundred dollars' worth of goods that came in, that was their rate of taxation ; while last year our rate was under $16, a difference of 12½ per cent. All you have to do is to see what rate of taxation you impose. If the people are richer and buy ten times the amount of goods they formerly did, the government does not compel them to do so, it is their free will offering.

Mr. R. L. BORDEN. Do I understand the hon. gentleman's argument to be this, that in 1893 the government compelled the people to buy, and to-day they do not ?

Mr. PATERSON. No, but the people did not buy as much then.

Mr. R. L. BORDEN. In 1893 they compelled the people to buy ?

Mr. PATERSON. Oh no, the people of their own free will were not able to buy as much as they do now.

Mr. R. L. BORDEN. But they did buy too much, according to the hon. gentleman's argument, at that time, because he argued that the taxation was too high, and now when it is two and a half times as great, he apparently does not think it is high enough.

Mr. PATERSON. Well, you do not understand it.

Mr. R. L. BORDEN. I may not understand that but I think I understand the hon. gentleman. He is not prepared to accept the basis upon which he saw fit to attack the government fourteen years

ago, and indeed he has omitted the per capita calculation from his Trade and Navigation returns in order that the contrast between the per capita taxation of to-day and that of twelve years ago might not be discerned by the people. I understand that is the case, and for a very good reason. I thought the hon. gentleman had forgotten this. But when I reflect that he has left this calculation in these latter years out of his statistics, I am persuaded that he recollects these subjects very well, and that he is not now anxious that a comparison should be made now which he himself was ready to put forward in attacking the Conservative administration.

Mr. FOSTER. And yet we must go by the book.

Mr. PATERSON. That would be a serious fault if it were true. I did not make up these figures. There was a change made in that work, and the reason was this: Mr. George Johnston, the statistician, used to give the estimated population year by year and on that estimated population these calculations were based. When the decennial census was taken it was found that he had overestimated the population altogether, and therefore the calculations were valueless. There was not the number of people here, and the calculation was left out; it was thought better not to put it in because it was not a correct basis. That is the reason.

Mr. R. L. BORDEN. I accept the hon. gentleman's explanation in all sincerity. It is however noteworthy that these calculations ceased to appear in the books just about the time when it was convenient, for certain political reasons, that they should no longer appear.

Mr. PATERSON. That is one of the improvements I made.

Mr. R. L. BORDEN. It is an improvement by means of which a calculation that would be very prejudicial to the interest of the government no longer appeared in these books. The hon. gentleman has exactly the same expression upon his benign countenance as that which I observe when he is making these attempts to soothe the uneasy conscience to which I referred a moment ago; because I have too much respect for the hon. gentleman's intelligence to suppose that when he talks about this being a revenue tariff, and only a revenue tariff, he believes one word of what he says. I would not venture for a moment to assign to the hon. gentleman so small a degree of intelligence as to suppose that he really means what he says when he make these statements, under present circumstances.

Mr. PATERSON. I would rather lack in intelligence than in truthfulness.

Mr. R. L. BORDEN. Well, the hon. gentleman makes these remarks in a very jocular way, so I always supposed that he did not really intend them. If he did intend them, of course I would be constrained to assign to him a very much smaller degree of intelligence than his record in this country entitles him to. However, I only rose for the purpose of reminding the hon. gentleman of a few matters of this kind, and I have now much pleasure in sending over to him the proceedings of the Ottawa Conference of 1893, and I would ask him to remember that this is the only copy available in the whole country. I have a notice from the librarian to that effect; therefore he will be good enough to see that it is carefully returned, because it will be required for future reference on many occasions.

Mr. PATERSON. Will the hon. gentleman please say whether he is in favour of these bounties that the hon. member for East Huron (Mr. Thomas Chisholm) and the hon. member for Dufferin (Mr. Barr) have opposed. I would like him to say how he views these bounties.

Mr. R. L. BORDEN. I expressed myself on the bounty question three or four years ago when I moved a resolution against which the hon. gentleman voted. I am in favour of maintaining the iron and steel industries as expressed by the resolution which I moved at that time. When the hon. gentleman disclaims being a protectionist, is he so innocent of all knowledge of political economy as not to know that bounties are the most extreme form of protection? When he brings down a measure for continuing these bounties, does he not know that by introducing and supporting that measure he is proclaiming himself a protectionist, and a protectionist of the most extreme kind? In what way protection should be given to these industries may be a question; so far as I am concerned I stand for such a policy as will continue to maintain them.

Mr. CONMEE. There are some features of the iron bounties that I think have not been referred to. Speaking for myself, I have always been a strong advocate of a policy on the part of the Canadian government of building up the iron and steel industry in this country. Now the hon. member for North Toronto (Mr. Foster) seems to have taken a good deal of pleasure out of the fact that the policy which was announced this afternoon is somewhat along the lines of the policy of a previous government of which he was a member. But it seems to me that the school teacher, if I may term him so, has lost his charm, because hon. members, one after another, behind him are protesting against this policy, they are not in favour of it. So we have on the other side of the House, not a united

protectionist party, not even a united party in support of the present measure that is under review. It is claimed, if I may refer to the fact, that a large number of petitions have come to this House from the agricultural sections which are, I may say, somewhat opposed to this policy. They too regard the bonuses that have been given, the aid that has been given to build up this industry, as rather extreme. I take issue with that view and I wish to state that in my opinion—and I think the evidence will support that opinion—there is no other industry in Canada that is of the same benefit, that gives back to the farmer as great a return as the iron and steel industry that is being built up in this country. The fact was brought up that under the tariff previous to 1896, there had not been that development in the establishment of iron furnaces and the manufacture of iron and steel in various forms which the government of that day had hoped for. I am not going to say at this time that that policy was entirely to blame, or that the administration of that day was entirely to blame for the lack of the growth of that industry, for the checking of it, or anything of that kind, but what I do point out is that we did not prosper and we did not have the development in this country which we have had within the last ten years. I think that it might be fairly claimed that the change of policy has contributed greatly to the building up of that particular industry and the development of the trade of the country. I might point out the difference between the two policies. The policy of pure protection is not as great a direct inducement to capital as the bounty system. It is said that the bounty system after all is the more direct form of taxation. Even if that argument is admitted—I do not admit it—it appears to me that the evidence in our country, without referring to other countries, is sufficient to establish the fact that it is the better policy in so far as this particular industry is concerned. We have had a very great development in this line during the last few years. I might just for a moment allude to a point which was touched upon by the hon. Minister of Finance (Mr. Fielding) in introducing the resolution in regard to which I wish to add something to what was stated. The returns which were brought down show that there was about $5,000,000 of an increase that could be attributed to the establishment and growth of the iron and steel industry in Canada in the customs duties at certain ports, but these statistics, as I have them at all events, are only brought down to the end of the year 1905, and there has to be added to that amount considerably over a million of dollars increase in the year 1906 which would bring the increase to the neighbourhood of $6,000,000. Then I think there has to be added the increase at other ports not included in the return ports where works have been established which were not included in the minister's estimate. Port Arthur is one. If I am rightly informed the increase there is over $150,000, which may be attributed to the works which have been established there although these works are not actually in operation at the present time. They are new works which are going in operation within a short time. Then, Deseronto and Londonderry were not included and there are a number of other places in Canada where the establishment of allied works has greatly increased the customs duties. If these be added it must be apparent to every one that the return by way of increased duties is equal to the bounty paid. We are told that this is an old doctrine. I do not care whether it is an old doctrine or a new doctrine; it is a pleasing result and it is one the agriculturist and the representative of the agricultural section, the business man, the merchant, every one interested in Canada, should consider for the reason that the spread of prosperity which is incident to the establishment of these works is not confined by any means to the particular parts of the country in which they are located.

At six o'clock, House took recess.

After Recess.

House resumed at eight o'clock.

PRIVATE BILLS.

On the order for private Bills.

Mr. GERMAN. Mr. Speaker, there are two Bills of a non-contentious character on the order paper and I would like the suggestion of the leader of the House as to whether these Bills might not be taken up in priority to Bills which are contentious, as otherwise they may not be reached this session.

Mr. SPEAKER. It can only be done with the unanimous consent of the House.

Mr. GERMAN. Then with the consent of the House I would ask that Bill (No. 115) to amalgamate the Jordan Light, Heat and Power Company, and the Erie and Ontario Development Company, Limited, into one corporation under the name of the 'Jordan-Erie Power Company,' be now considered in committee.

Mr. LENNOX. I do not think we can consent to that, there is a very poor attendance and we had better take these things in their order.

Mr. CONMEE. I might point out that Bill (No. 167) and Bill (No. 168) are only on for second reading and if they could be moved ahead a stage if either Bill should prove to be contentious it could be opposed in committee. If they were advanced a stage then if necessary possibly amendments could be made to meet any objections.

Mr. TAYLOR. I understand it is contrary to the rules of the House to pass a Bill out of its order without the unanimous consent of the House.

Mr. SPEAKER. As objection has been taken, the motion cannot prevail; we will have to take the Bills in the order in which they stand.

OTTAWA TERMINALS RAILWAY COMPANY.

House again in committee on Bill (No. 152) respecting the Ottawa Terminals Railway Company.—Mr. Caldwell.

On section 19,

Mr. LENNOX. I gave notice that I desired to amend that section. I beg to move that the section be amended to read:

The plans and specifications for the said Central Union Passenger Station shall be submitted for approval to the Governor in Council on or before the first of January, 1908, and the construction of the said passenger station shall be commenced within six months after the said plans and specifications thereof have been approved by the Governor in Council and shall be completed within two years after the date hereby fixed for the commencement thereof.

I may say that I fixed on the first of January in deference to the suggestion of the acting Minister of Public Works (Mr. Fisher). I had suggested six months but he thought we should leave it till the first of January. I see by one of the evening papers that Mr. Wainwright says: Let it go, that they had by an agreement with the government fixed a shorter time, which would expire some time in the latter part of July or August. I do not know that that is material. I only wanted it to be definite, that it should not go beyond a reasonable time, and I am quite satisfied with the suggestion of the acting Minister of Public Works that they should have, if necessary, until the 1st of January.

Mr. FISHER. I have not the slightest objection to this amendment, but there is a possible difficulty which might suggest itself to a legal mind. The hon. gentleman is correct in saying that there is a definite agreement between the Grand Trunk Railway Company and the government, which agreement was dated the 15th of January last, and which provides specifically that these very plans shall be filed with the government within six months, which would limit the filing of the plans to the 15th of July. I have that information from the Railway Department and also from the Minister of Justice, so that on that point there is no doubt whatever. This Bill is for the purpose of incorporating the Ottawa Terminals Company, not the Grand Trunk Railway Company. I am not prepared to say from a legal point of view whether or not this agreement would be binding on the Ottawa Terminals Company; but as, by the terms of this Bill, the Grand Trunk Company is to transfer certain lands and certain rights to the Terminals Company, I would rather take it that their obligations in regard to those lands and rights would be transferred along with the lands and rights, as well as their obligations under this agreement with the government, to the Ottawa Terminals Company. If the committee think that is the case, there is no necessity for the amendment of my hon. friend, which is quite in the line of what I suggested myself the other night when I did not know about the terms of that agreement. If, however, there should be any doubt whatever as to that agreement being binding on the Ottawa Terminals Company, then I think this amendment ought to be put in, and I do not know that there would be any harm in the amendment unless it would raise a doubt as to the period available for the filing of the plans.

Mr. LENNOX. What the hon. minister says agrees with what was said in the paper to-day. I have no doubt that the agreement allows only six months from the 15th of January last, and therefore to have the statute consistent with the provisions of the agreement, I would move that the 15th of July, 1907, be substituted for the 1st of January, 1908.

Mr. FISHER. I think that would be all right.

Mr. W. F. MACLEAN. How many companies have signified their intention of using these terminals besides the Grand Trunk?

Mr. FISHER. I am not sure that it is definitely settled. I understand that the Canadian Pacific Railway will use them, and that the Canadian Northern have made a suggestion for their use; but I do not think any agreement has been come to.

Mr. W. F. MACLEAN. They will all have an opportunity of coming in if they desire?

Mr. FISHER. Oh, yes. The agreement with the company provides that these terminals may be used by any company coming in on fair and reasonable terms.

Amendment of Mr. Lennox agreed to, Bill reported, read the third time, and passed.

HAMILTON RADIAL ELECTRIC COMPANY.

House in committee on Bill (No. 158) respecting the Hamilton Radial Electric Railway Company—Mr. Clarke.

On section 1,

Mr. LANCASTER. Before that Bill proceeds any further, I want to say a word or two about it. When this Bill was in the

Railway Committee it struck all of us, I think, without any exception, that it was an absolute invasion of provincial rights; but some of the gentlemen in the committee thought that as we had invaded provincial rights in regard to so many other Bills, we ought not to draw the line at this Bill. To a certain extent, one would be struck with the fairness of that proposition, if it is at all right to continue to do wrong when you know you are doing wrong. But we tried to get the Bill into such a condition that it would not be an invasion of provincial rights, but that that part of it which was the excuse for bringing it before this parliament at all would be allowed to pass, and the part which was not required to be under Dominion jurisdiction would be stricken out of the Bill. After a good deal of discussion, therefore, I moved that that clause which it was manifest there was no excuse for putting in the Bill, and which, standing alone, would be beyond all question a matter of provincial jurisdiction, that is subsection (c) of section 4, should be struck out. There was a debate on that motion and a division was taken and my motion was rejected. I then came to the conclusion that there was no other way to deal with Bills of this kind than to reject them entirely. One gets no satisfaction in the Railway Committee when one is trying to get the legislation brought before that committee into such a shape that it would be reasonable and fair, even if one gives up a part of his own views for the purpose of compromise or in respect for the views of others, when railway companies come to this parliament and ask it to usurp what belongs under the constitution to the provinces. What he says is used against him and no effect is given to it with any spirit of compromise to achieve anything that would be reasonable and just. This section which I moved to strike out is an instance of how parties are progressing who introduce legislation of this kind, which ought not to be introduced into this parliament at all, and the rapidity they are making, and the nerve they have in these matters. They actually will call these lines suburban lines in the county of Wentworth. They do not pretend to say that the lines authorized in that section can by any straining of the imagination be said to be lines for the general benefit of this country in such a sense as to bring them within the jurisdiction of this parliament. They call these lines suburban lines within the limits of the county of Wentworth and the city of Hamilton. We have here a distinct declaration that we are asked to authorize the building of suburban lines. The promoters ask us to take authority to control lines limited to one county and city in the province of Ontario. The company cannot build outside the county and city—they cannot lay a rail or a tie or buy one inch of land outside that county and city for these lines.

Now, the only excuse they could put forward for our exercising authority in this matter is that this line was supposed to be built to a point on the Niagara river at one end and to a point on the Detroit river at the other end. Though both these points are within the province of Ontario, yet to build to them would carry the line to the international boundary and this is supposed to bring it within our jurisdiction. To test the bona fides of the promoters, I asked Colonel Gibson, late Attorney General of Ontario, who was in the Railway Committee promoting the Bill as a lawyer, how his line was going to reach the Niagara river, for I would call your attention, Mr. Chairman, and the attention of the committee to the fact that a line from the city of Hamilton to a point on the Niagara river between Niagara Falls and Fort Erie would have to ascend an escarpment of 200 to 300 feet in height. This is a rocky precipice which can be negotiated for the purpose of railway building only at certain points; I happen to live there and I know that there are only half a dozen places where the escarpment can be ascended. In reply to my question, Colonel Gibson, with the greatest coolness, said that he did not know how or where they were to surmount this escarpment. I was obliged to say, as I say here, that taking Colonel Gibson's own statement as evidence, it is pretty clear that they have no intention of building this line at present. And it is time enough for them to come and ask for a charter to Niagara river, when they make up their minds where they want to go to. They have no bona fide intention, in my opinion, of building that line, but simply insert this reference to a point on the international boundary as an excuse for parliament to bring this work under federal jurisdiction. As to going to the Detroit river, the answers we received were about as uncertain and indefinite as in relation to the other, and it became quite clear to all of us that, of the three different lines they were asking for, there was only one that the promoters really intended to go on with—the one referred to in subclause (c) in section 4, —the purely suburban lines in the county of Wentworth and the city of Hamilton.

Now, I have received—and I suppose other hon. members have also, for I do not see why the company should favour me—a so-called argument respecting this Hamilton Radial Electric Railway Bill. They first quote chapter 7 of the Revised Statutes of Canada, 1906, section 6:

> Where any railway, the construction or operation of which is authorized by a special Act passed by the legislature of any province is declared, by any Act of the parliament of Canada, to be a work for the general advantage of Canada, this Act shall apply to such railway, and to the company constructing and operating the same to the exclusion of such of the pro-

visions of the said special Act as are inconsistent with this Act and in lieu of any general railway Act of the province.

They cite chapter 88 of the Statutes of Ontario, 1894, which I will not trouble the committee to read unless some hon. gentleman wishes it; also chapter 101 of 1895; chapter 103 of 1896; chapter 112 of 1900, and chapter 77 of 1904. We have thus, five Ontario statutes relating to this company. The conclusion of this argument—if you can call it an argument—issued in support of this Bill, is that, in view of these five different enactments of the Ontario legislature, this company should—what? Should go back to the province of Ontario to get their legislation consolidated and put in shape? Not at all; but should come to the Dominion parliament and ask this parliament to knock into a cocked hat, as the saying is, all this legislation of the province of Ontario in regard to this railway and pass the Bill now before the House putting the railway entirely beyond the jurisdiction of the province of Ontario and depriving the people of Ontario of all the benefits to which they have a right under these enactments of their legislature, which created this company in the first place.

In view of the fact that the government has not insisted on the promoter of this Bill withdrawing it, it must be assumed that the government is in favour of its passage. It is not the fault of the opposition that a good deal of talk should be directed against a wrong, the perpetration of which the government have evidently sanctioned. Even if I were repeating all that has been said in this House on this question, I would think it is my duty to do so if by that means I could protect the interests of the people. A decision was given by the Court of Appeal of Toronto, yesterday, which has a peculiar bearing on the point we are now discussing. The Court of Appeal of Ontario, I was going to say it stands as high as any court in the British empire, but I shall not say so as my knowledge of courts is largely confined to Canada. However, I do say that if there is a court in the British empire that gives more sound judgments than the Court of Appeal of Ontario, that court would be entitled to the highest commendation and respect. The Court of Appeal yesterday decided in the case of Crawford vs Tilden and the Guelph and Goderich Railway, an interesting point. The plaintiff was one of a number of men employed on the construction of the railway by the defendant as contractor, and the Guelph and Goderich Railway was incorporated by 4 Edward VII, chapter 81, which declared the railway, although wholly within the province of Ontario, to be a work for the general advantage of Canada. The plaintiff filed a mechanics lien for money due him for work performed, and he succeeded in his action against the railway before Judge Clute, but the railway appealed to

the Divisional Court which held that because the railway was incorporated by Dominion enactment the Mechanics Lien Act of Ontario did not apply, and that the poor fellow could not file a lien against a Dominion railway incorporated by the Dominion parliament. An appeal was taken from the Divisional Court to the Court of Appeal, and yesterday the Court of Appeal decided that the poor man had no legal right to file a mechanics lien to get paid for his labour, because that railway was incorporated by Dominion statute which declared, although it is wholly in the province of Ontario, that it is a work for the general advantage of Canada. There is striking evidence of the wrong we do when we pass enactments which are purely provincial, and when we thoughtlessly, and sometimes wilfully and maliciously take away from the province the jurisdiction it is entitled to. I hope some hon. gentlemen on the other side will wake up to their responsibility in this matter. We ought all of us to be protecting provincial rights in this House. This ought not to be a party question. We ought to be here to protect the labouring men of Ontario against the decision which yesterday the Court of Appeal of Ontario gave, and properly gave under the law as it stands.

Mr. CLARKE. When was the Guelph and Goderich charter passed ?

Mr. LANCASTER. The newspaper says it is 4 Edward VII, chapter 81. In glancing over the legal intelligence of the Toronto newspapers of this morning, as is my wont, my eye fell on this decision of the Court of Appeal, and I am glad I noticed it because it is opportune to the discussion that is now before this House. Now what would be the result if that decision of the Court of Appeal were applied to the Hamilton Railway, with this clause in ? What would be the result when they built that railway in view of this decision of the Court of Appeal ? The result would be that a contractor, or a mechanic, or any man who furnished material for construction, would have no right to file his lien and get paid for his material; whereas, if that railway remains under the provincial jurisdiction, he would continue to have that right as he has it now. Supposing this Bill passes, the mechanic, or furnisher of material, will be told that there is no such thing as a mechanics lien under the Dominion Act, and that he has no right to be secured for his labour or for his material, simply because the Dominion parliament has chosen to make this a Dominion railway instead of leaving it a provincial railway.

Mr. CLARKE. Is there not a better way, to make the provincial law in regard to mechanic's lien apply to all Dominion railways ?

Mr. LANCASTER. We cannot do that. Does the hon. gentleman as a lawyer mean

to tell me that we can pass an Act here saying what things the provincial Act should apply to ?

Mr. CONMEE. Make the Act subject to the provincial law in that regard. That has been done lots of times.

Mr. LANCASTER. The hon. gentleman who last interrupted me (Mr. Conmee) is not a lawyer, and therefore it is not surprising that he should advance an idea of that kind. The hon. gentleman is very anxious to get the Dominion parliament to invade provincial rights in regard to railway and other matters. But I want to tell him that while he may think it is all right, he cannot control the Judicial Committee of the Privy Council, or the Supreme Court of Canada, or any other learned body of judges who know what the law is. Here is an enactment by the Dominion parliament which the Court of Appeal yesterday has decided, among other things, will take away the right of a labouring man or the furnisher of material for construction, to the lien which he would have if we left this railway under provincial jurisdiction. Therefore in view of this fact, Mr. Chairman, and of all the other arguments which have been presented against this Bill, I am bound to enter my protest against its passing through this parliament.

Mr. MACDONELL. The subject matter of this Bill was fully threshed out yesterday, and one would think from the lengthy arguments that were urged against it that we would not have heard of it again this session. But apparently that is not the case. Apparently the promoters of this Bill are still bent upon pushing it through the House. Since yesterday we have fresh evidence of the undesirability of this legislation. The Toronto 'Globe' of to-day contains a leading article under the heading 'Resist the usurpers.' I will read a few lines to show how the people of that province regard this matter :

It needs no fine-spun theories of constitutional or any other kind of law to convince the man who is guided by facts and not by fads that a House which gathers its members from the most distant parts of the Dominion is not the best body to decide the conditions and terms upon which a charter for a tramway between Hamilton and Toronto should be granted. Members from British Columbia on the one hand and Nova Scotia on the other, with all the intermediate distances between them, should not be asked to give their minds to such questions. There is a body which both convenience and the constitution point to as best fitted to deal with such local matters, and it is nothing short of an outrage that the Dominion parliament should shut its eyes to that fact at the bidding of the lobbyist. We have no hesitation in saying that the action of the Railway Committee the other day in passing this Hamilton Radial Electric Railway Bill against the official protest of the legal representatives of the city of Hamilton and against the protests of the representatives of the city of Toronto was secured by the touts of the interestd corporations who haunt the lobbies of parliament.

The pretenses under cover of which this Hamilton Radial Electric Railway Bill is brought before the Dominion parliament are so ridiculous that they could only have weight in an assemblage utterly prejudiced by influences which ought to have no place there. One of the contentions is that the charter covers the crossing of two international rivers, and only the federal authority could grant permission for this purpose. It is not necessary to conclude whether these international crossings are really contemplated or not. The point is that there is nothing in the Bill which depends on the carrying out of this announced intention. If the project as outlined in the bill is not carried out in its entirety there is nothing to prevent the company continuing to operate an ordinary street railway, having thus cleverly evaded the supervision of the provincial authorities.

Now that editorial epitomises the arguments that were advanced in this House yesterday against the Bill. It correctly represents the views of the opposition in this House against forcing this Bill upon the people interested. Now, Sir, we find that history is repeating itself with regard to this Bill. We find that in 1903 the hon. member for Centre York (Mr. Campbell) introduced into this House a Bill concerning the Toronto and Hamilton Railway, a measure very similar to this one. That Bill was subject at the time to a great deal of discussion, both in this House and in the country at large. I cannot do better than read the views then entertained of that Bill by the then Minister of Railways, the Hon. A. G. Blair. That charter was in almost every respect similar to the Bill which is now before the House. I will not take the time of this House to point out the similarity of the two measures, but they were precisely the same in their purpose, conception and methods. The methods to get that Bill through the House were very similar to the methods by which it is hoped to get this Bill through the House. That Bill came before the Railway Committee, it was advanced by certain stages, it came before this House, a motion was made to refer it back because objection was made by the municipalities affected, principally by the city of Toronto, and by the province of Ontario, and the arguments were sufficiently weighty to warrant the then Minister of Railways and Canals in saying that the measure should not have been brought before the House. A motion was made to refer it back to the Railway Committee and these are the words that were used by the Minister of Railways and Canals which will be found at page 6198 of 'Hansard,' 1903 :

Mr. Speaker, the attention of the government has been called to the fact that very strong objections are entertained to further proceeding with this Bill on the ground that the Bill assumes to take legislative control in respect to a local measure out of the hands of the pro-

vincial legislature of Ontario. It is maintained that it is open to objection on various grounds, not simply because it is a usurpation by this parliament of a subject that properly belongs to the provincial legislature, but, because the exercise of authority by this parliament over the Bill would be to withdraw an undertaking of this character from the supervision, regulation and control of the province. The government is desirous that the measure should not be proceeded with to-night and I would ask that it stand with the view of hearing from those gentlemen who are here now and who wish to present their objection to the Bill. I think I may say with authority that if it appears from what may be stated to us by these gentlemen that this is not properly a subject for us to legislate upon and that we are in fact withdrawing from the provincial legislature control over a railway which ought to be permitted to remain within the provincial control, the government will not sanction or permit the Bill to pass. We ask now that it may stand for the purpose which I have mentioned. I beg to move that the debate be now adjourned.

And so on. That language characterizes the action of the promoters of this Bill. It very fairly describes the character of the Bill now before the House, because the Bills were very similar, if not identical, in their meaning and methods. We find this measure is attempted to be pressed through this House not only in face of the facts which I have attempted to state but in utter defiance of the resolution recently passed by the Senate of Canada, and by the legislature of Ontario. The resolution which was passed by the Senate being a resolution denying the right of the parliament of Canada to interfere in purely provincial matters, is a very recent resolution, a resolution passed as recently as the 16th of the present month and was carried in the Senate by a vote of 48 to 1, one solitary member being opposed to it. I take the following statement from the Toronto 'Mail and Empire' of April 16: It is headed 'Senate to stand by provinces.'

By a vote of forty-eight to one, the solitary dissenter being Senator Sullivan, the Senate to-day placed itself on record as the guardian of provincial rights, and after this the promoters of any Bill containing these much-abused words: 'For the general advantage of Canada,' must show that the objects of the Bill are really for the general advantage of Canada, and not merely a means of evading provincial control. If this cannot be proved, the Senate will reject the Bill. The motion, which was introduced by Senator David, is as follows:

The Senate will insist upon the application of section 92, of the British North America Act of 1867, in accordance with the spirit and true intent of that section, to the end that the exclusive powers of the legislatures of the provinces of Canada may be protected and preserved.

The Senate will not consider the mere insertion in a Bill of a declaration that a work is for the general advantage of Canada to be in itself sufficient foundation for the exercise of the legislative authority of the parliament of Canada.

The Senate will not pass any Bill containing a declaration that a local work or undertaking is for the advantage of two or more of the provinces, unless the truth of that declaration has been proved.

The Senate will not consider the presence in a Bill of clauses relating to subjects within the legislative authority of the parliament of Canada, to be in itself sufficient reason for the enactment of other clauses relating to a subject not within that authority.

Now, Mr. Chairman, that very correctly defines the arguments against this Bill and the language of that resolution could not more correctly state the objections to it than if it were aimed directly at the provisions of this Bill.

Progress reported.

BOUNTIES ON IRON AND STEEL.

House resumed consideration of the proposed resolutions respecting iron and steel bounties.—Mr. Fielding.

Mr. CONMEE. Mr. Chairman, at six o'clock I had made some remarks in reference to the resolutions before the committee dealing with the iron and steel bounties. I had shown that the advantages that accrued to the country from the establishment and growth of these industries were very important, and that although considerable aid had been for a number of years extended the return in the way of increased customs duties to the country had equalled the sum which had been paid out in bounties. There may be some difference between the figures as given by the hon. Minister of Finance (Mr. Fielding) and also in a return which was brought down earlier in the session and the figures given by myself, but I think that any difference will be accounted for by the fact that I have added to the other statements the figures for the year 1906 and I have included several ports not included in the return to which I have made reference. The figures show that about the same sum has been returned to the revenue, speaking generally, as was paid out in the form of bounties. That is not all the return that has come to the people of this country. The purchasing power of the various establishments with respect to machinery, agricultural products, the products of the factories and industrial works of this country is very great and has contributed largely to the prosperity of the country, which it will be readily admitted, has in turn contributed to the revenue although perhaps in a more indirect form.

There is another feature that might be worthy of consideration, and that is the enormous volume of traffic in the way of transportation both by water and by rail that these institutions have brought about. I gave the figures in some remarks I made last year to show that the allied works at Sault Ste. Marie afforded a volume of transportation greater than the entire grain trade

of the country. That shows the immense advantage to the country of the class of industry which we are now discussing. I might point out that I am informed by the manager of the works at Sydney, that, taking the works in that province at Londonderry and Sydney, the volume of traffic is equally as great as at Sault Ste. Marie. If that be so we have a volume of traffic nearly double that of the grain trade of Canada. I think it will be admitted that that is a return to the people of this country that is worthy of consideration. Another important consideration is the amount of capital invested. I have taken some little trouble to obtain the figures ; I do not pretend to say that they are absolutely accurate but I have them on the statements of the managers of the different works. I find that there is about $71,223,000 capital invested. These various works employ a very large force. In 1901 the total force employed was 1,378 and last year it was 10,751. It will be readily seen that this is a very marked increase and must necessarily mean a great measure of prosperity not only to the particular localities where these great works are established but to every section of the country because the pay roll in wages alone amounts to a very large sum. The figures which have been given to me show that the wages in the various works amount now to between $47,000 and $50,000 per month, or something in excess of $12,000,000 a year. It will be readily admitted that such a circulation of money in the form of wages must extend from the very centre to the circumference of this countrty ; every section of the country is benefited and I submit that the agriculturist is benefited to a much greater degree than any other class of people by such expenditure because the purchasing power of the large number of people employed in these works in respect to agricultural products is simply enormous; they are non-producers in that line of products and must necessarily obtain them from the agricultural section.

It is said : Why are these industries to be protected ? There are various reasons why they should be protected and while I do not claim to be expert enough to give all the reasons, I shall give a few reasons which appear to me to be sound and which I believe will be readily admitted. In the first place we are a new country establishing a new industry, an industry that must be established, having regard to the local conditions in Canada, to the character of ores we have to deal with, to the physical features of the country in regard to transportation and having regard in a considerable degree to the Canadian market and to the possibility of foreign markets. This is a serious question, it is always a difficult undertaking to build up an industry of this class, no matter what country may undertake to engage in it, and the history of the iron industry shows that this has been a very serious matter in all countries that have become important producers of iron and steel. There are other very great difficulties connected with the iron industry in this country which has been commented on by Sir George Drummond in a report which he made in 1906, after speaking of the advantages to accrue to the country from the establishment of the iron industry and giving reasons why, in his opinion, the people of Canada should seriously regard this industry as its greatest asset, as the greatest industry which the country could have, he says :

> Is Canada naturally fitted for the enterprise of iron making ? The work of the Geological Survey has amply demonstrated the existence in Nova Scotia, New Brunswick, Cape Breton, Quebec, Ontario, Manitoba and British Columbia, of almost every class of iron ore known to science, and of mineral fuel in Nova Scotia, Cape Breton and British Columbia.

Then he goes on further :

> The moral obligation to utilize such gifts rests upon the government and people of Canada. The mines and forests must be opened up either by the government of the country or if as in the case of other iron producing countries by private capital and enterprise, then, as in the case of the latter, under adequate government encouragement.

Sir, I think this is a pointed statement as to reasons why the iron bounties should have been applied in the years that have gone by and should be applied in the years that are to come for some time yet. Sir George further states :

> Due consideration must be given to the course pursued under like conditions by Great Britain, Belgium and the United States, the method so successfully followed in the initial years of development in these countries being presumably good for Canada.

I submit that the history of the development of the iron trade in Great Britain, Germany, Belgium, the United States and other countries where that industry has become a great industry bears this out. In England where it is advanced to a much greater degree than it has in other countries of Europe, the history is that for many years the works were established under government supervision. To engage in metallurgy in the early days in the history of iron and steel development in England was to enter the public service and after the industrty had been established for many years and the people had become skilled in that particular line of business it was allowed to pass into private hands, but it was protected for a long period of years after that. The same course or perhaps a still more vigorous course was pursued by the government of Belgium. Belgium is not an iron producing country ; they have no mines but there is there a great production of iron and steel nevertheless, although they purchase from other countries the raw material from which to produce these articles.

In the initial stages of the industry they employed the best skill that capital could obtain from England and France; and for many years the government carried it on under their own supervision until the people became skilled in that particular trade. The same has been the case to a large extent in Germany. That country has in a great many ways assisted by government aid far in excess of anything Canada has done the establishment of the iron industry. In regard to Sweden, we find that Swedish iron has obtained a special value in the markets of the world. That is because the government of Sweden has done a great deal to aid in the establishment of that industry and to bring it to its present stage of efficiency. The government not only aided it in an indirect way by affording transportation facilities, but by a system under which the miner was paid so many dollars per ton for his ore at the pit's mouth. That enabled him to produce the ore. The owners of the furnaces and the manufacturers of the steel were advanced certain sums. By pursuing that policy for many years, a policy which they still pursue so far as the production of the ore is concerned, they have developed the iron industry to a very high degree. In Canada this industry should be assisted for the simple reason that it is to-day in its initial stage. I have no doubt the time is close at hand when the industry can manage for itself; but there is still much to be done. It was intimated by the minister that at the end of the next four years the bounties might cease. I hope that it will be a justifiable thing for this parliament to take that view at that time; but even if that view be taken, that is not the last nor all that this parliament can do for the encouragement and building up of the iron and steel industry of this country. There must be provided cheap transportation, and it must reach the localities where the iron deposits exist. If Canada is to hold her position, and advance as she ought to advance in this particular industry, she must produce her own iron from her own ores and manufacture her own steel. Now, I have some figures from the report of Mr. Drummond, in respect to the relative cost of producing iron and steel. Mr. Drummond is well known to be thoroughly acquainted with the subject and reliable in every respect. These figures were compiled nearly ten years ago. He gives the average wages in Canada at that time in this industry as follows: at the blast furnaces, $1.20 a day; at the coal mines, $1.60; at the iron mines, $1.30. In Belgium at the same period the average wages were: At the blast furnaces, 58 cents a day; in the iron works, 83 cents; there is no mining in that country. In Germany, the average wages were: At the blast furnaces, 44 cents a day; day; in the steel works, 68 cents; in the mines, 71 cents. In Great Britain the average wages were: At the blast furnaces, $1.06 a day; in the iron works, $1.08; in the mines, 65 cents. In Sweden the average wages were: At the blast furnaces, 40 cents a day; in the iron works, 65 cents; in the mines, 65 cents. Wages have greatly advanced in Canada since that time; they are nearly double to-day what they were then. I think it will be readily admitted that the advance in Canada is much greater than it has been in those European countries. The cost of the labour is not much over one-half the cost of producing the article. The cost of the ore, transportation facilities, and various other things which enter into the production of a ton of pig-iron in these European countries would be about half what it is in Canada so that having regard to this and the difference in wages the cost of producing a ton of metal in these countries is about one-half of what it costs in Canada so far as I have been able to get the figures from gentlemen well versed in this particular trade. That is a reason why there should be some kind of encouragement either in the form of protection or of bounty. I have stated, and I repeat, that in my judgment the bounty is the much better policy, for the reason that it affords more direct inducement to capital; and I think the experience of our own country has shown that it has worked better, as the growth and development and prosperity of this particular industry has been very much greater under that system than it was under the system of protection, Therefore I need not discuss that question further at the present time. Now, it has been said by the hon. member for East Huron (Mr. Chisholm) that the electors of his riding, if left to themselves without influence, would vote unitedly against the iron bounties. I am bound to take issue with that hon. gentleman. I think it will be admitted that there is not a constituency in Ontario—and I would include the county of Huron, which would be benefited more than some others—that is not greatly benefited by these iron works. If the real facts were made known to the electors of any constituency, they would in my opinion be pretty unanimous in support of the iron bounty; because it must be apparent to every one that the products of the agriculturists are purchased to an enormous extent for the maintenance of these establishments, and will continue to be from year to year. Here is an army of ten thousand people employed; I am informed that it is nearer fifteen thousand now. Is that not a great thing for the young men of Canada? Does it not open to them an opportunity to step out and engage in a growing industry, which is bound to become one of the most stable and lasting industries that can be developed in this Dominion? There is a great field there for the young men of Canada, and we are only commencing the development of this great trade. So, I think that if the facts were well known, instead of the petitions which we have had, we should have petitions supporting these

bounties. I have here a petition from the province of Quebec—not a petition of this year but of some years ago—signed by thousands of people. These are residents of the vicinity of Radnor and Three Rivers. The agriculturists in that locality have been made acquainted through experience, with the great advantages of the iron trade, because an industry in that line was carried on for a long period of years in that section. That would be the feeling in Ontario also—I speak of that province because it is the one of which I have the greatest knowledge—if the people had an opportunity to realize the advantage of this industry to the agriculturists.

There is another feature of the case. I am not quarrelling with the resolution, in fact I am in hearty sympathy with it; I feel inclined to congratulate the minister upon having met so fairly the demand for this action. But I desire to call attention to the electric smelting, which is a new branch of the industry not yet established in this country. I believe that the action decided upon is a good one and that it will stimulate that branch of industry, but would have liked to have seen the aid a little greater. I should have liked to see this additional bounty of $2.10 per ton established for at least six or seven years instead of beginning to go down on this sliding scale at the end of four years. However, that is not a very important feature. The fact is that a strong inducement is held out to capital to invest in that particular line of manufacture, and I believe that this inducement will bring its results. I believe that when this government made the experiments they did at Sault Ste. Marie, when it was demonstrated as a matter of practical accomplishment that pig metal could be produced from the ores of Canada, they did something which will prove of vast benefit to this country. I believe that having put their hand to the plough, so to speak, they should have continued and proved the process practical as a business success in a commercial way. No matter what the cost might be. The ores treated were what some geologists call refractory ores, ores that are not treated in ordinary furnaces because they contain elements which disqualify them from making the best kind of iron and steel when treated in the ordinary way, and so cannot come into strong competition with the more Besemer grades of our ores or the American ores which are of very high class and which we use very largely and which can be laid down at our furnaces. American mines can be laid down at our furnaces very cheap.

In addition to the reasons I have given why this industry should be strengthened and encouraged, there is the fact that our mines are not developed and our transportation system is not yet perfected, nor is our command of capital as easily obtained in Canada as is the case with those interested in this industry in the United States. All these are reasons that make it still more justifiable on the part of government to go at least as far as it has done in encouraging this industry.

I shall not discuss the question of electric smelting at any length, because the minister has already referred to it. It is true that we have a great variety of ores which are high in metallic iron and produce the best of iron and steel, but which are not suitable for the ordinary furnace because they contain certain elements that militate against the process used in their treatment. But these ores can be successfully treated by the electric process. And, not only that, but the class of steel produced by the electric process is altogether a higher grade than that produced by existing methods. For that reason it would not for a long time to come enter into competition with the iron and steel produced by existing furnaces. The fact is we import all that class of steel—gun metal, steel for heavier castings for electrical generators and motors and heavy machine castings of that class which are now practically all imported into Canada. The electrical process will furnish this grade of material as soon as the industry is established. Not only have we the ore, but we have other conditions which I believe points to Canada as the great iron and steel producing country of the future. There is no other country so far as I know that has one-half the mineral area or one-half the mineral wealth that we possess. Canada possesses double the area of mineral bearing formation possessed by all the great nations of Europe, and from all the statistics which we have the indications are that we have many times the wealth in minerals, especially in iron. As compared with the neighbouring country to the south we have a much greater mineral-producing area. At present they are greatly in advance of us in development. But, as showing what may be hoped for from this industry, let me quote one or two figures showing the production in the United States. The blast furnaces of the United States in 1905 used materials to the value of $178,941,000, while the value of the products was $228,911,000. This, be it remembered, was from the blast furnaces alone. The iron and steel works—the establishments which manufacture the metal into commodities for commercial purposes—used materials valued at $441,204,302, and the value of their product was $673,967,026. Just contemplate for a moment the enormous amount of capital and prosperity these figures mean for a country even as great as the United States. A part would mean greatness for the Dominion of Canada. I was about to refer to the facilities we possess not only as to ore, but in regard to our natural water-powers. Any one who

has studied the map of this continent must admit that we possess great advantages in this respect. Already at the town of Fort William, in the constituency I represent, there are 30,000 horse-power available from Kekabeka Falls, and there are three or four other great powers on that river and its tributaries which ought to be capable of producing more than 50,000 horse-power. I am not drawing too long a bow when I say that at any point within 100 miles of Fort William and Port Arthur 400,000 horse-power could be concentrated. Perhaps it could be concentrated at one point as cheaply as at another, but at all events cheap power can be obtained and for purposes such as this cheap power is the basis of success. I make the statement, knowing something in a practical way of what I am saying, that 400,000 horse-power can be developed in that section for less than $10 per horse-power.

Mr. SPROULE. What power is on the Nepigon and Sturgeon rivers?

Mr. CONMEE. The Nepigon river could furnish over 200,000 horse-power, and there are nine points at which a large plant could be established and furnished with power. The Nepigon river has no tributaries, but Nepigon lake has a great many tributaries, and a very great quantity of horse-power can be created to the north and west shores of that lake.

Mr. SPROULE. What about the Black Sturgeon river and the Pigeon river?

Mr. CONMEE. The hon. gentleman need not worry himself about either of these rivers; but I can tell him, if he wants to know, that the Pigeon river is an international stream, and it is not a great producer of power. I do not know that more than 10,000 or 12,000 horse-power can be produced on that particular stream. Near Peninsula harbour, on the north shore of Lake Superior, there are several great streams on which power can be developed, and the same may be said in reference to the country west towards Kenora. In all these sections there are known to exist great deposits of iron. Quebec has also big advantages in respect to its water-powers, and therefore the encouragement which has been held out for electric smelting will conduce greatly to the advantage of Canada, and the government ought to be congratulated for going as far as they do. I believe their policy will result in a development which will enure to the very great advantage, not only of Ontario, but of all other provinces of this Dominion.

Mr. W. F. MACLEAN. I am a protectionist and, more than that, I am the son of a protectionist, and I do not think there is any discredit in it. I believe that the main basis of national greatness is the production of iron, and I believe that Canada will never take the position she ought to take on this continent and beyond it, unless she is a nation producing iron from her own ores, with her own fuel, and by her own citizens. I believe there is no class in the community who will benefit so much from the production of iron as our friends the farmers. The best market for the farmers product is the market afforded by the iron industry, as will be found illustrated in every country that has become a great iron producer. If our farmers have been misled in regard to the encouragement of the iron industry, that is to be attributed to the propaganda undertaken in this country some years ago by the politicians of the Liberal party. An effort was made to induce the farmers to think that the encouragement of the iron industry was not good for the country, and they were told that one blast furnace running half a day for a few weeks in the year would produce all the pig iron that could be consumed in Canada. That statement has been proven to be fallacious. Most of the farmers I know are protectionists themselves, and are willing to encourage the production of iron in Canada either by duty or by bounty. But the great concern of the Canadian farmer is cheap transportation and good railway facilities. If we are to have good railway facilities in Canada we must produce our own rails in large quantities and our own cars and our own locomotives. We must be independent of all other nations for our railway equipment. From that point of view alone we ought to encourage this industry. There is a lack of railway facilities in Canada, and that is largely due to the circumstance that the railways cannot get within Canada that equipment they require. I believe the day is coming when we will have steel cars, and there is reason to believe that large cars composed of steel will help to solve the transportation problem. For these things we need to have an iron industry of our own. I am prepared at any time, and I am prepared most of all in the interest of our farmers, to support a national policy that will make Canada a great iron producing country. We have all the fuel we need, but whether or not we have these immense water-powers, and we are now led to believe that electrical energy can be made the great smelting force of the immediate future. I go further; I want to see a great iron industry in this country, and I want to see Canadian iron used in the manufacture of Canadian ships.

I believe we can establish in this country a great steel plate shipbuilding industry, and we have the proper place to do it in the maritime provinces. But to work out all these things we must first have an iron industry, and you cannot have an iron and steel industry unless you make the necessary sacrifices, and if you do make the

necessary sacrifices you will find a return double or treble the cost. While I respect the arguments that have been presented here on behalf of the farmers, I do not quite agree that the incidence of that taxation to which they object, falls upon them. In some way it does not fall on them, but I have not time to elucidate that point at present. If any part does come out of the farmer, there is a compensation that more than pays him for the sacrifice. I am prepared to say that when the question is put fairly before the farmers they will be just as much protectionist in regard to iron as they are in regard to their own products. But don't let us have a policy that is indefinite in regard to these matters ; let us once and for all embark upon a thorough going policy of the encouragement of iron industries in this country. To-day we are practically all agreed in the idea of encouraging native industries, and if to-day the country is very prosperous it is largely owing to the fact that in former days a policy of protection was established; and if it has not done all that was expected of it, it is because it was discouraged by the Liberal party. But to-day we have almost a united nation, the two great parties are united in favour of the encouragement of the production of iron in this country. That being the case, let us adopt a firm, strong and continuous policy in favour of the production of iron, and I believe that in a short time we will rival the United States. That is in fact the foundation stone of the great success of manufacturing industries in the United States, the reason that they have become the greatest manufacturing nation in the world. We have only to follow their example to achieve a like success. Let us look more and more to the example of the United States, and not be afraid to call ourselves protectionists in regard to the production of iron. I say again that I believe if this question is fairly placed before the farmers they will join with every other class in upholding the policy that will build up our nation and develop the resources of Canada.

Mr. URIAH WILSON. I may say that on general principles I am opposed to giving bounties to any industry. I can see no reason why any particular industry should be bounty fed. I can see no reason why a man who uses iron should not pay a duty upon it just as he does on his dry goods. The hon. member for South York (Mr. W. F. Maclean) has just referred to the way the United States has been built up. So far as I am able to learn, their iron industries have not been built up by bounties but by a duty. The only thing in these resolutions I am in favour of is that clause which gives a bounty in order to experiment on smelting by electricity ; but I would only continue that bounty until it has been demonstrated that electrical smelting can be made a success. Now we have been giving bounties upon iron from 1883 to the present time. In 1894 the government gave bounties of $2 a ton on pig iron and steel ingots, I believe, and that arrangement was to terminate in 1899. At that time the Liberal party were entirely opposed to the system of bounties. In fact I have an extract from a speech of Sir Richard Cartwright in which he declared he was opposed entirely to the whole thing, and I think he was right. I would feed the industry with bounties only until it became an established success. Now the Act passed in 1894 contained a sliding scale which was to terminate, I think, in 1899. The Liberal party came to power in 1896, and in 1897 they renewed the bounties, to terminate in 1902, on a sliding scale, if I remember correctly. In 1899 they again renewed these bounties to terminate on the 20th of June, 1907. Now why was this done ? Was it not to make the people believe that when we reached these dates the bounties would cease ? Is there any good reason why they should be continued after it has been demonstrated that we can make iron in this country ? Now I would like to ask the minister a few questions, I know he is good-natured and will give us the information if he can. The hon. member for Rainy River (Mr. Conmee) gave us a lot of figures, but I am afraid they would not stand investigation, therefore I would like to have the figures from the minister himself. He may not be able to give them to us to-night, but I hope he will do so before the Bill is finally passed. I would like to know in the first place his reason for renewing the bounties. I regret that I did not hear him make his explanations this afternoon. I want to know how many companies there are in Canada that are engaged in smelting iron and which get the bounties. I would like to know where their works are located, how many hands they employ, how much wages they pay, what is the output of each company on which bounty is paid. I would like to know what profit they are making. Some hon. gentlemen may think that is something we cannot get at, but I can tell them there are some companies who publish the profits that they make. I have one case right here. If hon. gentlemen will turn to the Toronto 'Globe' of the 19th of February, 1907, they will find that the Nova Scotia Steel & Coal Company paid on their ordinary stock 1½ per quarter, that they increased their sales by $956.000 the last year, and they made a profit of $960,281.93.

Mr. JOHNSTON. Can the hon. gentleman give us any idea what portion of these earnings was the result of the manufacture of iron and steel ?

Mr. URIAH WILSON. I cannot.

Mr. JOHNSTON. I may tell my hon. friend that nearly all that profit was the result of their operation of a coal mine. The Nova Scotia Steel & Coal Company is

in a somewhat different category from other iron and steel companies inasmuch as they are operating both a very large coal mine and an ore mine.

Mr. URIAH WILSON. I think I would rather have an answer from the minister than from the hon. gentleman. He may know a little bit about it but he does not know it definitely enough to give us the information. It is in a general way that the hon. gentleman answers. I am not in a position to know particularly about this company, but here is a statement they give of the profit they make. He smiled when I asked the minister if he could tell us the profits made by this company. They publish to the world the profits they have made and I can assure him they are not very small. In one year they made $960,281 and the year before they made $559,900.

Mr. JOHNSTON. That is from their coal.

Mr. URIAH WILSON. They paid on their preference stock eight per cent during the past year and carried to rest $1,180,783. I think we have a right to know from these companies that we are paying a bounty to, the number of hands they employ, the wages they pay, where their factories are located and the capital invested. I have the facts here in the 'Farmer's Sun' of the 13th February, 1907, and they point out that in 1900 the bounties paid to the smelters of iron in Ontario were $58,000 more than the wages they paid and that in 1903 they were $28,000 more than the wages they paid. There have been in the neighbourhood of seventy petitions sent by the farming communities against these bounties on iron and steel. Some of them came from my own riding and as far as I have been able to learn the farmers generally are disatisfied with these bounties. If the hon. member for Thunder Bay and Rainy River (Mr. Conmee) went into my section of the country and discussed and defended bounties as he has done to-day he would not be as popular as he is at the present time.

Mr. CONMEE. I would be perfectly willing to go there and discuss them.

Mr. URIAH WILSON. I do not doubt it, but you would not be a candidate at the same time.

Mr. CONMEE. No. Will the hon. gentleman allow me to ask him a question ?

Mr. URIAH WILSON. I do not mind ; I am a good-natured kind of a fellow.

Mr. CONMEE. The hon. gentleman says that these furnacemen have made some money. I hope they have. I am glad to see somebody making some money in this country. Let me point out to the hon. gentleman that Carnegie made some money in the United States and I have heard of some other gentlemen who have made some money. Nevertheless the United States is producing, of this class of material, over $600,000,000 worth a year and I would like to know if, because one or two men have made a little money, that nation should lose that great industry.

Mr. URIAH WILSON. I suppose that being particularly Irish I might answer the question by asking another. Can you tell me whether the American people are paying bounties on iron or do they protect their industries ?

Mr. CONMEE. The American people, in so far as I know, have not paid exactly in the form of bounties. They have protected this industry but they have done a great deal more. They cancelled the contracts which Carnegie and the Bethlehem Company had for the production of certain qualities of steel and they gave them double the price. They justified that upon the ground that they wanted to keep skilled labour in the United States and the people of the United States approved of it. They gave to the railways which run into Wisconsin and Minnesota, from which a large quantity of the iron ore that we use in Ontario comes, 12,000 acres per mile including the land, pine timber and everything else. That is the way they have provided for transportation and they have assisted the development of the mines.

Mr. URIAH WILSON. That is not a bounty on iron and steel but it is a bonus to railways.

Mr. CONMEE. That is part of the aid.

Mr. URIAH WILSON. Yes, that is part of the aid. The hon. gentleman talks about cancelling contracts and giving large prices to these people. I would like to know if he would justify that.

Mr. CONMEE. I would.

Mr. URIAH WILSON. I never voted for a man to get more than the contract price on any job he had when I was in the town council and I will not do it to-day. I believe that when men, after fair competition, get a contract they should stand by whatever the contract price is.

Mr. CONMEE. It was a question of experimenting in the initial stage with certain qualities of metal.

Mr. URIAH WILSON. I have already stated that I am in favour of an experiment being made in smelting by electricity. I am satisfied to take the responsibility of voting for that but I am not going to vote for it for all time. If it is necessary to demonstrate that they can make a success of it I am in favour of assisting in that experiment. I have asked the minister quite a number of questions and I think perhaps that he will be able to give us some information. If he cannot give it all to us to-night perhaps he

will give the balance of it later on. I will not take up any more of the time of the House because it is so late in the session.

Mr. FIELDING. Some of the questions which the hon. gentleman (Mr. Uriah Wilson) has asked, I am afraid, I could not answer, but for some of them I think he will find an answer in the observations I addressed to the House this afternoon. I am sorry I had not the pleasure of having the hon. gentleman as a listener but he would not expect me to repeat them to-night. There is some information which he has asked for that I will give at once—the number of concerns which are receiving bounties, their location and the amounts they have received. The statement is as follows :

Company.	Pig Iron.	Puddled Iron Bars.	Steel Ingots.	Manufactures of Steel.	Totals.
	$ cts.	$ cts.	$ cts.	$ cts.	$ cts.
Algoma Steel Co., Ltd., Sault Ste. Marie, Ont	167,419 96	.....	367,770 24	.....	535,190 20
Dominion Iron and Steel Co., Ltd., Sydney, N. S.	246,353 13	.....	408,570 50	302,413 38	957,337 11
Nova Scotia Steel and Coal Co., Ltd., Sydney Mines, N. S.	65,074 79	.....	96,803 40	25,814 60.	187,692 79
Hamilton Steel and Iron Co., Ltd., Hamilton, Ont	98,891 78	5,874 71	67,855 55	34,217 19	206,839 23
Canada Iron Furnace Co., Midland, Ont.	32,012 68	.....	.....	.....	32,012 78
" " " Radnor Forges, Que	8,242 93	.....	.....	.....	8,242 93
John McDougall & Co., Drummondville, Que	4,447 06	.....	.....	.....	4,447 06
Deseronto Iron Co., Deseronto, Ont.	13,664 20	.....	.....	.....	13,664 20
Londonderry Iron and Mining Co., Londonderry, N. S	51,525 16	.....	.....	.....	51,525 16
Montreal Rolling Mills, Montreal, Que.	.....	.....	.....	7,386 56	7,386 56
	687,631 79	5,874 71	940,999 79	369,831 73	2,004,338 02

That gives all the information as to the locality, the company, the various items on which they received bounty and the total amount received in each case.

Mr. URIAH WILSON. Would the minister get the number of hands employed in the institutions and the wages paid ?

Mr. FIELDING. I am not sure I could give that.

Mr. URIAH WILSON. You could get it.

Mr. FIELDING. I suppose I could on applying to the companies.

Mr. URIAH WLSON. I think it is desirable that the House should have it.

Mr. FIELDING. I must not promise it ; I may not be able to get the information. The hon. member made a remark with regard to the payment of dividends. I think the company to which he referred, for several years paid no dividends at all on its ordinary stock. It has paid one recently of 1¼ per cent.

Mr. URIAH WILSON. 1½ per cent quarterly.

Mr. FIELDING. Yes, but it was only for one quarter and what will happen next quarter remains to be seen.

Mr. URIAH WILSON. All I can say is that the article I presume was given to the 'Globe' by these people.

Mr. FIELDING. The dividend, I think, was paid for the quarter and whether or not it is to be continued is a matter of which neither my hon. friend nor I can be sure. It is true, as stated by the hon. member for Cape Breton (Mr. Johnston), that that particular company has a number of branches of business. It is conducting iron mining operations in Newfoundland, irrespective altogether of its works in Nova Scotia, and it ships the ore to foreign countries.

Mr. URIAH WILSON. Do they get bounties on what they do there ?

Mr. FIELDING. They ship the ore to foreign countries.

Mr. URIAH WILSON. Just in the raw state ?

Mr. FIELDING. Yes, in the raw state. Then they are conducting coal mining operations on which I hope they have a profit, and the iron and steel business. However, that I understand has been for several years in a languishing condition, and they have only recently been able to pay the 1½ per cent for one quarter. I hope they will

be able to continue paying dividends at that rate.

Mr. URIAH WILSON. You have not given the reasons for the bounties.

Mr. FIELDING. I gave that this afternoon for half an hour, and I really feel that my hon. friend is not supported by the general sentiment of the House in his attitude in this matter. I know he has taken the position in the belief that he is acting in the farmers' interest. However, as my hon. friend from York (Mr. W. F. Maclean) has pointed out, it may be the farmers have not been as strongly opposed to this as some of the hon. gentlemen think. At all events on consideration they will see that it is a policy that on the whole gives results and is not by any means open to the objections taken, more particularly as the amount to be paid is not likely to be more than one half of what the farmers have been told is involved in the granting of these bounties. We cannot be sure, of course; everything will depend on the volume of business, but as I said, if we take the figures for 1906 and make an allowance of 10 per cent increase for each year we find that the total amount to be paid will not be more than one half the amount stated in the press by those opposing the granting of bounties.

Mr. CALDWELL. I have the figures here for 1905. The amount of bounty paid that year was $1,540,202. I have a statement here as to the eight iron and steel furnaces in operation in Canada in 1905 giving the total number of people employed the workers, as 6,716.

Mr. URIAH WILSON. Are the figures official?

Mr. CALDWELL. They are official, and the amount of wages for that year paid to these 6,716 people was $4,122,976, so that the statement that the wages paid to the smelters are equalled by the amount of bonus given is inaccurate.

Mr. BICKERDIKE. Is it the intention when these bounties are given for iron and steel for the government to see that that bonus is applied to paying the arrears of dividends on preferred stock?

Mr. LANCASTER. I am afraid the hon. member for Lennox (Mr. Uriah Wilson) is not as far wrong in his views as the Minister of Finance and the member for Rainy River (Mr. Conmee) would indicate. I do not suppose it is necessary for me to inform the House that on general principles I am a protectionist representing a protectionist constituency, but I have heard of protection running mad, going entirely beyond the principle of protection, and because a man used to be a free trader and has been converted, he may go to such an extreme that he makes the principle he has undertaken to support ridiculous. The hon. member for Rainy River, (Mr. Conmee) has given some information here that has confirmed me in the view I had thoughtfully come to, that the time had come to discontinue the bounties. At the beginning of the session I presented a good many petitions from my own county and from other parts of Canada from farmers against the continuance of the bounties. I cannot agree with the hon. member for Rainy River and the hon. member for South York in indicating that the farmers upon this question do not know their business and are not as well informed as they should be. The intelligent farmers of Ontario have studied this question, they have heard it debated, they have been more or less convinced by Liberal politicians before 1896, that a government that had protection in any shape or form was committing robbery and then they had the statements of hon. gentlemen on the other side of what might be said in favour of bounties under certain circumstances. I must say that it is entirely erroneous for any gentleman to suppose that the farmers of Ontario at all events have not arrived at that point where they can properly and reasonably judge whether bounties of this kind should or should not be paid. The hon. member for Rainy River (Mr. Conmee) undertook to give us what he thought were good reasons for continuing the payment of bounties. I am bound to say that every reason he advanced has confirmed me in my opinion that we should cease to pay them. He says that we have every natural facility for producing iron, we have the iron ore, we have all kinds of cheap water-power, everything is most favourable for the production of iron except in some localities the lack of fuel. If that is so he has while expressing himself as in favour of this resolution given the very best reasons why it should not pass. If we are so placed in this country with all the natural facilities, with ore easily obtained, with all the power necessary to work machinery to convert that from ore into iron, if we are so blessed in all these matters, why in the name of common sense is it necessary for us to continue taking from the farmers, the wage earners and the taxpayers of the country generally enormous sums of money for the purpose of helping that industry along? I do not know how far my hon. friend is inclined to carry out theological doctrines in this House; but if he wants to justify that portion of scripture which says that you shall give to him who hath and take away from him who hath not, he is doing it by voting for these resolutions. These people, he says, are trying to get rich and to prosper as much as possible, and because they are prospering and amassing wealth, he says, we should go on and give them the means whereby they can amass more and put themselves beyond all chance of insolvency.

Mr. CONMEE. Will my hon. friend permit me to remind him of another passage in that book?

Mr. LANCASTER. I do not think I ought to take reminders from my hon. friend on that subject.

Mr. CONMEE. There is another passage that says you ought not to bear false witness.

Mr. LANCASTER. I think I am as able as the hon. gentleman to say how these things should be applied.

Mr. CONMEE. The hon. gentleman has no right to put words in my mouth, and then start to knock down what I never used.

Mr. LANCASTER. The hon. gentleman wants to make all the speeches himself on this question, but he must allow others to say something.

Mr. CONMEE. I am not going to allow the hon. gentleman to misrepresent me.

Mr. LANCASTER. The hon. gentleman made an argument to show that these industries were progressing; he produced facts and figures to show how they had progressed under these bounties. There comes a time, however, when you must cease taking taxes from the ordinary taxpayers and giving them to others. The hon. member for Cape Breton (Mr. Johnston) is always anxious to get his views before the House. I quite understand that these bounties will assist interests in the county which he represents, and I do not blame him for trying to get a lot of money from Canada as a whole and have it chucked into his county for the benefit of his constituents; but I think I have a right to say a word on behalf of the ordinary taxpayer who has to pay this money. I would be in favour of paying bounties of this kind if the necessity for them was shown; but after you have raised the infant to maturity and it has ceased to be an infant and has become an adult, able to make his own way, and has got into the condition of prosperity described by the hon. member for Rainy River, the time has come when he should not be helped at the expense of other people. The gentlemen who signed those petitions have a right to be heard on this question. Very few of the hon. members of this House appear to have read those petitions or to have paid any attention to the arguments put forward in them. I have not heard from either of the cabinet ministers who spoke to-day on this subject any reason justifying a continuance of these bounties; but I have heard from the hon. member for Rainy River reasons which struck me as the very best for refusing to pay them. The hon. member for Rainy River and the hon. member for South York both say that if these bounties were properly placed before the farmers, they would support them. I take issue with these hon. gentlemen. I say that the farmers of this country, after the experience we have had of the bounties paid in the past, and the discussions that have taken place on this question, have arrived at such a state of intelligence on the matter that I do not think it is fair to say that they do not know what they are talking about. I have listened to all that has been said in support of these bounties, but I have not yet heard one good reason to show that the farmers are benefited by them. It is said in general terms that they are. If they were, I think they would know it. I do not think any reason has been advanced to-day for continuing to pay these large sums of money at the expense of the taxpayers, who show by the petitions they have presented that they regard it as unfair to themselves. It is a special tax. As the hon. member for Lennox has truly said, it is not like a duty, which produces a corresponding benefit. It is a special present made at the expense of the people, who have petitioned this House not to make it, and made for the aggrandisement and increased wealth of industries which have reached a period of development when they no longer require such aid. Under these circumstances, as the case presents itself to my mind, I am bound, if the matter comes to a vote, to vote against these resolutions.

Mr. CONMEE. I submit to the judgment of the House that it is not fair for an hon. member to refer to a part of a statement made, and leave out another portion of it which would give it a very different meaning. If my hon. friend cannot apprehend what was stated, I am not responsible for that. I never put the question in the form which the hon. member claims that I did. I put it on the ground that we were a young country in the initial stages of the development of this industry. That was the main basis of my argument. I did say that we had the ores and the water-powers. I also said that our mines must be developed, that transportation must be extended, and that we had to have the capital, and the encouragement of government assistance. I made all these statements, but my hon. friend says that I gave a glowing account of the resources we had, and therefore that no assistance was necessary. I want my hon. friend to be fair.

Mr. LANCASTER. I will accept your apology.

Mr. CLEMENTS. I do not rise to prolong unnecessarily the debate. As so many hon. gentlemen have spoken on the question, it is pretty well threshed out. I only rise, as coming from an agricultural district and knowing the sentiments of the farmers, to enter my protest against the bounty system that has been adopted by the present government. So, Sir, I am a protectionist. I believe in affording adequate protection to

all the natural industries of our country—and I believe in protecting all industries alike. I have protested strongly on this floor against the failure of the government to afford sufficient protection to some of our industries.

Mr. CARVELL. Especially tobacco.

Mr. CLEMENTS. If the hon. gentleman (Mr. Carvell) lived in my constituency, he would advocate protection on tobacco, as I do. The hon. member for Thunder Bay and Rainy River (Mr. Conmee) advocates the policy here proposed. The industry is one which he hopes to see established in his own constituency. In addition to hearing the hon. member for Rainy River, I should like to hear those hon. gentlemen on the other side of the House who represent agricultural constituencies and who are not so intimately connected with this industry as is the hon. gentleman (Mr. Conmee). The farmers are protesting strongly against this bounty system. I have presented petitions against it, and I think the time has come when this bounty system should be abolished. While I am in favour of every adequate protection for every native industry I am opposed to the bounty system. And, so far as the iron and steel industry is concerned, as the hon. member for Lincoln (Mr. Lancaster) has said, we have reared that industry until it has become an adult and ought not to be fed at the public expense any longer. I protest against the bounty system, whatever interest it may be used to favour. But, as I have said, I am in favour of protection——

Mr. JOHNSTON. What protection would the hon. gentleman (Mr. Clements) give to pig iron, for instance?

Mr. CLEMENTS. In answering that, let me say that the Minister of Finance (Mr. Fielding) accused me in the course of a debate on the tobacco question, of advocating the adoption of the American tariff for this country. I want to say—and I say it though I stand alone—that we as Canadians would do much better if we upheld the policy of Canada for the Canadians, as our neighbours upheld the policy of America for the Americans. I have advocated, in regard to many agricultural products duty for duty with our American neighbours.

Mr. JOHNSTON. Would my hon. friend (Mr. Clements) extend to iron?

Mr. CLEMENTS. I think my hon. friend (Mr. Johnston) is so well satisfied with his whole opinion on the iron question that he is not likely to accept any advice that I might give.

Mr. FIELDING. As it has been represented that we on this side question the intelligence of the farmers, I would like to say that, if there is any difference between our opponents and ourselves on that point, it is because we have such a good opinion of the farmers as to believe that, when the facts in this case are put before them, they will appreciate them. For instance, the farmers in the constituency of my hon. friend (Mr. Clements) have a protection of perhaps a hundred per cent on their tobacco. We believe that those farmers are not so ungenerous as not to allow the manufacturers of iron and steel from fifteen per cent to seventeen and a half per cent.

Mr. CLEMENTS. What protection has the American tobacco grower?

Mr. FIELDING. That is not the question.

Mr. CLEMENTS. That is the question I want to know about.

Mr. FIELDING. But the hon. gentleman (Mr. Clements) is somewhat alone in that, and I do not want to keep him company. The Canadian tobacco grower in the county the hon. gentleman represents, has a protection of 75 per cent on his raw leaf tobacco, and we believe he is too fair minded a man to deny those in the iron industry a protection of from 15 to 17½ per cent. My hon. friend from Lincoln and Niagara (Mr. Lancaster) treated this as a Nova Scotia question, and said that this money was being dumped into Nova Scotia.

Mr. LANCASTER. I desire to explain that I said what I did because the hon. gentleman from Cape Breton (Mr. Johnston) was interrupting me and was defending this proposal. I said he was anxious to uphold it because he had an institution in his own county that would get the benefit of this bounty.

Mr. FIELDING. I merely wish to point out that out of about $2,000,000 paid in bounties on iron and steel in 1906, nearly $800,000 was paid in Ontario. In the second place, I would point out that while the works of some iron and steel companies are located in Nova Scotia, the capital in those works is largely Ontario capital, and the profits, if there are to be any profits, will not be dumped into Nova Scotia but will be dumped into the hands of shareholders in the province of Ontario. The people of Nova Scotia are not rich enough to own these stocks. I take exception to this being regarded as a Nova Scotia matter. The question as to whether the policy is a good one or a bad one, is one question, but if it is good, it is good for the whole Dominion, and is not presented in the interests of any one province.

Mr. LANCASTER. Seeing that the hon. Minister of Finance has misunderstood me, I desire to set myself right. The hon. member for Cape Breton (Mr. Johnston) did not misunderstand me. He was persistently interrupting me and I said that he wanted to support this policy because he had an institution in his county that would benefit by it.

Mr. JOHNSTON. Just a word—

Mr. LANCASTER. The hon. gentleman (Mr. Johnston) will excuse me. The hon. Finance Minister does not need the help of the very alert member for Cape Breton, (Mr. Johnston), and besides, the less he talks about these matters the better it is for his party. The Minister of Finance accuses me of speaking of this as a Nova Scotia question. I think he is in error. I did not mention Nova Scotia.

Mr. FIELDING. Yes.

Mr. LANCASTER. No, what I said was that the member for Cape Breton had an institution in his county that would benefit by this policy and therefore, I could well understand that he was specially interested. I appealed to the hon. gentleman (Mr. Johnston) to be broad enough to deal with this matter as affecting the whole Dominion. I never said a word to show that I objected to this proposal as giving money to Nova Scotia or to any other special part of the Dominion. My objection was that a special industry was being fed at the expense of the taxpayers of the Dominion.

Mr. FIELDING. I think that the hon. gentleman (Mr. Lancaster) will find by 'Hansard' that he is mistaken.

Mr. JOHNSTON. Just one word of personal explanation in reference to the observations of my hon. friend from Lincoln and Niagara. I hope that hon. gentleman will not think that I was at all disturbed by anything that he said or that I should be disturbed by anything that he could say on a question of which he knows so little as he knows of this.

Mr. LANCASTER. Then, why did the hon. gentleman (Mr. Johnston) interrupt me so much ?

Mr. JOHNSTON. My complaint was that the hon. gentleman (Mr. Lancaster) had undertaken to quote scripture, and that he did not do it correctly, and so, Mr. Chairman, I wished you to call him to order.

Mr. WM. WRIGHT. At this late period of the session, I shall be very brief in my remarks, that course being all the more necessary in view of the fact that the supporters of the government seem anxious to prolong the discussion and delay the progress of the measure. As a representative of a rural constituency, I protest against these high bounties. I am a protectionist and am in favour of putting on such duties as will protect the industries of this country. But the bounties here proposed carry protection beyond what is necessary. These concerns are in a position to stand in competition with the outside world and do it successfully, and I think it is not in the interests of this Dominion to take out of the pockets of our farmers large sums of money in order to pay it to these concerns. The government has seen fit to lower the duties on iron and steel products for the benefit of certain concerns which use large quantities of these commodities. That means that the duties formerly paid by these concerns will have to be paid by the ordinary consumer, especially by the farmers. And they have to pay the bounties provided for under this measure. Thus we increase the burdens upon the consumer in both ways. It is unfair to the ordinary taxpayers of this Dominion to compel them to pay bounties which are to be continued for so many years. During the early stages of an industry, I should have no objection to giving them protection in a fair way. And, if there are new inventions to be tried, for instance, the electrical process for the production of iron and steel, I would have no objection to voting a reasonable amount to compensate in some degree for the heavy initial expense of experimental work. But, while I should be willing to go thus far, I register my strong protest against these high bounties.

Mr. FIELDING. I would call the attention of the committee to one or two trifling amendments. In subsection (e) of section 2 the word 'ingots' appears in two places. I propose to strike it out, for the reason that steel is made now in some other form, and it is not wise to limit this to ingots. In section 4, the same word appears, and I desire to have it removed from that section also. I also ask consent to the following amendment in relation to the bounty on steel by the electric process :

Provided that bounty, as on pig iron under this section may be paid upon the molten iron from the ore which in the electric furnace enters into the manufacture of steel by the direct process—the weight of such iron to be ascertained from the weight of the steel so manufactured.

The object of that is to remove a possible doubt. We had a question at one time as to whether the pig iron in the molten state was eligible for the pig iron bounty and the courts determined that although the molten iron was not allowed to cool it was nevertheless pig iron and entitled to a bounty. We want to make it clear that the advantage, if it be an advantage, which has been extended to the established furnaces shall also extend to this new experiment, if you call it an experiment, with respect to electric smelting. We put in words to make it clear that the same rule shall be applied to the electric smelting as has been applied to the other smelters.

Resolutions reported, read the second time and agreed to.

Mr. FIELDING moved for leave to introduce Bill (Bill 173) respecting bounties on iron and steel made in Canada.

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

Mr. FIELDING. The Bill is an exact transcript of the resolutions prepared in the usual form, with the amendments to which I have called the attention of the committee.

Mr. R. L. BORDEN. Is section 5 intended as sarcasm?

Mr. FIELDING. What is that?

Mr. R. L. BORDEN. It says the Minister of Trade and Commerce shall be charged with the administration of this Act; I did not know if I heard it correctly.

Mr. FIELDING. You did.

Bill reported, read the third time and passed.

BOUNTY ON BINDER TWINE.

House went into committee to consider the following proposed resolution:

Resolved, that it is expedient to amend chapter 5 of the statutes of 1903, intituled: 'An Act respecting the manufacture of Binder Twine in Canada,' and to provide that the following be added thereto after section 1 thereof, viz.:

1a. That the Governor in Council may authorize the payment of a bounty to any corporation, firm or person, manufacturing cordage in Canada from manilla fibre, such bounty to be equal to the amount paid as export duty in the Philippine Islands on manilla fibre produced on those islands, and used in the manufacture of cordage in Canada; the said bounty to be payable only in respect of manilla cordage manufactured in Canada, on and after first day of January, 1907.

Provided, however, that the bounty shall not exceed three-eighths of one cent per pound on the manilla fibre so used in the manufacture of cordage.—Mr. Fielding.

Mr. FIELDING. This resolution provides for the extension of an arrangement which was made several years ago and which arises out of the peculiar condition of affairs in connection with the trade in manilla fibre. In former years when the Philippine Islands were under the government of Spain there was an export duty amounting to three-eighths of a cent per pound upon all manilla fibre shipped from the islands. When the islands became colonies of the United States that export duty was continued as respects all countries except the United States. The consequence was that by this artificial arrangement the manufacturer of cordage in the United States was enabled to buy his raw material at three-eighths of a cent per pound less than the Canadian manufacturer. We had placed binder twine on the free list. If that condition were to remain the American manufacturer could buy his manilla fibre three-eighths of a cent per pound cheaper than the Canadian manufacturer and he could send the binder twine into Canada free of duty. The placing of binder twine on the free-list was of course regarded as a disadvantage to the Canadian manufacturer, and we thought he ought not be placed under the further disadvantage of competition with the United States under the peculiar circumstances described. We thought we should make good to the manufacturers of binder twine this three-eighths of a cent per pound which he had to pay as an extra tax in buying his manilla. That has been in existence for some years, and we paid last year according to that arrangement some $15,000 as bounty to the manufacturers of binder twine. In the new tariff we have enlarged the free list by including a considerable volume of cordage for the use of the fishing industry. We determined that we would extend to the manufacturers of cordage the same advantage with regard to the manilla fibre as we had already provided in the case of binder twine. At first we proposed to limit it to the particular forms of cordage which were put on the free list, but the customs officials found that it would lead to considerable trouble and that it would only make a small amount of difference if we included all. We have in this resolution proposed that for all of the manilla fibre used in the manufacture of cordage they shall receive a bounty equal to three-eighths of a cent per pound, which they are obliged to pay in the way of export duty in the Philippine Islands. The figures on the imports for 1906 show that if we were to pay this bounty of three-eighths of a cent per pound on all the manilla fibre that is used, outside of what we now pay for binder twine, it would add about $23,000 to the outlay. That is the outside figure that this resolution can involve by way of bounty on the figures of last year. We think that as the amount is not very large, and as the manufacturer, either of binder twine or cordage, is placed under a substantial disadvantage by this peculiar condition in relation to the cost of manilla fibre, we should extend to him the same aid we gave a couple of years ago as respects binder twine.

An hon. MEMBER. What comes from Manilla?

Mr. FIELDING. Only from Manilla. Of course there are many things used in the manufacture of cordage beside manilla, and we do not touch them at all. But for the limited amount of manilla fibre that is used, we compensate the manufacturer to the extent of three-eighths of one cent per pound, which has been brought about in the manner I have described.

An hon. MEMBER. What do the Americans charge?

Mr. FIELDING. Certain kinds of binder twine are free, but if there is any manilla in them it is dutiable, a substantial rate, an hon. gentleman says 45 per cent. But certain kinds with no manilla fibre are admitted free.

Mr. LENNOX. This is only to extend it to the cordage branch. It is already provided as regards the binder twine ?

Mr. FIELDING. Yes.

Resolution reported, read the second time and agreed to.

Mr. FIELDING moved for leave to introduce Bill (No. 174) respecting the manufacture of binder twine in Canada.

Motion agreed to, and Bill read the first time and second time, considered in committee, reported, read the third time and passed.

CUSTOMS ACT—AMENDMENTS.

Bill (No. 165) to amend the Customs Act—Mr. Paterson—read the second time, considered in committee, reported, read the third time and passed.

SUPPLY—BUSINESS OF THE HOUSE.

Hon. W. S. FIELDING (Minister of Finance) moved that the House go into Committee of Supply.

Mr. E. A. LANCASTER (Lincoln). Mr. Speaker, before you leave the chair, I would like to call the attention of the hon. Minister of Finance (Mr. Fielding) to item 35 on Public Bills and Orders :

House in committee on Bill (No. 5) an Act to amend the Act respecting certificates to masters and mates of ships.

This is a Bill that went to a special committee at the instance of the hon. Minister of Marine and Fisheries (Mr. Brodeur). The committee have considered and reported it with some amendments to the House. It is a very important measure and the understanding when it went to the committee was that notwithstanding the government might in the meantime take all days for its own business it would not prevent it being dealt with when it came back from the committee. The Minister of Marine and Fisheries, we know, is not in the Dominion now and I would like to know what position the Minister of Finance intends to take. Of course, I am also pressed by those who think this legislation should be passed this session, if possible.

Mr. FIELDING. As the Bill in question, while one of importance, might give rise to some controversy and there is a general desire to bring the session to a close, I will have to ask my hon friend (Mr. Lancaster) not to press it further in the present session. In the absence of my hon. friend the Minister of Marine and Fisheries (Mr. Brodeur), who has given it his particular attention, I think we should have some hesitation in going on with it now, so that we will have to take the responsibility of asking the hon. gentleman to let it stand until next session.

SENATOR FOR ROUGEMONT.

Mr. H. B. AMES (Montreal, St. Antoine). Mr. Speaker, before you leave the chair, on the 18th April, I asked the leader of the House (Mr. Fielding) if all the documents had been bought down that could be brought down in reference to the appointment of a senator for the district of Rougemont. At that time the hon. leader of the House stated that he would make inquiries and ascertain whether there were any other documents that could be laid on the table of the House in reference to this matter. I would like to ask if this has been done ?

Mr. FIELDING. I made inquiry of my brother ministers and I find that there are no documents on record, and therefore I am not able to add anything to the information already included in the return. The hon. gentleman referred to some petition that he understood had been circulated. It is quite evident, if there were some petitions of that kind, that the minister to whom they were addressed regarded them as personal and has not placed them on the files. The right hon. Prime Minister (Sir Wilfrid Laurier) being away, I could not get any information, but I am informed that these petitions were not addressed to His Excellency the Governor General, but were addressed to a minister. Of course, a petition addressed to His Excellency is a public document, while a communication addressed to an individual might or might not be a public document.

Mr. AMES. Is it probable that these petitions were addressed to the right hon. leader of the government ?

Mr. FIELDING. I was told that the petition referred to was not addressed to the leader of the government but to another minister. However, my information is not authoritative on that. My hon. friend may have better information than I have concerning that.

COAL STRIKE IN THE NORTHWEST.

Mr. R. L. BORDEN. Mr. Speaker, before you leave the chair, I would like to inquire whether or not the government has any further news as to the condition in the west with respect to the threatened strike ?

Hon. RODOLPHE LEMIEUX (Minister of Labour). I received a few minutes ago

long telegrams from both the operators and the miners, each side disclaiming being the cause of the trouble. I have received also during the day a telegram from Mr. King saying that he would reach Fernie where a conference would be held this evening with both parties. The train was late, but the Canadian Pacific Railway had been kind enough to give him a special train which would reach Fernie in time. I expect in the morning to have some further news for the House, and I hope some good news.

Mr. R. L. BORDEN. The minister has kept us pretty well advised as to the telegrams up to date and perhaps he would have no objection to communicating these telegrams to the House.

Mr. LEMIEUX. Certainly I will.

Mr. R. L. BORDEN. The minister has not them here ?

Mr. LEMIEUX. I have just one, that from the miners, which I would not like to read without having the other. I will bring them down in the morning.

INQUIRY FOR RETURNS.

Mr. R. L. BORDEN. Mr. Speaker, before you leave the chair, I would like to direct the attention of the hon. leader of the House (Mr. Fielding) to certain returns not yet brought down which we would like to have expedited :

Copy of all applications for the lease of grazing lands between February 1, 1905, and August 1, 1905.—Mr. M. S. McCarthy.

Copy of all correspondence in re the resignation of W. B. McInnes as governor of the Yukon.—Mr. White.

All documents re coal lands leased, sold, &c., from January 1, 1906, to date.—Mr. Lake.

All correspondence, &c., in re the leasing of timber berths Nos. 824, 1062, 1107, 1108, 1171 and 1212.—Mr. Boyce.

These returns relate to matters in the Department of the Interior. Then there is one from the Department of Marine and Fisheries :

Copy of all correspondence in re naval reserve.—Mr. A. C. Macdonell.

There is one relating to the Department of Public Works :

Total expenditure in each constituency each year from 1897-1906, on harbours, rivers, public buildings, &c.—Mr. Sproule.

STANDARD CHEMICAL COMPANY, LIMITED.

Mr. L. ROBITAILLE (Quebec County). Mr. Speaker, before you leave the Chair, I would like to have some information from the Department of Customs with respect to an order of the House asking for all correspondence relating to the transactions of the Standard Chemical Company, Limited, with the Department of Customs and the Department of Inland Revenue. The papers brought down do not include all called for by the motion. I would like to know from the Minister of Customs if I may expect some more. The same question was asked of the Minister of Inland Revenue, but no papers have been brought down. I understand that the deputy minister is trying to temporize with the expectation of perhaps leaving it over until the next election. In the meantime, I have not received all the papers. I am aware that a certain telegram was sent to a manufacturer here in Canada who had imported under false entry a certain class of machinery calling him to account, but because a prominent lawyer happened to be the friend of a minister he succeeded in getting through an order in council securing the entry of that machinery under a false name. I am certain that he entered other machinery and that the entry was called in question. When I brought this to the attention of the assistant commissioner, Mr. Bain, he showed me—I suppose he thought that I was getting too nosey—a telegram addressed to the man who had made this entry to settle in twenty-four hours or he would seize the plant. That telegram was not included in the return. That telegram is not included in the papers. I was not the only one to see the telegram, I had a senator with me whose word may be taken if mine is not. Three months after I wrote to the department asking if the duty had been paid, it was said it was paid, I brought a senator up and it was a question of who was telling a falsehood. There was an interesting debate in the office, and things were turned around afterwards. Happily, eight months afterwards I was in the House and could work my own little affair in the matter. I would like the minister to state definitely whether all the papers have been brought down. There are other cases of incomplete returns, but it would not be wise for me to tell all the papers that have not been produced that I think are there. When I ask for papers, I want all the papers, not simply those of which I know the contents. The same thing might be said of the Excise Department.

Hon. WM. PATERSON (Minister of Customs). All I can say is that if there is an order of the House for a return of papers from the Customs Department it is immediately attended to, the papers are prepared, the return brought down and for anything I know everything was brought down in this case. The hon. gentleman speaks of a telegram that Mr. Bain, the assistant commissioner, sent. Whether that went on the public file or not, I do not know. I am sure the commissioner produced a complete return as far as he was aware. I shall

make inquiry and I shall let the hon. gentleman know.

Mr. ROBITAILLE. Are the returns carefully scrutinized before they are brought down? I notice several cases of replies referring to letters that are not included so that there have evidently been omissions.

Hon. WM. TEMPLEMAN (Minister of Inland Revenue). The hon. gentleman moved for two returns from the Department of Inland Revenue. One referring to the maturing allowance on alcohol has been brought down. The other called for all the correspondence with the Standard Chemical Company, which supplied wood alcohol to the government for a large number of years. I am advised by the deputy minister that to prepare that return would take one person six months. One person has been constantly working on it since the hon. gentleman moved for the return. The hon. gentleman himself visited the department and after conferring with the deputy minister agreed that the return should go over until next year. He was informed that if he would select the particular documents he wanted they would be produced rapidly, but he wanted it all, and he thereupon agreed with the deputy that he would consent to receiving it at the next session of parliament.

Motion agreed to, and House went into Committee of Supply.

Intercolonial Railway—new machinery, Intercolonial Railway car shops and land purchase at Moncton, $520,000.

Mr. BENNETT. Is this all by tender?

Hon. W. S. FIELDING (Acting Minister of Railways and Canals). Yes, I am assured by the deputy it is.

Increased accommodation and facilities along the line, $62,000.

Mr. BENNETT. What is the nature of this?

Mr. FIELDING. These are for improvements, enlarged accommodation at the various stations. The largest item is $12,000, for fencing portions of the line not hitherto fenced.

Mr. J. D. REID. What is the minister going to do about this Halifax case? We had Mr. McIlwraith before the Public Accounts Committee and there has been a trial in Halifax in which certain charges went before the jury, and I see by the Halifax paper that Mr. McIlwraith's lawyer says in his speech to the jury:

The thing I am complaining about is that it is said that Mr. McIlwraith has stolen out of the Dominion treasury the money which he got.

That is the $4,015 for the roundhouse or whatever it was. He also states:

The object of the action in the first place is to get a verdict from you as to whether that thing which has been said against Mr. McIlwraith is true or false and also a verdict for the defendant means that Mr. McIlwraith goes out of court with the charge established against him.

The jury brought in a verdict against Mr. McIlwraith and it proves what was proved in the Public Accounts Committee that there was a rake-off among some people down there, and I would like to know whether the government intend taking any action towards recovering the amounts which Mr. McIlwraith and his friends got as a rake-off in that land deal?

Mr. FIELDING. I do not know of any rake-off which Mr. McIlwraith or any one got. I am aware there was a trial and the verdict was in favour of the defendant, but I have not had time to read the evidence and I have not read what my hon. friend has just read. Mr. McIlwraith seems to have been tried in the last few days by two tribunals; he was tried by the jury which gave a judgment against him and by the jury of his fellow-citizens who elected him mayor of the city. I do not know which verdict he values most.

Mr. J. D. REID. He was tried in the Public Accounts Committee and it appeared certain that there was a large amount paid for the lands for the railway company.

Mr. FIELDING. I do not think it was shown that the price was unreasonable at all.

Mr. J. D. REID. Oh yes, a jury have investigated it and it seems to me that under the circumstances the government should take some notice of the judgment given in the courts, and that the amount taken from the government in a way that it should not have been taken ought to be recovered.

Mr. JOHNSTON. I think my hon. friend should wait until the thing is decided once and for all before he gets gay about it.

Ste. Rosalie—improvements at, $13,000.

Mr. AMES. In looking over the improvements on capital account on the Intercolonial Railway it struck me that there might be an improvement in regard to the time allowed between the advertising and the time when tenders are called. The correspondence shows that parties who desired to tender felt that the time was insufficient. Now, if a fiat goes forth from Ottawa, let us say on the 10th of June, and is published in various places—say Montreal, Ottawa, Moncton, Halifax and St. John—it requires five or six days for the advertisements to get into the papers. If the tenders must be delivered within two or three weeks from the time the advertisement first appears, this limits very much the number of persons who bid for the contract.

Mr. FIELDING. In the case of large works it is desirable that considerable time should be granted. In the case of less ex-

tensive works, less time will do. In some instances the department has been able to give only a short time owing to the lateness of the session and the late period at which the money for the work has been appropriated ; so that if the work was to be done at all, it had to be done under a rush order. Under the new condition of things parliament is likely to be prorogued in the spring, so that there will probably in future be no such difficulty. I quite agree with my hon. friend that there should be ample notice given, and I think under the new arrangements we shall be able to give that in the future.

Mr. AMES. It was November, or October at least, before the contractor for the car shops at Moncton got his contract, and it was understood that the work should be finished by the 1st of December. The other bidders were under the impression that two or three months at the outside would be given for the work; but the successful tenderer, E. A. Wallberg, after getting the contract, was able to have it extended until the following July. If the other contractors had felt that they could have their time extended in the same way, there would probably have been other tenders and better figures.

Mr. FIELDING. I can assure the hon. gentleman that there was no discrimination in favour of Mr. Wallberg. The object was to get the work done in the time specified, but sometimes an extension of time to a contractor is unavoidable.

Intercolonial Railway—to strengthen bridges, $309,000.

Mr. BENNETT. Will this work be done by tender ?

Mr. FIELDING. Yes.

Mr. DANIEL. Where is the double tracking to take place ?

Mr. FIELDING. From St. John to Hampton, 22 miles, and from Moncton to Painsec Junction, 7·25 miles.

Mr. CROCKET. Are any new bridges to be put on the Canadian Eastern branch this summer ?

Mr. FIELDING. Yes, at Boiestown and Doaktown—steel bridges.

Mr. CROCKET. What is the cost of these bridges ?

Mr. FIELDING. Boiestown, $34,000 ; Doaktown, $75,000.

Mr. GAUVREAU. Is it the intention of the minister to call for tenders for the Rivière du Loup work this summer ?

Mr. FIELDING. The plans are now under consideration. The deputy minister wishes to be sure that they are all right before calling for tenders ; but it is intended to call for tenders this summer.

Mr. MORIN. I would like to ask the minister a question. When the Drummond Counties Railway was bought by the government in 1898, it was said to be a straight and level road, a first-class road, with the bridges, the masonry work and the rails all first-class. Ever since that time the government has been laying down new rails, making the road straighter and re-building the bridges. Why is that ? Everything was first-class a few years ago, but has become second-class. I would like the minister, when he goes over that road from Montreal to Levis, to look at the old bridges across the river at Mitchell, and he will see one of the shabbiest things for a railway bridge that he ever saw in his life. It is a wonder thousands of people have not perished at that bridge. I would also like to ask the minister if he is going to build a new bridge over the Nicolet river, west of that ?

Mr. FIELDING. There is a contract outstanding for a new bridge across the Nicolet river, and the work is approaching completion.

Prince Edward Island Railway—increased accommodation at Charlottetown, $318,000.

Mr. A. MARTIN. Will the minister tell us something about the progress of that work ?

Mr. FIELDING. I understand that the car shops have been let by contract and that tenders are now being called for the wharf. There are other minor matters still to be done, but these are the principal items.

Mr. J. D. REID. Who is the contractor for the carshops?

Mr. FIELDING. Mr. Wallberg.

Mr. BENNETT. Good.

Mr. FIELDING. I think we ought to thank this Mr. Wallberg who gives us low tenders.

Mr. J. D. REID. I fancy he is not always the lowest.

Mr. FIELDING. That is not fair on the part of my hon. friend (Mr. J. D. Reid). If he will give us a specific case we will look into it. But I am sure that in every case in which Mr. Wallberg has received a contract he has received it because he was the lowest tenderer. If it is not so in every case let my hon. friend point out what is wrong.

Mr. J. D. REID. If it were not so late in the session I would.

Railways and Canals—chargeable to capital—Prince Edward Island Railway—Murray Harbour branch, land purchased, $6,560.

Mr. A. A. McLEAN. Are the claims of the people at Village Green included in this ?

Mr. FIELDING. The deputy minister is not certain they are included here, but if not they are provided for in the supplementary estimates.

Mr. A. MARTIN. The contract for this Murray Harbour branch was given about seven years ago. How comes it that we have this vote to pay these claims only at this late date? I placed a question on the order paper early in the session relating to these claims and the answer I got was that the cases has been referred to the Exchequer Court, which was to meet in December. I have a number of letters from people along the road who have suffered grievously for seven years wnile awaiting the payment of these claims by the government. Some of these claims have not been referred to the Exchequer Court yet. I would like to know from the Minister of Finance why these claims should not be settled. There are a number of people in Village Green who have lost considerably by the delay of the company. If their claims are to be referred to the Exchequer Court what procedure will be taken in regard to them?

Mr. FIELDING. This is a case in which the people made a bargain for the sale of their land and after they had done so they asked to have the case reopened. These claims were not legal claims. It is an act of grace on the part of this parliament to deal with these cases.

Mr. A. MARTIN. Some of the claims on this road have been referred to the Exchequer Court and some have not. Can the minister say why the distinction is made?

Mr. FIELDING. There are certain claims which it is believed wise to recognize and pay. There are others under consideration, but the department has not determined whether it will endeavour to make a settlement or have the claimants dealt with in the Exchequer Court.

Mr. A. MARTIN. I cannot say that that is satisfactory. These people have been kept out of their money for years. I know that some of them have been forced to mortgage their property because this government has been so slow in its settlement. Some of these claims are dealt with in one way and some in another. I am afraid there is a great deal of favouritism, in fact, I know that there has been. I have here a letter from a gentleman who owns property at Montague Bridge—two lots, and the payment in regard to one lot is referred to the Exchequer Court and the other is not. Why should not both be referred to the Exchequer Court? I think it is time that these people had redress.

Mr. FIELDING. I think that with patience we shall reach a settlement.

Mr. A. MARTIN. I would like to ask another question. The ex-Minister of Railways (Mr. Emmerson) before he resigned spoke of some motor cars for this line.

Mr. FIELDING. Here is another case for the exercise of patience; that is dealt with in the supplementary estimates.

Mr. A. MARTIN. Now let me tax the hon. gentleman's patience a little more.

Some hon. MEMBERS. Carried.

Mr. A. MARTIN. I am not in a hurry. I am, perhaps, something in the position in which these hon. gentlemen were earlier in the session. Ever since this government came into power they have been talking railway extensions in Prince Edward Island, especially just before a general election. Before the election of 1904 many surveys were made. I want to know if this spending of money on surveys, with no other results, is to go on and what the government propose to do?

Mr. FIELDING. We have built several branch lines in Prince Edward Island, though the hon. gentleman (Mr. A. Martin) seems to think it a political crime. We have built the line to Murray Harbour and also the line to Montague Bridge; it seems to me that we have not done so badly. The claims of Prince Edward Island will come up for consideration. I cannot name the date for the beginning of new branch lines.

Mr. A. MARTIN. The Minister of Finance says his government has built branch lines in Prince Edward Island, but I can tell him that they have not even finished the one branch line they undertook to build. The present government said they were going to assume the undertakings of the late government.

Mr. FIELDING. No.

Mr. MARTIN. I have heard that statement from the government side of the House time and again. At confederation, Prince Edward Island had 200 miles of railway built at a cost of $3,000,000 and at that time the whole expenditure of Canada on railways was only $34,000,000, so that Prince Edward Island had then one-tenth of the total. But since we entered confederation, Prince Edward Island has come to a standstill. The minister boasts that they have built about 40 miles of a railway there, but the less he says about that expenditure the better, because I believe an investigation would prove that 40 per cent of it was pure graft. When it took $32,000 a mile to build that branch and when the Prince Edward Island government built the main road 35 years ago for half the money, the Minister of Finance will see that there is something wrong. At least 40 per cent of that money was misspent. In 1896 the Conservative government pro-

posed some railway extensions in my province, but this government has satisfied itself with making surveys just about election time, and though there is an overflowing treasury there is not a dollar to be expended for railway construction in Prince Edward Island. Does the Minister of Finance suppose that the people of Prince Edward Island don't see through that game. If he goes down there the people will demonstrate to him that patience has ceased to be a virtue. The Conservative government in 1896 proposed to build 105 miles of railway on the island, and the Railway Department estimated the cost of that at $10,000 a mile, and that estimate was given after the surveys were made and everything ready for the construction, but when the Liberal government built 40 miles of the 105 miles contemplated it cost $32,000 a mile without rolling stock, and now the minister slaps in our face the statement that his government has spent a lot of money in Prince Edward Island. The people of Prince Edward Island understand how that money was misspent. It was misspent because they gave most of the contract without tender. You first called for tenders for eight miles of the easiest part, an election was coming on, a gentleman named McManus got the contract by tender, but you forced him out and the poor man had to pass the work over to a favourite of the government. The next 40 miles was given without contract at all and the result is that it cost $32,000 per mile although the railway department estimated that it was only to cost $10,000 a mile. The minister has asked me to have patience, but under the circumstances he is asking too much. We see railroads being built all over the country, we see that we are taxed for the building of them ; we see millions of money spent on the transcontinental railway and other railways, and we see that the people of Prince Edward Island are not getting fair-play. I declare here that there was enough money spent on the building of the 45 miles of railway by this government to complete the whole extensions of 105 miles proposed by the Conservative government. I have the 'Hansard' of April 21st of 1896 here and from it I quote :

> Mr. Haggart moved that the House resolve itself into committee to-morrow to continue the following proposed resolution:
>
> That it is expedient to authorize the Governor in Council to build and operate as part of the Prince Edward Island Railway the following lines of railway, that is to say :
>
> (a) from Southport to Murray Harbour south with cross line connecting with the Prince Edward Island Railway between New Perth and Cardigan stations, touching at or near Montague bridge.

That is the line the Minister of Finance says he has finished, and I say he has not finished it yet because the most important link of that line is unfinished. It cannot be that the government has fallen short of funds because while the Conservatives had only a revenue of $40,000,000 a year, the Minister of Finance boasts to-night that he is proposing to expend $116,000,000 this year. And yet Prince Edward Island is not to have fair-play. Our province is differently situated from any other in Canada.

If we did build branch lines, would we be treated as Nova Scotia was ? A few years ago Nova Scotia built some branch lines, and a few years afterwards the government took them over and paid the province for them. The government are now proposing to incorporate these branch lines into the main trunk of the Intercolonial. I think it is the duty of the government to place that province in the position which it deserves. It is not reasonable that we should be taxed for railway construction all over Canada, and that not a mile should be built there at all, a province which had a larger proportionate share of railway constructed when it entered confederation than any other province of Canada. In our province we have fifty-four people to the square mile, all the rest of Canada have not two to the square mile. I want the minister to say now if he is going to construct that New London branch, and that Rustico branch which they have surveyed. I want to know if he is going to carry out the programme which the Conservative party adopted in 1896? Besides that branch, there was a branch proposed from a point between Royalty Junction and York station thence to Oyster Bed Bridge and there was a branch from Emerald station to Stanley bridge, and a branch from North Wiltshire to Victoria, all these branches amounting to 106 miles. If these railways were built it would do a great deal to appease the people in the isolated condition in which this government has kept them for so many years. Especially do the people on the north side need railway communication. They are mostly French Acadians, and the country where they are living is denuded of fuel. They have to depend upon Charlottetown for their coal and haul it 24 miles. It costs $4 a ton to haul coal from Charlottetown to Rustico. When these people drive into Charlottetown with their fish all their profits have evaporated. They want railway construction from Charlottetown to these fishing grounds on the north side of Prince Edward Island. This government has allowed the harbours to be closed up. Ten or twelve years ago there were a dozen vessels trading on the north side, to-day there are not three vessels. The harbours are filling up with sand. Every year a vessel is wrecked on this bar, and another is wrecked on another bar. The hon. gentleman says, let us have patience. It reminds me of what he said in discussing representation, he said: We will wait until the population gets to the vanishing point. I hope that is not the mind of

the minister in this connection and that he wishes the people of Prince Edward Island to wait until they come to the point when they will no longer need his assistance, when they have passed from this mortal sphere and joined the happy band in a happier land. Now I think the hon. member for King's, Prince Edward Island (Mr. Hughes) should stand up in this House and join us in trying to bring the government to their senses. The government are getting into great discredit in Prince Edward Island, the people see through their pretences in making surveys of roads just before an election, and then doing nothing more until another election comes round. Now I wish to know from the minister what he is going to do? We were told by Mr. Emmerson that these motor cars were to be built and put on these branch lines, and if they were successful, he had no doubt but that all these branches would be built. But the minister says he has no information about these motor cars, although we were told two months ago that they were being built in the car shops at Charlottetown. I would like the minister to tell us when he is going to come to our rescue, or else the people of Prince Edward Island will have to turn their backs still further against this government.

Mr. A. A. McLEAN. I would ask the minister if petitions have been received by the government from Oyster Bed Bridge, North Rustico, South Rustico, Stanley Bridge, Clifton and French River within the last four years, asking for the construction of branch lines ?

Mr. FIELDING. A number of petitions from various points in the island have been received, and no doubt these were amongst them.

Mr. A. A. McLEAN. Were any petitions received from the inhabitants of Victoria and Crapeau ?

Mr. FIELDING. A number of petitions have been received from different points I cannot say from what points.

Mr. A. A. McLEAN. One more question —Is it the intention of the government seriously to take into consideration the construction of any one of these branch lines ?

Mr. FIELDING. They will receive due consideration, with other enterprises which demand the attention of the government. If he means, Are we to undertake the construction at once, No ; if he means. Are we prepared to give them consideration, Yes, along with various other enterprises which are presented to our attention.

Mr. A. MARTIN. Not in the immediate future ?

Mr. FIELDING. No, we have not made any appropriation for them in these estimates.

Mr. A. MARTIN. How many years does the minister want to consider them ?

Mr. FIELDING. Not so many years as the Conservative government took in regard to works in Prince Edward Island.

Mr. J. J. HUGHES. I think the hon. members' memory is somewhat defective. I can only tell them that previous to the election of 1883 a survey was made for a branch railway.

Mr. BENNETT. That is outlawed.

Mr. J. J. HUGHES. The Conservatives remained thirteen years in power after that and there was nothing done. I could go on and relate several instances of that kind.

Mr. SPROULE. Don't.

Mr. J. J. HUGHES. I will simply relate this as an example.

National Transcontinental Railway—surveys and construction, $28,360,000.

Mr. FIELDING. The hon. member for York, N.B. (Mr. Crocket) asked me to bring down some information. I have had it prepared but I neglected to bring it this evening. If he wishes to have this item stand I have no objection.

Mr. DANIEL. Better let it stand.

Mr. FIELDING. All right.

Item allowed to stand.

Galops canal—to pay final estimate, $60,000.

Mr. J. D. REID. Will that finish the work ?

Mr. FIELDING. This is the final estimate.

North channel—to pay final estimate, $25,500.

Mr. J. D. REID. Is that the final estimate?

Mr. FIELDING. That is the final estimate.

Mr. J. D. REID. Is that the Murray and Cleveland contract ?

Mr. FIELDING. Yes.

River St. Lawrence—removal of shoals in river, upper entrance Galops canal, $28,000.

Mr. J. D. REID. Where are these shoals?

Mr. FIELDING. This work was originally contemplated in order to conform with the upper entrance of the Galops canal. The work became a necessity owing to the fact that three boats grounded last season and others touched bottom. This is done at the instance of the Dominion Marine Association.

Mr. J. D. REID. Where is this ?

Mr. JOHNSTON. On Main street.

Mr. J. D. REID. Every time I get up the hon. member for Cape Breton, South, (Mr. Johnston) interrupts. Every person knows that he is a freak and not responsible for

what he says. If the minister has him there for the purpose of obstructing I may say to him that I am prepared to fight these estimates. I asked the minister where this work was being done.

Mr. FIELDING. This is the removal of shoals in the river at the upper entrance to the Galops canal.

Mr. J. D. REID. I know the canal well and I had supposed that Murray and Cleveland had dredged that all out.

Mr. FIELDING. No, there is a piece which remains and which requires to be removed.

Galops rapids—to pay final estimate, $17,700.

Mr. J. D. REID. Is that the Gilbert contract ?

Mr. FIELDING. Yes.

Trent Valley canal—construction, $280,000 ; surveys, $4,000.

Mr. BENNETT. When is it expected that the survey from a point on Lake Simcoe at Kempenfeldt bay or Barrie will be completed ?

Mr. FIELDING. The deputy minister informs me that the men are making good progress and pushing the work but he would not like to name a time at which they will complete it.

Mr. BENNETT. There is a large vote in the supplementary estimate and whether it may be from Barrie to Nottawassaga bay or by way of the Severn, will part of the work be put under contract this year? And in the event of the Severn route being accepted I would urge upon the government the placing of a lock at Port Severn as being one of the first works undertaken.

Mr. FIELDING. It is intended to place the work under contract this season.

Mr. BENNETT. Whichever route is chosen ?

Mr. FIELDING. Yes.

Welland canal—elevator at Port Colborne, $637,000.

Mr. BENNETT. Will that complete the elevator at Port Colborne and will it be in running condition this fall ?

Mr. FIELDING. No, it will not be ready for this season's work.

Mr. J. D. REID. I have heard a good many say that the question of erecting an elevator at Port Colborne should be reconsidered by the government. Deputations have waited on the government asking them to enlarge the Welland canal but it is claimed that this elevator is not going to be what the marine men want. As I understand it they have not commenced work at all. Of course there may be some foundations built but not the main part of the work. If the contract has been awarded——

Mr. FIELDING. Yes, the contract has been let.

Mr. BENNETT. How far has the work advanced ?

Mr. FIELDING. The steel work and machinery are all in course of manufacture, the foundations are completed and considerable progress has been made.

Mr. BENNETT. Who has the contract ?

Mr. FIELDING. Peter Lyall & Sons, Montreal.

Mr. BENNETT. What is the contract ?

Mr. FIELDING. $637,000.

Mr. BENNETT. Is it built of cement or iron ?

Mr. FIELDING. Cement and steel.

Mr. SPROULE. You have spent $200,000 and you are asking for $637,000 more.

Mr. FIELDING. The contract is for $637,000 including the elevator and all machinery for operating. That does not include the foundation, I understand.

Mr. SPROULE. What did you spend $200,000 for ?

Mr. FIELDING. The total expenditure to the 1st October, 1906, at which time these estimates were prepared, was $126,602.

Mr. SPROULE. It is quite clear that you spent $200,000. Why do you want $637,000 to finish it ?

Mr. FIELDING. The deputy minister informs me that at the time that was put in they could not tell whether there would be a revote or not because they were not quite sure as to what amount would be expended. But they have not expended $200,000.

Mr. SPROULE. How much have you spent ?

Mr. FIELDING. $126,000 up to the 1st October.

Mr. SPROULE. And from October to March you must have spent the rest ?

Mr. FIELDING. The season since that time has not been favourable to work so that there has been very little added to it.

Mr. LENNOX. There were $200,000 voted last year and you are asking for $637,000 now ; that makes $837,000 and if it only takes $637,000 to do the whole work you should not take a vote for that amount.

Mr. FIELDING. The $637,000 does not include the foundation.

Mr. SPROULE. How much will the whole work cost?

Mr. FIELDING. About $732,000 all told.

Sault Ste. Marie canal—construction, $150,000.

Mr. FIELDING. This is to be expended in deepening and widening what is known as the Vidal shoal at the upper entrance. The work is under contract to C. S. Boone, Toronto.

Cornwall canal—to build a gate lifter, $10,000.

Mr. J. D. REID. Why do they require a gate lifter there?

Mr. FIELDING. The deputy tells me they want one in each canal.

Galops canal—to build retaining walls, $15,000.

Mr. FIELDING. The bank on the north side at Iroquois has been falling down. We propose to replace the light rip-rap wall that was put in when the canal was enlarged with a heavy one of concrete and stone.

Mr. J. D. REID. It is only a few years since these walls were built.

Mr. FIELDING. The walls were too light.

Mr. J. D. REID. Therefore, there must have been a mistake in the engineer's plans or the government's plans in building them too light.

Mr. FIELDING. It looks a little like that; they were too economical.

Mr. J. D. REID. Who has the contract for rebuilding the retaining walls?

Mr. FIELDING. Mr. G. A. Begy.

Mr. J. D. REID. He was a partner of the original contractor?

Mr FIELDING. If the building was done according to the design the fault would not be his.

Mr. J. D. REID. It was the fault of the government.

Mr. FIELDING. The fault of the engineer.

Mr. J. D. REID. Who was the engineer?

Mr. FIELDING. He is dead now.

Mr. J. D. REID. It was the fault of the government?

Mr. FIELDING. Oh, yes, through its engineer.

Murray canal—to rebuild piers of concrete, $55,000.

Mr. FIELDING. The contractor is Mr. R. Weddell.

Welland canal—to rebuild retaining wall in rock cut; to renew entrance piers at Port Maitland; dredging at Port Dalhousie entrance, $90,000.

Mr. BENNETT. Is the retaining wall under contract?

Mr. FIELDING. Yes, the contractor is J. Battle. Six tenders were received and he was the lowest tenderer.

Mr. BENNETT. Does that apply to the entrance piers at Port Maitland, too?

Mr. FIELDING. Yes, the contractor there is E. Conroy.

Trent canal—improvements, $33,500.

Mr. BENNETT. Is the dredging done by contract?

Mr. FIELDING. It has not yet been done and may be done with our own dredge. It is a small work.

New boat for towing and inspection, $15,000.

Mr. BENNETT. Has that boat been purchased?

Mr. FIELDING. Yes.

Mr. BENNETT. From whom?

Mr. FIELDING. It is being built at the Polson works, Toronto.

Mr. BENNETT. Will that be the entire cost?

Mr. FIELDING. Yes.

Mr. BENNETT. Was the contract let by tender?

Mr. FIELDING. Yes.

Railway Commission—maintenance and operation, $75,000.

Mr. FOWLER. Will that include the new investigations you are going to pass?

Mr. FIELDING. No.

Mr. J. D. REID. Is it the intention of the government to increase the number of the Railway Commission?

Mr. FIELDING. That matter has been suggested, but it will not be dealt with this session.

Mr. J. D. REID. I made that suggestion some time ago.

Mr. FIELDING. My recollection is that the number of railway commissioners is fixed by legislation and that it cannot be enlarged except by Act of parliament.

Railways and Canals—collection of revenue, Intercolonial Railway, $7,600,000.

Mr. FOWLER. Is that an increase?

Mr. FIELDING. That is the general vote for maintenance; it is not an increase.

Canals—staff and repairs, $941,217.

Mr. BERGERON. Is the Beauharnois canal going to be leased, if so, will the employees be paid by the government or by the lessees?

Mr. FIELDING. The lessee under the terms of the contract will have to maintain

the canal, and in that case, we shall probably not need some small proportion of this vote.

Soulanges canal—lodgings for electrical staff, $1,500 ; wharf at Cascades, $1,300 ; tug boat engine, $1,000.

Mr. BERGERON. What is the wharf at the Cascades for ?

Mr. FIELDING. To give our boats an easy access to the government stone quarry.

Mr. BERGERON. How many lock labourers are there on the canal ?

Mr. FOWLER. What is the meaning of this lodging for electrical staff ?

Mr. FIELDING. That is for the electrical staff to live in.

Mr. FOWLER. Why 'lodging' ?

Mr. FIELDING. Perhaps 'house' would be better. The hon. member for Beauharnois (Mr. Bergeron) asked for the total number of employees on the Soulanges canal. The total number is 222.

Mr. BERGERON. I want to know particularly the number of lockmen, because if the canal is worked by electricity, it should not be necessary to employ so many lockmen as before.

Mr. FIELDING. The Soulanges canal has always been operated by electrical power.

Mr. BERGERON. At first it did not work, and so more employees had to be kept on than should be necessary when the electrical appliances are working well.

Mr. FIELDING. The statement I have does not distinguish the classes of employees.

Mr. BERGERON. How many are employed on each lock ?

Mr. FIELDING. Four.

Mr. BERGERON. Two men should be enough.

Mr. FIELDING. The officials assure me that the number is not too great. Of course, the canal must be worked night and day.

Mr. FOWLER. The hon. minister has not satisfied my curiosity as to that lodging.

Mr. FIELDING. There was a vote last session of $6,000 to build three houses for the electric staff of the power-house. The former lodging of the chief of the electric staff was damp and unhealthy, and the assistants found it difficult to get lodging near the electric station. Between the time the estimate was made and the time the contract was let, the cost of material and wages had increased, and this amount is necessary to provide for the increased cost.

Mr. FIELDING.

The contract was let to E. Belanger, the lowest tenderer out of five.

Mr. BERGERON. If we had the other tenderers we could judge for ourselves, whether this was the lowest.

Mr. FIELDING. I am afraid the hon. gentleman will have to take our word for that.

Chambly canal—contribution towards the construction of a conduit under the canal at St. Johns, $8,000.

Mr. FOWLER. To whom did you contribute that ?

Mr. DEMERS. I desire to say a few words about this item. A very important manufacturing firm, the Singer Manufacturing Company, has established works at St. Johns, where it is spending millions of dollars. To supply water for manufacturing and sanitary purposes, it has been necessary to build a canal to reach the Richelieu river, the cost of which canal is paid by the town of St. Johns. To carry out this work it has been necessary to pass under the Chambly canal causing an additional expense of $8,000, which I think it is but fair that the government should reimburse. The right of everybody to free access to rivers being recognized, if one is hindered in the clear exercise of that right, and if the obstacle, whatever it may be, cannot be removed, he is entitled to be reimbursed for the expense to which he is put. This principle was recognized by this parliament in 1898. The town of St. Johns had to build a main drain, but it was put to greater expense in reaching the Richelieu river by reason of the Chambly canal, and the government decided to pay the extra cost of the construction of that work.

Mr. FOWLER. This seems to be on the principle that two wrongs make a right. I do not think that it is incumbent upon the government to pay any portion of this expenditure.

Mr. DEMERS. The Chambly canal was built for the public interest and in these cases it has proved an obstruction to the town, for which obstruction the public must be liable.

Mr. BERGERON. How much will the conduit cost ?

Mr. DEMERS. It has cost $8,000 to carry it under the Chambly canal. The whole work has cost about $32,000. The Singer Manufacturing Company is a very important concern, and is paying duties to the customs at the rate of about $500 a day. It is a very large company.

Mr. LENNOX. How does the minister justify the expenditure of this money to such a purpose ? The question is between the town and the industry, and it has nothing to do with the town at all.

Mr. FIELDING. The town of St. John undertook to supply water to a very large factory and in consequence of their having to pass under the canal they incurred additional expense. They represented that the increased expense should be borne by the government and to the extent of $8,000 we have recognized their claim.

Mr. LENNOX. We had a perfect right to build the canal there, and by the building of it we benefited the town. Then the town asks that because it is more difficult to get the water from the river because the canal is there, the government ought to bear that expense, if that principle is to be applied all over the country where will it end? There is no justification for this expenditure and at the next available opportunity I shall deal with it further.

Mr. FOWLER. Suppose that were a railway instead of a canal and it were necessary to go under the railway would the railway company be obliged to pay the cost of the conduit under the railway. The government is under no legal obligation whatever to pay this money. It is simply a contribution to the town of St. Johns.

Mr. CONMEE. There is a very great difference between carrying a drain under a canal and underneath a railway. The extra expense in the case of a railway would be trifling, but when you have to excavate under a canal the cost is very great. The item is a perfectly justifiable one, and even if it were a contribution I think it is justifiable.

Mr. FOWLER. The principle the hon. member (Mr. Conmee) goes on is that if it cost $1,000 the town should do it but as it costs $8,000 the government should do it.

Mr. CONMEE. That is not my argument.

Mr. FOWLER. The hon. gentleman (Mr. Conmee) has advanced some peculiar principles in this House, but that is the most peculiar of all.

Mr. CONMEE. If in the public interest an obstruction is placed in the way of private interests, there is at least a moral obligation on the government to consider a question of that kind.

Mr. FOWLER. The hon. member (Mr. Conmee) who seems to be an understudy of the minister, forgets that when this canal was put there all present and prospective damages were paid for by the government.

Mr. FIELDING. That would be damage to the land owners, not to the community.

Mr. FOWLER. How can you estimate damage to the community. Does the minister say that St. John's is not benefited by this canal?

Mr. FIELDING. Very frequently the government build a bridge over a canal or over a highway when they cause an obstruction.

Mr. FOWLER. You would only do that when you cause an obstruction to an existing highway. Does the minister say that if a municipality built a highway where there was none before, the government is under any obligation to build a bridge over it?

Mr. FIELDING. I would not like to commit myself on a point like that.

Mr. FOWLER. I don't think you would.

To pay J. O'Toole for work done under his contract to construct bridge piers at Merrickville, $1,833.50, with interest from July 8, 1893, to 31st January, 1907, $1,482.46, $3,315.96.

Mr. FOWLER. I want an explanation of this item.

Mr. FIELDING. In March, 1892, a contract was entered into with Mr. O'Toole to construct the piers for a bridge across the canal at Merrickville. In July, 1893 the superintending engineer, Mr. Wise, sent in a final estimate for $6,737.50 of which $6,035.13 was for work covered by schedule, and $702.38 for work covered by allowances. Mr. O'Toole objected to this estimate and asked for examination and remeasurement but in the meantime Mr. Wise died. The case was afterwards referred to Mr. Phillips. The claim amounted to $1,973.80, and he drew attention to the fact that a considerable amount of work was changed from the original place after a large portion of the work had been done, and for some portions of the work no payments had been made, although the details and quantities were shown in the field notes. Mr. Phillips reported in favour of the claim to the extent of $1,833.50 and the chief engineer concurs in that view.

Mr. TAYLOR. That is all right.

Mr. FOWLER. It looks very like an election when you are paying these old accounts. I know that in my constituency there were quite a number of old claims that had whiskers on fixed up before the election.

Mr. TAYLOR. I know something about this, it is in my own constituency.

Mr. FOWLER. Does O'Toole vote for you?

Mr. TAYLOR. It makes no difference about that. I know that Mr. Wise died and that the matter has been a long time in dispute, but I wanted to hear the explanation.

Trent canal—to pay Curtis Brothers damages by flooding, $4,898.

Mr. FIELDING. In January, 1906, a break occurred in the bank of the canal in the township of Otonabee doing damage to the property of Curtis Brothers and arbitrators were appointed.

Mr. TAYLOR. The hon. member for Hastings (Mr. Northrup) asked that one item stand, that of the Trent canal.

Mr. FIELDING. Yes, the Trent canal, Curtis Bros., stands.

Remuneration to A. Brunet, government director, Grand Trunk Pacific Railway, $1,500.

Mr. FIELDING. In the Transcontinental Railway Act provision is made for the appointment of a government director, I think the sum is fixed in the Act. This is at the rate of $2,000 a year.

Mr. LENNOX. Why is it brought in as a supplementary at all ?

Mr. FIELDING. If it is in the statute, I do not think we need the estimate. There is no harm in voting it. We won't give it to him twice.

Soulanges canal—staff, $1,250.

Mr. BERGERON. I want to call the attention of the minister to an item which was promised by the late Minister of Railways and Canals. At the head of the Beauharnois canal the banks on each side are in a very bad state. Two years ago the authorities at Valleyfield asked the Postmaster General if he would obtain a sum to make some repairs and put the banks in a proper condition. The request was also made of the Minister of Railways and Canals, and he promised the Postmaster General that he would do it. Afterwards I saw him myself, and he promised again. There was nothing done last year, this year I asked again, and I mentioned the fact to the Prime Minister, who said he had no doubt the matter would be settled by the Minister of Railways and Canals. Before the Prime Minister went away I asked him two or three times, and I was given to understand it would be in the supplementary estimates, but there is no mention made of it.

Mr. FIELDING. Would not our new contract relieve us from the obligation of doing that work ?

Mr. BERGERON. No, it was to be done irrespective of the contract. The last time I spoke to the ex-Minister of Railways and Canals he told me he had an announcemen to make, and it was not quite decided. During this session I mentioned the fact again, I said that a lease was going to be signed, and he said that the government would make the repairs in any case.

Mr. FIELDING. Even though the intention had been to do that work, if the terms of our lease relieve us from doing it, why should we do it ? If the parties who lease the canal are bound to do that work, why should we do it, even though we had previously contemplated doing it?

Mr. BERGERON. It is the entrance of the canal between the lock and the lake. The banks are in a bad condition, and the new lessees have no need to do it.

Mr. FIELDING. If the new lessees are not bound to do it, of course the government must look after it ; but if they are bound to do it, why should we undertake it ourselves ?

Mr. BERGERON. As long as the volume of water which they need passes through, they don't care whether the banks are in good condition or bad condition. But the government already promised two years ago to do this work, and I am asking them to fulfil their promise.

Mr. FIELDING. But even if it were promised, and if we have since made a contract whereby the company are to do the work, why should we do it ?

Mr. BERGERON. There is nothing in the contract. The promise was made before there was any question of leasing the canal.

Mr. TAYLOR. Perhaps the minister will get further information and produce it when we are dealing with the supplementaries.

Mr. FIELDING. Yes.

Some resolutions reported.

Mr. FIELDING moved the adjournment of the House.

Mr. TAYLOR. Will the hon. leader of the House inform us what he purposes taking up to-morrow?

Mr. FIELDING. Any Bills still remaining on the order paper may be taken up. We will go on with Supply, resuming the railway estimates.

Mr. TAYLOR. The railways in the supplementaries?

Mr. FIELDING. Yes, and those which remain in any of the estimates.

Mr. TAYLOR. When will the hon. gentleman take up the railway subsidies?

Mr. FIELDING. I am afraid I will not have time to get the information in the morning, but they may be taken up later in the day.

Motion agreed to, and House adjourned at 12.55 a.m. Wednesday.

HOUSE OF COMMONS.

WEDNESDAY, April 24, 1907.

The SPEAKER took the Chair at Eleven o'clock.

QUESTIONS.

COLONY REGISTER A.

Mr. BRODER asked :

Does the government intend to take action to recover from the Hudson Bay Company, Colony Register A, containing the minutes and records of the Governor in Council of the As-

siniboia, the land registers of the Selkirk estate, covering the period from 1812 to 1835, also the journals, maps, and field notes of the Hudson Bay Company's land surveyor, Peter Fidler, which were willed by him to the Hudson Bay Company, in trust for the colony, which said will has been probated in England ?

Hon. FRANK OLIVER (Minister of the Interior) :

The Colony Register A mentioned is the property of the Hudson Bay Company. So far as the government is aware it has no right in law to the possession of such Register.

PERMITS TO CUT HAY—PRINCE ALBERT DISTRICT.

Mr. BOURASSA asked :

1. Has the Department of the Interior, or any of its officers or agents, granted one or more permits to pasture or the right to cut hay on any of the following lands in the district of Prince Albert, Saskatchewan: section 1, township 44, range 10, third meridian; section 23, township 43, range 10, third meridian?
2. If so, at what time, to what person, for how long, and on what conditions?

Hon. FRANK OLIVER (Minister of the Interior) :

1. No grazing leases have been granted for the lands referred to. These lands are outside of the track within which grazing leases are now granted. Section 1, township 44, range 10, west third meridian was patented to the Canadian Pacific Railway Company. Permits to cut hay are issued by local agents and are not recorded here. On notice of this question being given the local agent was wired for the desired information but up to the present moment the reply has not been received.
2. Answered by reply to No. 1.

MR. J. E. MARIER.

Mr. ARMAND LAVERGNE—by Mr. Bourassa—asked :

1. Is Mr. J. E. Marier in the employ of the government, and since when ?
2. What are his duties?
3. What is his salary?
4. By whom was he recommended?
5. Is the government aware that this office takes active part in politics?

Hon. W. S. FIELDING (Minister of Finance) :

1. Mr. J. E. Marier has been in the service of the House of Commons, as temporary clerk in the Translation Branch, since March, 1904.
2. His duties have been to work at indexing, compilation, classification, revision and proofreading in the Translation Branch of the House of Commons and, when required, to act as secretary to the chief translator.
3. His remuneration has been at the rate of $3 per diem.
4. He was appointed during the Speakership of the Hon. Mr. Belcourt, but there is no record as to by whom he was recommended.
5. Mr. Marier states that he has taken no part in politics since he has been in the service of the House.

SOUTH AFRICAN WAR—VOLUNTEERS FROM PRINCE EDWARD ISLAND.

Mr. A. A. McLEAN asked :

1. Did the government receive a memorial addressed to His Excellency the Governor General in Council from officers and men who enlisted in Prince Edward Island and actually served in the South African war, praying that they should on equitable grounds become beneficiaries under the resolution passed in this parliament at the present session, recommending that grants of Dominion lands be set apart for those who served in the said war ?
2. If so, does the government intend to grant the prayer of the memorialists ?

Hon. W. S. FIELDING (Minister of Finance) :

1. A copy of the memorial referred to was received in the Department of Militia and Defence from the right hon. the premier on February 11, 1907.
2. Under consideration.

POSTMASTER AT STANLEY, N.B.

Mr. CROCKET asked :

1. Has Jeremiah Rogers been dismissed from the office of postmaster at Stanley, N.B. ?
2. If so, for what reason ?
3. Has a successor been appointed ? If so, who, and at what salary ?

Hon. RODOLPHE LEMIEUX (Postmaster General) :

1. Yes.
2. For continued irregularities in his cash accounts.
3. Mr. Harry Malone has been appointed to the office. The postmaster's salary amounts to $442 per annum.

YUKON TERRITORY—APPROVAL OF ORDINANCES.

Hon. FRANK OLIVER (Minister of the Interior) moved :

Resolved, that the ordinance of the 26th of May last, intituled : 'An ordinance respecting liens in favour of miners,' and the ordinance of the 7th of July last, intituled : 'An ordinance respecting the disposal of water from the streams and lakes in the Yukon Territory for the purpose of generating power, and for the control and management of the sale, transmission and use of such power,' passed by the Governor in Council, under the authority of provisions which now comprise section 16 of chapter 63, Revised Statutes of Canada, 1906, and which previous to the coming into force of that Act comprised subsection 1 of section 8 of chapter 6 of the statutes of 1898, as that subsection was enacted by section 3 of chapter

34 of 2 Edward VII., copies of which ordinances as well as of the necessary order in council in each instance, have been laid before this House, are approved by this House, in accordance with the provisions of section 17 of the said chapter 63.

Motion agreed to.

COAL STRIKE IN THE NORTHWEST.

Hon. RODOLPHE LEMIEUX (Minister of Labour). Mr. Speaker, before the Orders of the Day are called, I wish to give the House some information concerning the troubles in the west.

Mr. SPEAKER. This can only arise on question and answer; otherwise the rule will have to be followed.

Mr. R. L. BORDEN. I would like to ask the minister if he has any information to give to the House?

Mr. LEMIEUX. I thank my hon. friend for paving the way for good news. The following telegram has been received:

Fernie, British Columbia, April 23, 1907.

To F. A. Acland,

Secretary, Department of Labour, Ottawa.

Arrived Fernie six o'clock to-day by extra from Dunmore junction. Announced Mulock's appointment which appears to have given general satisfaction. Operators and miners are engaged to-night in joint conference. Have only had opportunity therefore of short interviews with leaders. Will wire you outlook later.

MACKENZIE KING.

I may announce to the House that we have selected Hon. Sir Wm. Mulock as chairman of the board, and from what Mr. King states this announcement has been a source of pleasure to both parties to the trouble in the west. I expect at any moment to receive some further news from Mr. King which I will communicate to the House.

Mr. R. L. BORDEN. There were some further telegrams?

Mr. LEMIEUX. I will ask my hon. friend not to press for the publication of these telegrams, as it would be adding fuel to the fire. The men are representing their views very very strongly in the telegrams which I received last night, and so do the operators. Under these circumstances, pro bono publico, I think we should not make their views known to the public.

Mr. R. L. BORDEN. I did not know they were so bad as that or I would not have asked for them.

Mr. HENDERSON. I thought the purpose of the minister was to add fuel to the fire.

Mr. OLIVER.

DAMMING LONG SAULT RAPIDS.

Mr. A. BRODER (Dundas). Before the Orders of the Day are called I wish to ask the government whether they have been informed that it is the intention of a company to dam the Long Sault on the St. Lawrence? If this is contemplated it ought to be very seriously considered because it would have a very serious effect on the river above that point.

Mr. FIELDING. I understand that matter is engaging the attention of the International Waterways Commission. We have no special information about it, but believe it is one of the matters which is under their consideration.

Mr. BRODER. It seems to me the government ought to protest against any such thing being done.

CONSIDERED IN COMMITTEE—THIRD READINGS.

Bill (No. 171) to amend the Exchequer Court Act—Mr. Aylesworth.

Bill (No. 172) respecting the surveys of the public lands of the Dominion and the surveyors entitled to make such surveys—Mr. Oliver.

YUKON PLACER MINING ACT—AMENDMENT.

Amendment made by the Senate to Bill (No. 135) to amend the Yukon Placer Mining Act.—Mr. Oliver—read the first time.

Mr. OLIVER moved the second reading of the amendment.

Mr. R. L. BORDEN. What is the amendment?

Mr. OLIVER. It is an amendment to section 2 of our Bill. The Bill amends the Act relating to the recording of mining claims. When it was before the House, it was agreed that there should be an interval of ten days between the abandonment of a claim and its relocation so as to prevent an abandonment and relocation by collusion. The Bill as it passed this House, provided:

No claim shall be relocated within ten days of its being so abandoned.

The Senate added these words:

And only after notice of such abandonment has been posted up at least a week in the office of the mining recorder.

It carries out the principle of the Bill, but provides for further publicity after the abandonment.

Mr. R. L. BORDEN. The difficulty is that one does not exactly understand what it means. If you apply the first part to the alternative clause, it would read:

No claim shall be relocated only after notice of such abandonment has been posted up for

at least a week in the office of the mining recorder.

I suppose what they meant was 'except or until.' They have given an opportunity to ingenious lawyers to raise doubts as to what they really intended.

Mr. OLIVER. That is quite evident, but if we change it the Bill will have to go back to the Senate; and unless the amendment is considered sufficiently important, I would prefer to accept the change made by the Senate.

Mr. FOSTER. What does the minister think about it?

Mr. OLIVER. Though not accurately worded, I think it would be hard to read it so that it did not convey the meaning intended.

Mr. R. L. BORDEN. There is an implied negative, and it says exactly the opposite of what the Senate meant:

No claim shall be relocated only after notice of such abandonment has been posted for at least a week in the office of the mining recorder.

Make it read 'a claim shall be relocated only, &c.' That will express what the Senate intended. But at present there is a statement exactly the reverse of what was intended.

Mr. FOSTER. There is plenty of time to send it back.

Mr. OLIVER. I would ask that it be allowed to stand a little while until we can draft a proper clause.

Mr. R. L. BORDEN. We can take it up again to-day by consent.

Motion allowed to stand.

QUEBEC HARBOUR COMMISSIONERS.

Bill (No. 159) to increase the borrowing power of the Quebec Harbour Commissioners.—Mr. Fielding—read the second time and House went into committee thereon.

On section 1,

In addition to the amount of two hundred thousand dollars which the Quebec Harbour Commissioners, hereinafter called 'the corporation,' may borrow under the provisions of section 35 of chapter 34 of the Acts of 1899, the corporation is hereby authorized and empowered to borrow, for the purposes, in the manner, and subject to the conditions in the said section provided, an amount not exceeding in the whole eight hundred thousand dollars.

Mr. FOSTER. What is the amount loaned now to the Quebec Harbour Commission?

Hon. W. S. FIELDING (Minister of Finance). This is not the case of a government loan. There were large advances to the harbour of Quebec. The amount advanced, according to the latest return, is $3,979,645. No interest has been paid for some time.

Mr. FOSTER. What does the interest amount to?

Mr. FIELDING. The arrears to June 30 last, amount to $2,506,336. There is some later interest accrued since that.

Mr. BERGERON. That will make $5,000,000 altogether.

Mr. FIELDING. About $6,500,000. This Bill however is not dealing with the question of government loans except in this sense that it gives the proposed bonds a priority. We are not getting any interest now and will not get any when the Bill passes. We have allowed the commissioners to issue bonds to the extent of $200,000 which will have priority over the government claim. We propose to increase that by $800,000, which will also have a priority over the government claims. It will postpone any early chance of the government getting repayment of the loan or interest.

Mr. BERGERON. Does the government expect anything?

Mr. FIELDING. I would rather not be examined too closely as to expectations.

Mr. FOSTER. Besides this the government has expended how much on the harbour? It has been expending large sums there the last few years.

Mr. FIELDING. There are sums of money expended under the Public Works Department, but I have no memorandum of them before me. These facts can be ascertained if necessary.

Mr. FOSTER. I would like to have that.

Mr. FIELDING. Before this measure is disposed of the acting Minister of Public Works (Mr. Fisher) will be prepared to answer these questions. The present proposition comes from the Quebec Harbour Commissioners, who desire to carry on the works which they consider urgent. They have sent a memorandum of the various works they wish to undertake. Quebec, of course, of late years, has taken a rather improved position in consequence of the building of vessels of greater draft than formerly, some of which do not go up to Montreal. It seems probable, that, with further increase in the draft of vessels the business of Quebec harbour will be increased. At any rate, the commissioners feel it necessary to make these additions to the facilities of the port and the government feel that it is necessary to allow them to do so, by allowing them to borrow the money and giving the loan priority over the present loan.

Mr. BERGERON. Do they state what improvements they want to make?

Mr. FIELDING. Yes, they are as follows :

Palais harbour crib work and filling west of bridge	$148,846
East of bridge	104,611
Breakwater widening	357,052
Railway tracks	20,000
Shed No. 20 to face dock	16,000
Water service for docks	40,000
Paving roadway	41,675
Floating crane	75,000

Mr. BERGERON. How many commissioners are there ?

Mr. FIELDING. The Minister of Agriculture (Mr. Fisher) advises me that there are seven.

Mr. BERGERON. What is the cost of this commission altogether ?

Mr. FIELDING. I shall be glad to have these questions noted and before the final stages of the Bill I will have the information desired.

Mr. BERGERON. This seems to be the same old story. In these matters there seems always to have been wheels within wheels. We are spending money for which we are really responsible, but we are spending it through other channels. Why not do it ourselves ? What is the advantage of having a harbour commission in Quebec, when as a matter of fact, the government of Canada is spending practically all the money ? This money is nominally loaned to the harbour commissioners, but they do not pay interest, and my hon. friend (Mr. Fielding) does not expect them to pay interest. A measure was passed in this House some time ago to authorize the carrying on of works in Quebec harbour east of the Quebec bridge. It would seem that the money asked for by the harbour commissioners is to be devoted to helping in the same general scheme of improvement. Yet there is nothing to indicate where the responsibility of one body begins and that of another ends. It is all most unsatisfactory. My hon. friend (Mr. Fielding) says that Quebec harbour has been improved. It should be—we have spent a pile of money there. In some respects the natural facilities are all that are needed—on the Quebec side dredging is unnecessary. If these people do not pay the interest on money they have borrowed it must be either because their affairs are badly managed or that there is something wrong of which we are not advised. I would again urge the government to take hold of these works themselves. That is probably the worst case we have. We are told that Montreal harbour pays interest on the money borrowed for it. Quebec does not pay interest, and we do not expect it to pay interest.

Mr. FOSTER. The Quebec Harbour Commissioners have an indebtedness of $200,000 in bonds. I suppose the proceeds have been turned into the treasury and used up. Have the harbour commissioners any indebtedness outside the debt to the government and this $200,000 of bonds, which have been taken by somebody ?

Mr. FIELDING. If there is such an indebtedness it will be covered by this obligation.

Mr. FOSTER. No, but I think we ought to know——

Mr. FIELDING. It is a proper question.

Mr. FOSTER. Also, I would like to know what the revenue and expenditure of the harbour have been for a number of years past ?

Mr. FIELDING. The harbour commissioners, I think, make an annual report : But, before the third reading, I will see to it that these questions are noted and the information is at hand to answer them.

Mr. FOSTER. This matter is assuming a serious aspect. The Minister of Finance must realize what it means. We have no information before the House with respect to this harbour. We have loaned the harbour commissioners $4,000,000. The accrued interest amounts to almost $2,500,000, and is constantly increasing. Thus their debt to the Dominion government is six and a half million of which about four millions is said to have gone into the harbour, the remainder, of course, not representing actual work done. Outside of that, the Dominion government, within the last few years, has spent money on the harbour independently of the harbour commission. Not taking either one position or the other—neither advancing anything more on the security of the property, which I suppose would be some security, nor authorizing the commissioners to carry on financing on their own account—the government, has spent, I suppose, half a million dollars on the harbour within the last three years. And now it is proposed to step in between the government's loan and the security for that loan and allow the commissioners to borrow $800,000—making a total of $1,000,000 of loans of this kind—which will be a first charge upon the works of the commission. You have the three operations going on at the same time—expenditure of money of the Dominion loaned to the Commissioners, expenditure of money borrowed from the public on bonds and expenditure of the money of the Dominion direct in improvements for the harbour. And yet, when it is proposed to authorize this issue of $800,000 of bonds, the only information that we are given is in the shape of a few scraps of items politely afforded by the commissioners the reading of which does not occupy more than two minutes. We do not know the condition of the harbour;

we do not know what has been effected by our own direct expenditure within the last five years ; we do not know in what condition the money that it is proposed to raise will put the harbour ; we do not know its revenue or its expenditure—we do not know anything about it. This government seems to have drifted into a position with its six or seven millions for a bridge at Quebec, which I think it should never have entered into, and it now comes asking for a direct loan of the people's money to a company over which we have no control, spending money we know not how, and here we have these millions added to all that. What is being done ? Has the government taken any precaution in asking that somebody should make a thorough report upon that harbour in order to know what its present position is, and what this money that we are allowing them to borrow on their own credit and putting our own security behind it, in a hopeless position—will make the harbour what it ought to be, or anywhere near what it ought to be. The government may have the information, but the House is as innocent of any information in all these respects as is the board of trade of the city of Ottawa. We know nothing about it, and we are not even given a statement, when we are asked to give this amended borrowing power, of what the chances are of ever getting it back. It seems to be loose legislation, and the government is not doing what prudent financiers ought to do with reference to this matter. Quebec is only one harbour; we have other ports, and this means expenditures to other ports, and really we do not know what will be the outcome.

Mr. FIELDING. I do not agree with my hon. friend that this information, although useful, is necessary to the consideration of this Bill. But I have no objection to the Bill standing over. I do not admit that such information is needed, because we have not treated this debt of the Quebec harbour as a matter likely to yield any return in the early future. But we are not placing the government in any worse position than it was before. We are getting no interest, and we have not got interest, but I would not like to go so far as to say that we will never get any interest, because that would be a dangerous admission for a Finance Minister to make. At all events, the only question that arises now is whether the gentlemen who are to administer this fund in the city of Quebec are men of good standing, men who can be trusted with this work. I am not giving these as reasons why the hon. gentleman should not be answered and be given further information, though I would prefer to advance the Bill at present.

Mr. FOSTER. Who appoints that commission ?

Mr. FIELDING. The government appoint a portion of them, and, the others are certain representatives of the boards of trade at Quebec and Levis.

Mr. FOSTER. But the government have a majority ?

Mr. FIELDING. I am not quite sure that the government have a majority. It is a joint board of members appointed by the government, and representatives of the various commercial organizations in and about Quebec. The representations made to us are that these works are urgent. There is no doubt that in days past very large sums of money have been spent in Quebec harbour, and there have been discussions as to whether it was wisely spent. Hon. gentlemen opposite are aware of that, and I do not think it would help us to revive recollections of that kind. The main questions are these : Is the money needed, and are we taking means to place it in the hands of gentlemen who can be relied upon to administer it intelligently and faithfully. The hon. member for Beauharnois (Mr. Bergeron) suggests that this is a matter of patronage. But it is quite the reverse. If we were to adopt his suggestions and take the whole matter into the hands of the government, there would be some room for his criticism. As it is now the government do not exercise any patronage in relation to this work. The Board of Harbour Commissioners deal with that matter entirely. There is no doubt that the work of the present Harbour Commissioners is faithful and useful. I do not say this by way of objection to the information being furnished. Each one of these questions is a legitimate one, and I shall be happy, before the Bill passes its final stage, to obtain what the hon. gentleman has asked for, or I would even be willing to let it remain in committee until that can be done. I have sent for the deputy Minister of Marine and Fisheries, but he is delayed in coming here ; he has more knowledge of the matter than I have.

Mr. FOSTER. There are two points in particular in considering our position during the last few years. We have expended a great deal of money there on our own account through the Public Works Department ; I am not sure how much that was, I put it at half a million dollars. In addition, we have made them large loans, and taking these two things into consideration I think what we ought to have is a sufficient answer to two things ; we ought to have some expert knowledge gained by the government as to the condition of the harbour and what this $800,000 is likely to do for it, and particularly with regard to what we have expended lately outside of our loan, and what we may be called upon to expend again. If the government had kept to the one straight position of either loaning money on security, or else giving them

power to raise money on their own security, that would be more intelligible. But the government has gone in between these two operations and has expended large amounts of money of its own. Now has this benefitted the port, has this kind of expenditure stopped ? Is it proposed that that $800,000 now to be raised will put the harbour in a workable position ? The government, as working through a commission, ought certainly to have expert knowledge and reports with reference to this matter. I think that information is only fair for decency's sake, before we pass this legislation. I do not want to delay it, but we can take this up at another time, or at any time by consent.

Mr. FIELDING. I have no objection to any such delay. I do not object if the hon. gentleman prefers the Bill to remain in committee. I admit the questions he has asked are reasonable. But we must come again to this great question : Do the Commissioners of the Quebec Harbour need this money for the purposes of the harbour, and can there be any better way of giving it to them ?—for after all you must come down to that question.

Mr. FOSTER. The Minister of Finance will not go so far as to say that wherever you can find some men who are honest and will carefully expend the money, when there is need for it, therefore the money, or the power of borrowing it, should be given to them.

Mr. BERGERON. I do not want my hon. friend the Minister of Finance to think that I am making a frivolous criticism. I am opposed to these commissions, and have always been opposed to them, and facts have proven that I was right. We are spending a very large amount of money through commissions. I think it is un-British for parliament to expend one cent without the representatives of the people whose money is being spent, knowing where the money is going and what it is being expended for. We are spending millions and millions through these commissions, and we do not know where the money goes. My hon. friend says the only question is whether the money should be expended or not. I say no. How does my hon. friend know that this money is really needed to be expended where these commissioners are asking for it ? He may have great confidence in the commissioners, but has parliament confidence in them, has the public at large who pay the money confidence in these commissioners ? The government nominees are in the majority. The hon. gentleman says I am talking about patronage when there is no question of patronage. But surely he knows very well that whether the patronage is distributed through one channel or another, it is still patronage. These commissioners are representatives of the Ottawa government, and when they exercise patronage that fact will be present in their minds. When I speak of patronage I go further ; I say you are paying an immense amount of money without knowing where it goes, and then you are giving the patronage to the commissioners themselves.

Then we give patronage to the commissioners themselves. I am not talking about the employment of men on the harbour commission's work, but I am talking about the commissioners themselves, men who get $5 a day to go and sit there while half of them do not know what is going on. It is very hard to understand why the government have allowed such a thing to go on in Montreal. It continued until it became a scandal in Montreal and we have the very same story yet. We spend millions there through the commission and through the Department of Public Works. It is a mixture and nobody can find out where the line of demarcation comes in. We spend millions in the harbour of Montreal through the commisison and a little lower down we spend millions through the Department of Public Works. Who pays for it ? Jean Baptiste pays for it. The elector, the citizen of Canada pays for it, and he does not know how or why he pays for it. I believe it is wrong in principle. I have always been opposed to these commissions, I am opposed to them more than ever now because more than ever I can see the harm that is bound to result from their continuance. My hon. friend the Minister of Finance regards this matter in an unconcerned way now but if he had been here twenty-five years ago he would not be so placid as he is now when he comes and asks us to continue a loan of $8,000,000 to parties who never paid a cent of this money and do not intend to pay it. While doing that we are asked this year to vote over $116,000,000. I call upon my hon. friend again to abolish these commissions and allow these public works to be managed by the Department of Marine and Fisheries or by some public department which we have under our control in the House of Commons where the representatives of the people can stand up and say : Where has the money been spent, what have you done with the money ? You are levying taxation on the people of this country to the extent of $10 per head and we want to know how this money is being expended. The hon. Minister of Agriculture (Mr. Fisher) sits there, smiles and says : I do not know anything about it ; it is in the hands of a commission in Montreal. Or the hon. Minister of Finance comes here and says that this money is expended by a commission in Quebec and that the representatives of the people cannot know how the money is expended. We have commissions here, there and everywhere, we are ruined by commissions, by the government selling and buying only through their own party and by members of parliament sitting in the House with promises of positions in their pockets.

Mr. FIELDING. Among the many gifts which the hon. member for Beauharnois (Mr. Bergeron) possesses is that of a lively imagination.

Mr. BERGERON. If it is a lively imagination, it is true.

Mr. FOSTER. It needs a lively imagination to keep up with you chaps.

Mr. FIELDING. So far as these large expenditures in times past in the harbour of Quebec are concerned it is not the men who sit on this side of the House who are responsible for them at all.

Mr. BERGERON. Why did you come into power? You promised to change all that.

Mr. FIELDING. Because my hon. friend and his friends opposite seemed to have had their season, and the public appeared to think that the time had come for a change.

Mr. BERGERON. Your season is nearly over.

Mr. FIELDING. Perhaps. My hon. friends have been saying that for a number of years and every time that an election came on, but at the close of the contest it has always been the same old story. As we look across the floor we still find our genial friend opposite sometimes—not always. Sometimes he drops by the way and then once in awhile he comes back again. I object to his suggestion that there has been any great extravagance in the harbour of Quebec of late years, or at all events since we have been in power. Whatever scandals occurred in the harbour of Quebec occurred under the administration of the former government and not of the present government. As respects the gentlemen who now occupy the position of harbour commissioners of Quebec there is not a shadow of justification for any suggestion that these gentlemen are not discharging their duties intelligently, faithfully and honestly. In so far as there is any reflection cast upon these gentlemen such a reflection is not justified. The hon. gentleman says that there should be no commissioners. Frankly, I differ from the hon. gentleman. I say it is not possible for the government to carry on the vast business of this country without here and there employing commissions for special purposes. Whatever development there may be with respect to these large questions of transportation and terminal facilities, for my part I am not able to agree with the hon. gentleman that it would be a good thing to abolish the Quebec Harbour Commission and deal with the business directly through the government. I cannot agree that it would be a good thing to abolish the Harbour Commission of Montreal. It may be that in the development of transportation facilities some new system may be advisable, but for the present I am satisfied that these works can be better carried on in the harbours of Montreal and Quebec through the assistance of the capable, energetic and intelligent gentlemen who compose these commissions. I do not agree with my hon. friend's ideas that the duties which are now performed by these gentlemen should be transferred to the Public Works Department. My impression is that in availing themselves of the services of these commissions the government are employing the best way of dealing with this question. In regard to the expenditure of moneys my hon. friend has again imagined a story. He says that we cannot find out how this money is spent. There is no difficulty in finding out. If the hon. gentleman will put a question to us we will, I think, be able to give him the information that he requires from these commissions. They are trustees. They issue their reports, we have got them, they send them to us and the hon. gentleman tells us a romantic story when he says that the people cannot get all the information they desire as to how that money is expended. We will be happy to give any information, and if we have not got it we will get it.

Mr. R. L. BORDEN. I, for one, do not object to any reasonable, even generous, expenditure for the purpose of equipping the ports which are regarded as the national ports of this country. What I would like to see is some definite policy for the development of these ports and not a mere system of loaning money or postponing our payments and getting along from hand to mouth as we have been doing for many years. I do not regard this proposal as essentially differing from a loan by the government to this Quebec Harbour Commission. We are postponing our own claim and if ever the government has to take over the maintenance of the harbour they will be obliged to discharge this claim. So that the proposal is not substantially different from a loan by this government to the Quebec Harbour Commission. I am not very much disposed to quarrel with expenditures upon works of a certain character by a commission, but the point that my hon. friend from Beauharnois (Mr. Bergeron) made was not so much that. The point that he made was that we did not seem to have any very definite information in regard to it. I would like to ask my hon. friend the Minister of Finance (Mr. Fielding) whether in respect of this expenditure and of past expenditures and whether in respect of the expenditure at Montreal the accounts are audited and gone over by any officer of the government. That is the essential point of my hon. friend's remarks.

Mr. FIELDING. I cannot say in regard to the past. When the government were advancing money they probably provided for a check and an audit. These moneys are not being advanced by the government.

The power is given the harbour commission to deal with this matter, they have their accounts audited, and I do not know there is a government audit of the moneys which are borrowed or loaned. I find by the report of the Harbour Commissioners for the year 1905, which my hon. friend has just handed me, that the accounts are audited and certified to as follows :

> We hereby certify that we have examined the statement of the assets and liabilities of the Quebec Harbour Trust and we find the same in all particulars to be the true position of the trust at that date.
>
> (Sgd.) L. BERGEVIN,
> ALEX. J. MESSERVEY.

I presume that these auditors are not government auditors but that they are appointed by the Harbour Commissioners themselves.

Mr. R. L. BORDEN. I would be inclined to think that where we are practically loaning the money, or, as in some cases, practically making a gift of the money, we should have a government audit. I have already pointed out that in my humble opinion it is practically the same as a loan by the government, because we postpone our claim, and we must eventually pay this off if we ever take over the harbour. I do not know anything about the expenditure in Quebec, and I am not prepared to say that a dollar's value has not been received for a dollar's expenditure, but there are persons in the country who think that such is not the case.

Mr. FIELDING. Recently?

Mr. R. L. BORDEN. Yes, I have heard that within the last three or four years, and in Quebec itself. I do not know that there is anything in it, but I have heard apprehension expressed as to the work. I do not say this with the idea of reflecting on the commissioners, because there may be no foundation for it ; and even if the expenditure had not been of the best possible character, it might not have been the fault of the commissioners ; they may have employed contractors who did not do their work well and whose default was not discovered in time. It seems to me that first of all we should have the work done under the supervision of a government engineer, who should certify——

Mr. FISHER. The works have to be submitted to and approved by the government.

Mr. R. L. BORDEN. I know the plans of the work must be approved, but that is not what I am speaking of. I am sure that the hon. gentleman (Mr. Fisher), upon reflection, will as a business man agree with me that where we are practically expending public money we should not only approve of the plans, but we should have a government engineer to certify that the work is properly done. In addition, we should have a government audit of the accounts. That would be an assurance to parliament and a safeguarding of the public interest.

Mr. FISHER. I do not think the suggestion to have a government engineer supervise the work would be practicable. The Harbour Commissioners of Quebec have their own engineer, Mr. Boswell, who is a very reputable man and an engineer of the highest standing.

Mr. R. L. BORDEN. The hon. gentleman (Mr. Fisher) does not understand me. When we grant subsidies to a railway we do not supervise every detail of the work, but before that subsidy is paid we have a government engineer to inspect the work and see that the company's money as well as the government's money has been properly laid out. When we are expending the country's money on a harbour in Quebec, or in Montreal, or in St. John, or in Halifax, or anywhere else, we should have the government engineer to go over that work, report to the government that the work is there, that in his judgment the money has been properly expended and that the work is of a character to be useful to the public. That is no detriment to the interest of the harbour, and it safeguards the public interest.

Mr. FISHER. I would sympathize with that view if we considered this to be the country's money, but I do not think that has ever been considered, or that it is the principle upon which these loans to the commission are authorized. The harbour commission is a fully constituted body, with the organization necessary to carry on its work. When the parliament of Canada decides to authorize by statute this commission to do certain work, it is the duty of the commission to carry out that work ; and if there is any doubt of its capacity to do so, parliament ought not to give it that authority. There is a difference between this case and the payment of a railway subsidy, which is contingent upon the carrying out of certain work. The authority of the Harbour Commission of Quebec to make a loan is of a totally different character. They have their own engineer, they plan their own work, they do it ; the only thing the government requires is that the plans should be submitted for approval, because it is work done in a great port and of such a public nature that it must necessarily be approved by the government, just in the same way as the building of a bridge across a navigable river has to be approved, even though the municipality or any other authority should build it. But the conduct of the work, and the question as to the specifications being carried out, is left to the authority which builds the bridge and is responsible for the work. In the same way, the Harbour Commission-

ers of Quebec are responsible to see that the work is carried out. The principle of making these advances to the commission may be questioned, but my hon. friend (Mr. R. L. Borden) does not question it, although my hon. friend from Beauharnois (Mr. Bergeron) seems to. The existing principle has been adopted by our predecessors in office, has been carried on for decades, and we have not seen our way to make any change. If parliament thinks it is better that this work should be carried on under a department of the government, that is open to fair discussion. But until we do make that change, we have to continue as we have been doing. To say that the government engineer would criticise and perhaps interfere with the work of the harbour engineer would not be practicable. As to the details of the work now proposed to be carried out with this money, the Minister of Finance read over the different items. I was with the Prime Minister when these matters were laid before him by the representatives of the Quebec Harbour Commission, and I know that most of the work proposed here is due to the requirements of the Canadian Pacific Railway to make the harbour of Quebec more convenient as a terminal port, where they propose to have their great ships come, and to facilitate the transfer of their passengers and their export and import freight. I remember seeing the plans, and I know that the work was almost entirely for that purpose.

Mr. R. L. BORDEN. So far as the development of these harbours is concerned, I am prepared to go even further than the government seems disposed to go, but I want a definite policy, and I want an intelligent supervision of the expenditure of the public money. I am afraid I must revise my opinion of my hon. friend (Mr. Fisher) as a business man. He does not seem to remember that in respect to the expenditure on the Grand Trunk Pacific every one of the details of that expenditure must be submitted to an officer of the government appointed for the purpose, and that solely for the reason that we are guaranteeing three-fourths of the bonds. It is not a question of guaranteeing bonds here; it has been a question of having government money expended in the harbour of Quebec without any expectation of that money being returned. Yet the hon. gentleman says there should be no supervision and no auditing. I take issue entirely with him on that point. I say there should be supervision and there should be auditing. When he endeavours to draw a distinction by saying that this money is not being paid out by the government, I point out that we are postponing a claim of $6,000,000 owing to the people of this country, nominally at least, for the purpose of enabling $200,000 to be borrowed elsewhere. We are simply postponing our claim with the probable result that we will have to pay it off ourselves. Therefore, we are as much interested in the expenditure of this $200,000 as if we were lending it or giving it out of the public treasury of this country. I sincerely trust that so far as the expenditure on all these harbours is concerned, it will be such as will make them up-to-date harbours, able to compete with the ports of the United States, but I also most sincerely trust that whatever public money is expended on these public harbours will be expended under such conditions that the representatives of the people in parliament will be able to obtain all possible information, will be able, if necessary, to make inquiries in the Public Accounts Committee, and that no sum of public money will be paid over until there has been a fair and reasonable examination of the work by a suitable officer appointed by this government.

Mr. TALBOT. The hon. member for Beauharnois (Mr. Bergeron) has lashed himself into a very furious argument about the harbour of Quebec and the expenditures of the Quebec Harbour Commission. Probably if the hon. gentleman were aware of the composition of that commission politically he would not insinuate as he did a moment ago that at election times some of that money might have been used to forward the interests of some of the Liberal candidates in that particular part of the province of Quebec. I know that Mr. Macpherson, who is one of the leading members of the commission is a strong Tory, a fine business man, but a prominent Conservative of the city of Quebec. That Mr. William Dobell is also a prominent Conservative and that Mr. F. Carbray is a prominent Conservative, an ex-member of the local legislature and also that Mr. James Wood, the secretary-treasurer, is a Conservative, George Boswell, the chief engineer is a prominent Conservative and John C. Sullivan, the harbour master is also a prominent Conservative. If anything of the kind suggested was attempted, I imagine that these gentleman would raise their voices in dissent, and if my hon. friend had known their politics I am sure he would not have insinuated what he has done.

Mr. BERGERON. I do not know by whom these gentlemen are appointed. If they are appointed by the government, whether they are Conservatives or Liberals would not make any difference to my argument. I said I was opposed to a commission, I did not descend to the point of view of my hon. friend from Bellechasse (Mr. Talbot) who seems to see nothing but colours.

Mr. TALBOT. You spoke about the elections.

Mr. BERGERON. It is all the same to me whether the Harbour Commission is

composed of Conservatives or Liberals so far as my argument goes. We have had examples of that in Montreal, we know how things have been carried on there, they have been carried on in a loose way. Commissioners are not interested as a minister of the Crown would be who knows that he would have to face this House the next session and be called upon to answer many questions. One or two of them did the work and the others simply went to the meetings of the board but did not take much interest in its work. The leader of the opposition (Mr. R. L. Borden) has touched the centre of the question by saying that there is no official inspection of what is going on, there is no auditing by an official of the government here under the authority of a minister of the department. The leader of the opposition (Mr. R. L. Borden) mentioned the fact that in the Grand Trunk Pacific contract there is a clause saying that no moneys shall be paid unless the accounts are audited by an official of the Department of Railways and Canals. We had during this session an example of the good result of that clause when he was shown that an officer of the department in charge of the auditing, had prevented the government from paying out $160,000 for nothing. These harbour commissioners may be good honest and conscientious men, but that does not overcome my objection that a commission cannot do as well as a department would do, a department with an engineer responsible to the minister and the minister answerable to this House as to the manner in which the expenditure had been made. This is the position I have maintained for many years. I am opposed to commissions, I have always been. I questioned the Minister of Public Works (Sir Hector Langevin) here twenty-eight years ago about the moneys being expended in Quebec and Montreal and I was told we had nothing to lose by the commission. Still it was all public money and I have proved that to-day the $8,000,000 given to Quebec are moneys belonging to Canada on which not even the interest has been paid. Am I not right in saying that if we have a House of Assembly where the representatives of the people meet to find out how the money is expended we ought to have some one responsible for the expenditure and not be told as we are now that it is expended by a commission, however honest and respectable its members may be. A commission is not what I would like, I would prefer these works to be under the direct supervision of a public department at Ottawa.

Mr. FOSTER. Does the Minister of Finance (Mr. Fielding) know at what rate they disposed of the $200,000 bonds and about what they brought in ? It may be a very expensive way of raising money or the bonds may go at par. I do not know, does the Finance Minister ?

Mr. BERGERON.

Mr. FIELDING. That is a very proper question and before the matter is through I will be able to get the information. I have not heard anything on the subject so I presume they must have disposed of them at a reasonable rate, as, if they had been sacrificed, I think I would have heard of it. It is a fair question.

Mr. FOSTER. If they went at a discount of twenty or twenty-five per cent it would be a very expensive way of raising money. The whole point in it is that we are the first mortgagees there, that the property is ours, upon which we have advanced money. We are now giving up that first mortgage and taking not even a second mortgage and when we do that I think the contention is perfectly right that we should know what amount of money can possibly be realized from those bonds, and we should also have some supervision so that we can inform ourselves as to whether that money had been in the hands of proper authorities and properly expended.

Mr. FIELDING. I wish to say a word in answer to an observation by the leader of the opposition (Mr. R. L. Borden) which has occasionally been made also by other members, that before we can deal with any of these harbours we must have a clearly defined and definite policy. I want to take exception to that. I think the best way to deal with these harbours is to deal from year to year with the necessities as they present themselves to parliament and to the government. The idea that because we have had a Transportation Commission which has recommended a large amount of work, running into scores of millions of dollars, nothing can be done until we adopt the whole plan, is something from which I dissent entirely. I think we can best meet this question by dealing with it from time to time as needs arise. We have already done so every year in the past, we are constantly dealing with some part of that transportation problem, and while it is desirable that we should look ahead and that we should have matured plans, it would be a very unreasonable thing to say that because we are not able to adopt a matured plan as to what we are going to do in all its details at Port Colborne, Midland or some other place, therefore we cannot do anything to-day for the harbour of Montreal, the harbour of Quebec or any other harbour. I quite agree that it is desirable that in all this we should look ahead as far as possible, but I certainly do not for a moment agree that we must have a matured plan for the whole Dominion before we can make any improvement at all. I say that in justification of the course we have pursued in dealing with the harbours at Quebec and the harbour at Montreal, and the elevator of Port Colborne, in dealing with each and every one of these things we are dealing with part of what will

ultimately be a great scheme, but there is no reason why we should delay action in the required improvements that lie nearest to our hands because we cannot say what will happen years hence.

Mr. FOSTER. I am very sorry the Finance Minister (Mr. Fielding) has made this declaration. It is a very disappointing declaration.

Mr. FIELDING. It is a very sensible one, I think.

Mr. FOSTER. I do not think it is even sensible. It is certainly not business-like. No sound business man can be found anywhere who will declare it to be a sensible business statement. My hon. friend says that we should not be shut out from doing anything for any particular port until the whole plan is matured and ready for operation. No one goes to that extreme. Some things have to be done every year, and no one goes to the extreme of saying there should be absolutely no work done until the whole plan is matured. But here is the difficulty. As the necessity arises the Finance Minister (Mr. Fielding) says, these expenditures should be made, but the necessity is extremely apt to arise in his mind when some particularly strong political influence is brought to bear which makes the expenditure opportune in any particular case, more opportune than an equally necessary expenditure in respect of other ports, which are not in a position to bring the same pressure to bear. You ask parliament to discuss expenditures with reference to one particular port and you cut parliament out from any discussion of the comprehensive interests and necessities of all our principal ports. But if you had the report of your transportation commission, if you studied the information given in that report and the information you obtained elsewhere, and came down to parliament with that digested information, applied to the different ports, where expenditures on improvements are most pressing in the public interest, then parliament would have a chance to discuss the whole thing on its merits. As it is we have only the chance of discussing it by piecemeal. But instead of doing that, you ask for a portion of the expenditure one year and another portion another year, and all the time there is nothing to show how each particular expenditure has any connection with a systematic plan under which our national ports are to be put in a proper position to meet the demands of commerce. You have gone entirely outside the report of the transportation commission which you created for the purpose of obtaining information, you ignored its representations, and you go on and do the work piecemeal here and there, regardless whether it was recommended by that commission or not. This parliament has never yet been given the opportunity of taking up that report and the information gathered by that commission and the plan it suggests, we have never yet had a plan submitted to us by the government, which might be called a national comprehensive plan, upon which we could come to conclusions regarding any particular expenditure submitted to us. We have had no chance of taking a full comprehensive view of the whole matter from anything the government has submitted to us, but we are simply asked to pass upon each single appropriation as it comes—a little one year and a little another. We are told that these are all to make a grand comprehensive scheme in the future. I would suppose that the business way would be to formulate your scheme at first and then discuss the particulars from the point of view of their relation to the whole. But what the Finance Minister (Mr. Fielding) proposes is to make a little expenditure here and a little expenditure there, build a little piece here and another little piece elsewhere, and some ten years or so later you will have a comprehensive scheme made up out of all these little bits. Whereas the business-like stand, the plan which any business man, architect or engineer, would adopt, would be to come to a conclusion and formulate at first a comprehensive scheme and then carry out that scheme in each particular, and not incur any expenditure which would not be in furtherance of the whole plan. Why should not the government do likewise? They do not formulate any plan because they will not take the time to do it, but simply go on making expenditures where they will best meet political exigencies. They prefer going on in this piecemeal fashion rather than go to the trouble of collating the information they have and giving parliament a chance to discuss and pass upon a comprehensive scheme of transportation, particularly with reference to our Dominion ports.

Mr. FIELDING. I entirely dissent from the view of my hon. friend. It is all very fine to talk of some grand comprehensive scheme, but we must not neglect dealing with the things which lie nearest to our hands. I will risk the displeasure of business men when I say that because we may not know what we may do ultimately at some port on the lakes or on the Pacific coast, that because we have not prepared some grand comprehensive scheme, which includes the development of places perhaps now unknown, therefore we should not deal with the immediate needs of our present harbour.

Mr. FOSTER. No one says that.

Mr. FIELDING. That is the logical conclusion of the gentleman's argument.

He says we are doing a little here and a little there, but when we come to propose any expenditure he does not say it is a little but a great deal. He says we are doing the work piecemeal. Certainly, we have to. Many of our great works have to be done piecemeal. They are not all prepared in advance, they are not all the result of a grand comprehensive scheme, but are done from time to time to meet the needs of the country as they arise. That is what the government is doing. It is looking to the future, it is not closing its eyes to what may be needed in many ports which to-day are of small importance. We are meeting the needs of the day as they arise; and if every time we come down with an appropriation for the dredging of a harbour or the construction of a dock or pier, we are to be met with the objection: What is the use of this, why have you not a grand comprehensive scheme? and if we were to listen to such an objection, we would be simply obstructing the wheels of progress. The hon. gentleman says that parliament is shut out from discussion. Surely not. Surely in the last three years, we have had over and over again discussions on this general question. The hon. member for Simcoe (Mr. Bennett) has a standing motion every session which brings up a discussion of the whole transportation question, and every phase and form of that question has been debated in the house. So that the House has had ample opportunity of dealing with it. My hon. friend from North Toronto (Mr. Foster) has only to think of the consequences of his view to see that the policy he advocates would never work out satisfactorily. I am not saying that we should not look into the future. I do not say that we should have our eyes fixed on the port of Quebec alone and do nothing elsewhere. The general needs of to-day are engaging the attention of the government. We are dealing with the harbour of Montreal by resolutions before the House. We are assisting the Quebec harbour; we are doing dredging at St. John, we are extending our facilities at Halifax. These are practical ways of dealing with the transportation question; and the fact that we have been dealing with the necessities in each case as they arise is the best guarantee that as other needs arise, a grand comprehensive scheme will be worked out.

Mr. R. L. BORDEN. Every word the hon. gentleman has uttered is contradicted by the terms of an order in council which he and his colleagues brought down in 1903. That order in council was about the ablest state paper this government ever presented to this House. It dealt with the transportation question, and it was as absolutely different from this last statement of the Finance Minister as one could possibly imagine. It emphatically declared that there must be a comprehensive scheme. It showed the necessity of such a scheme, complete in all its details, and pointed out how from the first to the last each part of that scheme must be worked out as a part of one grand whole. But now the minister, after public money to the tune of many thousands of dollars has been spent in carrying out the terms of that order in council, says that, so far as the promulgation of any such scheme is concerned, that is all nonsense, that the proposition of the government of that day was all nonsense. Does he not know that the port of Quebec is not to be classed as an unknown place?

Mr. FIELDING. I did not say it was an unknown place.

Mr. R. L. BORDEN. Not expressly but by inference because, by way of illustration, he said that every time an appropriation for dredging was proposed at some unknown harbour——

Mr. FIELDING. No.

Mr. R. L. BORDEN.——an opportunity for discussion more or less of a general scheme is afforded. The port of Quebec is one of the national ports of this country. It was included in the scope of the order in council and in the scheme which was to be promulgated under the scope of that order in council. And, when we ask that the government, before embarking upon further lavish expenditure of public money, shall frame some comprehensive scheme in compliance with what they themselves have said to be necessary, the Minister of Finance (Mr. Fielding) laughs at that order in council, which, however, is much better in scope, quality and tone, than anything the Minister of Finance has uttered to-day. We are only asking the government to do what they themselves have said to be absolutely necessary in connection with this question of transportation. The Minister of Finance seems to have forgotten the terms of this order in council. In order that he may refresh his memory, I shall send him a copy of it; and I hope that when he has read it, he will rise here and retract something of what he has said.

Mr. PATERSON. Is the improvement of the Quebec harbour not a part of that scheme?

Mr. R. L. BORDEN. Certainly it is. But the government is not carrying on that improvement with a view to attaining general results. It is simply going on with a piecemeal expenditure of $100,000 here and $100,000 there. They do not know how the money is to be applied; they do not afford any safeguard for the public interest; they do not audit the accounts. Why, do they not submit some comprehensive scheme to show what results are actually aimed at in the improvement of the Quebec harbour?

The Minister of Customs (Mr. Paterson) himself could not tell me, except in the most general way, what the scheme is.

Mr. PATERSON. Does the hon. gentleman think we should not improve any of the points involved in the scheme until we begin the whole work that is necessary for the future?

Mr. R. L. BORDEN. The Minister of Customs (Mr. Paterson) is as difficult of comprehension as he was yesterday.

Mr. PATERSON. Not more so, I hope.

Mr. R. L. BORDEN. About the same—he could not be much worse. This order in council was brought down to this House in June, 1903. Practically four years have elapsed since the government, in the most formal way, pointed out that a comprehensive scheme was necessary. Up to this time, have we had any comprehensive or intelligible scheme in regard to the matters included in that order in council and the report that was made?

Mr. PATERSON. I think improvements have been made at many points.

Mr. R. L. BORDEN. I am not talking about a little dredging here or a bit of cribwork there, but about the comprehensive scheme which the government, in their order in council, said was necessary before the problem of transportation in this country could be effectively dealt with. That comprehensive scheme I have not found from 1903 up to the present time, in any measure proposed or in any outline given by any responsible member of the government.

Mr. FISHER. The comprehensive scheme the hon. gentleman will find in the practical working out of it, if he will but look at it. The scheme dealt with by the Transportation Commission was one for the transportation of our products, especially from the plains of the Northwest to the sea-board for the purpose of export to Europe. We have been doing that in the most practical and effective way. We have dealt with the necessity of a great port at the head of Lake Superior to which the products of our western plains could be brought. That port is being provided by the expenditure, altogether, of over $1,000,000, the money being given for dredging breakwaters and other improvements at Port Arthur and Fort William. Facilities for the bringing of the grain to this port are being provided, not only by the assistance given to the building of the Canadian Northern, but also by the assistance given to the building of the National Transcontinental or Grand Trunk Pacific. These lines will afford better facilities than ever were given before for the transportation of these products to the port at the head of Lake Superior. We have done work on the Georgian bay ports. We have effected great improvements at Port Colborne to enable the grain brought down from the upper lakes to be transhipped in barges for transportation further east. We have improved the harbours on the lower lakes and St. Lawrence, not only between Kingston and Montreal and at the great harbour of Montreal itself, but between Montreal and Quebec and eastward to the gulf. Part of this scheme is work that we have been doing at Quebec. The hon. gentleman wants that work defined in an elaborate scheme. But the general scheme can easily be understood. We are carrying it out piecemeal, but, as the Minister of Finance has said, we are taking first those pieces which are most urgent and necessary and the accomplishment of which will do the greatest good at this time, besides helping in carrying out the general scheme. The report of the Transportation Commission was given some three or four years ago. But conditions are changing every day. As I have pointed out, there are things demanded by our great railway transportation interests which, at the time of this report, were undreamed of. At that time, for instance, the Canadian Pacific Railway was not making Quebec its terminus on this side of the Atlantic for great steamships which do not go up to Montreal. That report dealt largely with the harbour of Midland on the eastern shore of Georgian bay. It dealt also with Depot Harbour. But we know that railway interests to-day are looking at these places on Georgian bay with different eyes from those with which they regarded them at the time when that report was laid on the table of parliament. To-day, the Canadian Pacific Railway is insisting on a port at Victoria Harbour as a great terminal and transhipping port on the eastern side of Georgian bay, a port which was not in existence when the report of the Transportation Commission was made. The Grand Trunk Railway is now making Midland a great terminal.

Mr. HAGGART. How far is Victoria Harbour from Midland?

Mr. FISHER. Six miles.

Mr. HAGGART. And Midland is mentioned in the report?

Mr. FISHER. Yes, but if the hon. gentleman (Mr. Haggart) will consult his friends of the Canadian Pacific Railway he will be told that they cannot go into Midland and that they do not want to make Midland their Georgian bay port. Here, for instance, is the detail in which the report of the Transportation Commission may be amended. But that detail can be changed without affecting the great scheme which we have been working out and which we have not changed—the completion of the chain of communication from the west to the eastern sea-board.

My hon. friend from North Toronto (Mr. Foster) says we have had no chance to dis-

cuss this scheme. Perhaps he has not followed the proceedings of this House closely enough to know that this session the hon. member for East Simcoe (Mr. Bennett) brought this question forward. He did not deal with it as a comprehensive scheme, but only as it affected the port of Midland which he happens to represent. And, on every occasion when this question comes up, it is found that the whole discussion turns on some detail in which one or more members of the House happen to be interested, and the general question seems to sink out of sight altogether. But the government are keeping in mind the general problem, and are working toward the solution of it. It may be, as my hon. friend (Mr. R. L. Borden) says, that we are doing it piecemeal, but we are doing it in the only effective way, the practical businesslike way. We are doing it so effectually to-day that the facilities of trade between our western plains and the Atlantic seaports are immeasurably superior to any that ever existed before this government came to power. The result is to-day that our western grain can be carried to the European markets cheaper than ever before, and imports can be delivered to the western consumers cheaper and more promptly than ever before.

Mr. R. L. BORDEN. There never was so much complaint about transportation in the west as at the present moment.

Mr. BERGERON. What is the system in the ports of St. John and Halifax? Are they managed by commissioners?

Mr. FIELDING. There is no commission at either port. The St. John harbour is owned by the municipality; the city has retained to itself the harbour interest. In Halifax the wharfs are all owned by private interests.

Mr. BERGERON. And whenever any improvement is needed this government votes the money to make the improvements under the supervision of the Department of Public Works?

Mr. FIELDING. As a matter of fact, I think there have been no improvements whatever in the harbour of Halifax except as relating to the terminal facilities of the Intercolonial. The harbour at Halifax does not require the same kind of improvement as other harbours.

Mr. HAGGART. If I remember rightly, the Department of Public Works have done some improvements there.

Mr. FIELDING. Not in late years. There may have been something done by the Public Works Department, but it was in connection with the terminals of the Intercolonial.

Mr. BERGERON. If there is any port where improvements are needed, according to information given me by gentlemen acquainted with the situation, it is the harbour of Halifax, and the harbour of St. John is also deserving. I do not grudge any amount of money well spent, under proper supervision, in harbours like Halifax and St. John. As a matter of fact I am not objecting to any expenditure in the harbours of Quebec or Montreal, but I am only objecting to the way in which the money is expended. The Minister of Agriculture says that the Canadian Pacific Railway steamships have in contemplation to make Quebec harbour their terminus. Well, Quebec harbour is a natural harbour. A lot of money has been expended there although it is a natural harbour, but it is not the same kind of harbour as that of Montreal. True, the Canadian Pacific Railway steamers are going at present to Quebec, but they do not say that they intend to go there permanently; they declare that whenever the channel is in a proper condition to allow them to go to Montreal they will go there if they find it to be to their advantage. Now, the Minister of Agriculture speaks about their great schemes since they came into power and their good intentions. But we know that there is a certain unpleasant place paved with good intentions. The hon. gentleman knows that the intention of parliament years ago was not to do what they are doing to-day. They have changed their intentions altogether.

Mr. FISHER. The country is growing and the revenue is growing.

Mr. BERGERON. Yes, and the expenditure is growing, too, so much so that whenever a Liberal politician dies there is not a public subscription to bury him and help his family. My hon. friend speaks of their various schemes. I was in the House when that Port Colborne scheme was first propounded. What is the use of it to-day as a matter of fact? The transportation is altogether inadequate. That expenditure at Port Colborne does not answer the purpose for which it was voted. You need to make transportation of the products of the west as short as possible, instead of passing by Port Colborne, which is too far south. The same thing at Georgian bay. If you follow out all these schemes it is a procession of scandals from first to last. We have heard before the Public Accounts Committee this session some of the scandals ventilated about the Georgian bay scheme that my hon. friend was talking about. The same thing has happened in Port Colborne. Take your elevator in Montreal which was built a few years ago and which has cost an immense sum of money, it has hardly been used since, scarcely any grain is passing through it. That is one of these great schemes. Follow out all these works and you will see a trail of scandal

behind them from first to last. Were it not that the government desire to benefit some of their friends by a liberal expenditure of money, we would not have heard at all of these great schemes.

Mr. FOSTER. I would like to make one remark. The Prime Minister in reply to the hon. leader of the opposition on May 26, 1903, page 3439, says a good many things that I would like to read, and I will pick out this because it is so apropos of the present position of the Minister of Finance. The Prime Minister speaks about the different kinds of water and land transport, and the like of that, and says :

> Now I think it may be said that all these works have been carried on not under any general system, and I do not think from the local point of view of each particular place. We deem it of the greatest importance to have if possible all these different works carried on under a general comprehensive system. But we ask for more money to be expended upon them. We think that it is advisable to have a report of a commission of the best experts we have in the country in order that we may be able to lay before parliament at this session or next session a comprehensive plan as to what should be done in these different localities, or any other localities, in order to meet the objects in view. I will say to my hon. friend (Mr. R. L. Borden) that the commission has been organized, and not later than to-morrow its terms will be laid on the table of the House.

That was said by the Finance Minister's own leader, the Rt. Hon. Sir Wilfrid Laurier, and to-day the Minister of Finance has nothing better to do than to get up and make fun of that comprehensive general plan that his own leader told this House that he was going to adopt.

Mr. FIELDING. On the contrary, we have received the report and we are acting upon it day after day.

At one o'clock, committee took recess.

Committee resumed at three o'clock.

On section 2,

Mr. BERGERON. What is the interest to be paid ?

Mr. FIELDING. The Act requires that they shall not pay more than four per cent.

Bill reported, read the third time and passed.

MONTREAL HARBOUR COMMISSION.

Bill (No. 166) to provide for further advances to the Harbour Commissioners of Montreal—Mr. Fielding—read the second time and House went into committee thereon.

On section 1,—$3,000,000 may be advanced to Montreal Harbour Commission.

Mr. BERGERON. In the discussion we had the other day I wanted to ask my hon. friend the Acting Minister of Public Works (Mr. Fisher) what is going to become of the guard pier. I understood some years ago that it was going to be used as part of the harbour, that wharfs were going to be built on the pier where vessels could land, and that railway tracks were going to be placed on the pier to transport merchandise just as it is done on the inside wharf. Since then the Harbour Commissioners have put up their workshops on the pier. At first it was intimated that this was only a temporary arrangement. Are those workshops going to remain or is the pier going to be put into such shape that it may be used as part of the harbour, and will facilities be provided which will enable vessels to load and unload there ?

Hon. SYDNEY FISHER (Acting Minister of Public Works). There is no suggestion in the plans which are now being submitted that they expect to utilize that pier for wharfs for the accommodation of ocean going vessels. But the harbour is being deepened out towards that pier by dredging and when they get the harbour deep enough the work of providing facilities on the pier will be undertaken and proceeded with. In the plans as submitted there is no proposition to do any special work on the pier beyond what I have indicated in the way of dredging.

Mr. HAGGART. Does any amount which is advanced to the Harbour Commissioners of Montreal appear in the expenditure of the government during the year ?

Mr. FIELDING. It does not appear as part of the ordinary expenditure but it appears as a loan to the Harbour Commissioners.

Mr. HAGGART. It adds so much to the debt of the country.

Mr. FIELDING. It adds to the gross debt but not to the net debt because it is an interest bearing investment and it appears in the assets as well.

Mr. J. D. REID. I would like to ask the hon. minister if the elevator at Montreal is of any use or if it has ever been used? I have heard marine men complaining a good deal about it and saying that it cannot be used at all, that it is not safe.

Mr. FISHER. I do not think there is any thing in that at all. I think the difficulty has been to get the vessels close to it, or in not having carriers to carry the grain to the wharfs where the vessels lay.

Mr. J. D. REID. Why can they not get to it ?

Mr. FISHER. One vessel can get close to it but this loan is going to enable them to provide a system of carriers which will enable the grain to be carried from the elevator to the different berths in the harbour.

Mr. J. D. REID. The Grand Trunk have a large elevator on the canal only built a short time ago and they take the grain out by lighters to the different vessels. The government elevator has not been used at all. I suppose it is in the same position as the Grand Trunk elevator or any other elevator there from which grain can be taken out in lighters to the vessels. Why has it not been used? I understand that it was because they could not take grain out of it and put it in the steamers.

Mr. FISHER. I never heard that.

Mr. J. D. REID. I heard that it was not safe.

Mr. FISHER. I do not think there is any thing in that at all.

Mr. BERGERON. In the case of a few of these wharfs, like the Allan wharf, which are made of cement all through, I suppose there would be no danger, but in the case of these wooden wharfs there might be danger, and before erecting these immense steel structures intended to carry heavy freight, it might be well to see that the foundations are sufficiently solid to carry the superstructure and the added weight of freight. I have been told that there is great danger of these wharfs sliding in as in the case of the Sorel wharf. It might be a good thing to have that investigated and precautions taken beforehand.

Mr. FISHER. The plans were prepared by the engineer of the harbour commission and approved by the engineers of the government, and I can hardly think that well known men in their profession like Mr. Kennedy, Mr. Cowie and others, would not take all these things into account.

Mr. BERGERON. I know Mr. Kennedy to be a very good engineer and I understand that Mr. Cowie is a good man also, but there was so much wrangling at the time between the harbour commissioners and the Department of Public Works, that proper attention may not have been given to these considerations. When the elevator was built very long piles had to be driven to make that part of the wharf solid and similar work may be necessary in this case. I throw the suggestion out to the minister for what it is worth.

Mr. FISHER. I will call the attention of the harbour commission to it.

Mr. SPROULE. What provision is made for loading and unloading vessels at the elevator; is there a marine arm?

Mr. FISHER. There is now a marine arm to the wharf in front of the elevator, but long carriers will be required to the other wharfs and I understand these are not completed yet.

Mr. SPROULE. How rapidly can you load or unload grain and at what cost is the transfer made?

Mr. FISHER. I have not that information now.

Mr. J. D. REID. I cannot understand how you can get an arm to run along all the wharfs, because some of the wharfs in Montreal must be three or four miles distant from the elevator.

Mr. FISHER. I will not say that there will be carriers down to the wharfs at Hochelaga for instance, but there will be carriers to these wharfs which are not more than one-third of a mile from the elevator. I understand there will be a carrier to the furthest west shed near the canal. The vessels lying at any of these wharfs can then be loaded from the elevator. I am not positive that to-day the elevator can take grain out of a barge. I understand the elevator takes grain from the cars which is then transferred to the ships, but I think when a barge comes with grain the custom in Montreal is to take that grain by floating elevators direct into the ocean-going ships. The harbour elevator would only be used where the lake grain was intended for storage or where the grain comes by railroad.

Mr. J. D. REID. In my opinion that elevator at Montreal should be equipped to take the grain out of the lake steamers. These steamers are always anxious to be unloaded as quickly as possible so that they may clear for their return voyage. When a vessel is ready to take a cargo and the grain is there, the floating elevators are all right, but it is seldom that the ocean going steamers are ready offhand to take the grain, and then the lake vessels would be delayed. I understand that the elevator in Montreal has not been used for the last three or four years because it does not take grain from the lake vessels, and the Grand Trunk have built a new elevator on the canal for that purpose. It is uncertain when an ocean going vessel may require her grain; she may require from 15,000 to 50,000 bushels, and it is very convenient to be able to take that from the elevator. The Buffalo elevators are equipped in that way and the Montreal elevators should be of the same class. Every minute a lake vessel is detained at the port of Montreal she loses money, and I am informed it is because the Montreal elevator cannot take grain from these lake vessels, that it has not been used for the last couple of years.

Mr. FISHER. Is my hon. friend personally aware whether the elevator is supplied with that leg or not?

Mr. BERGERON. I am informed that it is not.

Mr. FISHER. I have sent to find out. I quite agree with my hon. friend that it should be. I know that heretofore for years the great mass of grain handled at the port of Montreal has been transferred direct

from the vessels which have come down the lakes to the ocean-going vessels by means of floating elevators. The Harbour Commissioners believe that another arrangement may be made in addition, and I quite agree with my hon. friend that it should be possible to take the grain from the lake vessels, store it in elevators, and transfer it to the ocean vessels when required.

Mr. BERGERON. My opinion is that when that elevator was built it was intended to store the grain coming down on the cars before the opening of navigation, so that when navigation opened it could be immediately loaded into the ocean vessels. I am told that the floating elevators are those most favoured by the navigators, because the steamers coming down from the west can discharge part of their cargo on the wharfs at one side while the elevators unload the grain at the other side. I am told that the more floating elevators that can be had the better. Although I am not in favour of having a harbour commission, I do not think the commissioners are paid too much if they do the work properly ; but I would like to ask the minister if they should not devote all their time to the work. I understand that the chairman of the commission, Mr. Stephens, is required to give his whole time, although I believe that he sat for one of the divisions of Montreal in the local legislature last session. I do not blame him for that ; I suppose it was a duty he owed to the electors ; but I understand that he resigned in order to devote all his time to the work of the Harbour Commission. I understand that one of the other gentlemen at any rate is in business. If the work of the commission is to be of value, I think these gentlemen should give all their time and energy to it.

Mr. FISHER. The question of the commissioners devoting the whole of their time to the work was thoroughly discussed and threshed out prior to their appointment. There are many reasons why it is desirable that they should do so, and I quite agree with the hon. gentleman in that respect. But it was difficult on the spur of the moment to get men thoroughly competent for the work, business men of youth, energy and experience, ready to sever their relations with other business matters and to give their whole time to this work. There would be no difficulty in getting elderly men of business experience who have passed the age of energy and hard work. It is true, Mr. Stephens devotes the whole of his time to the work of the commission. The hon. gentleman mentions the fact that he was a member of parliament. He sat in the legislature at Quebec for a few days last session, but only long enough to put through some particular legislation he had in hand before he was appointed to the Harbour Commission, and I think that was in the public interest. The other two members on the board do not give their whole time to the work, but I know that their practice is to spend two or three hours a day at the Harbour Commissioners' office working with Mr. Stephens, giving him the advantage of their advice and assistance on all questions of policy ; the details being attended to by Mr. Stephens and the staff in the office. The three commissioners together deal with all the plans and arrangements for work and decide upon what is to be done. We have the advantage of their mature and deliberate judgment, and we are satisfied, and I think the people of Montreal are satisfied, that the work is not neglected. It has been pushed on with energy since the new harbour commission was appointed. It may be that in the future we shall need to have men, either these or others, who can give their whole time and attention to the work. If, however, we do that, we can hardly expect to secure men of the ability and experience necessary for the salaries we are paying. Mr. Stephens receives $7,000, and Mr. Geoffrion and Mr. Ballantyne each $5,000. But I think the policy we have pursued hitherto has been justified by its success.

Mr. BERGERON. What wharfs are under the jurisdiction of the Montreal Harbour Commission, and what wharfs are built by the government ?

Mr. FISHER. All the wharfs, whether built by the government or not, fall under the jurisdiction of the harbour commission —everything in the port of Montreal from the Victoria Bridge and the mouth of the canal down to within a mile of Longue Pointe.

On the preamble,

Mr. R. L. BORDEN. I submit the same considerations, which I shall not repeat, with regard to this Bill, as those which I put forward with regard to the Bill respecting the Harbour Commissioners of Quebec. This is an advance of public money, an interest-bearing investment, and I believe the interest on it has been paid up to the present time ?

Mr. FIELDING. Yes.

Mr. R. L. BORDEN. At some future date, the government may find it necessary or desirable to take over these works and assume the responsibility of their maintenance. In view of what may take place in the future, it would be wise to have the expenditure subject to public audit and also that the general character of the work should be subject to supervision by the engineers of the government.

Mr. BERGERON. Is there any scale of charges ? And on what standard are they made ?

Mr. FISHER. I have not the details of the charges but they are arranged by the harbour board and are what are called harbour dues.

Mr. BERGERON. Could we have them down ?

Mr. FISHER. Certainly, they are arranged every year. I may say that the rates were lowered very materially in 1896 and again in 1902 or 1903. The harbour commission have been reducing the charges on freight landed at Montreal very materially of late years. In consequence, however, of the immense stimulus to our trade, the revenue has kept up, and the commission has been able to meet its obligations.

Mr. BERGERON. What is paid by the different companies for the different berths at which their steamers lie ?

Mr. FISHER. That is fixed by the harbour commission.

Mr. BERGERON. Is it one price for all or how are the charges made?

Mr. FISHER. I am not certain that they pay for the berths. They pay for the use of the sheds so much per ton or cubic foot according to the character of the freight landed, very much in the same way as in the case of railway freights.

Mr. BERGERON. How are they allotted their berths ? Last summer there was a good deal of complaint that all were not treated alike. Is there any principle adopted or is it left to the caprice of the harbour master or the harbour commission ?

Mr. FISHER. It is generally arranged that the shipping companies have the same berths from year to year.

Mr. J. D. REID. Is it the case that the government have no opportunity of investigating these accounts of the Harbour Commission of Montreal at any time ? Are you in the same position as was instanced with respect to the Quebec commission ?

Mr. FISHER. I do not think the government have undertaken to audit the accounts. The reports are published from year to year, and the commission have their auditors who audit the accounts.

Mr. J. D. REID. Have we the right to do that ?

Mr. FISHER. I am not sure. I cannot give a legal opinion as I am not a lawyer.

Bill reported, read the third time, and passed.

TWO-CENT PASSENGER RATE.

Mr. FIELDING. There was an understanding between the Prime Minister and the leader of the opposition that an opportunity should be afforded to bring up item 32 of Public Bills and Orders which relates to a question of certain business in the hands of the Railway Commission. I move that item 32 be called.

Motion agreed to.

On further consideration of the proposed resolution of Mr. Borden :

That it is expedient for the Board of Railway Commissioners for Canada to inquire, determine and report with the least possible delay whether or not the tolls charged in standard passenger tariffs should be reduced so as not to exceed two cents per mile upon all or any of the railways of Canada. That the government under the provisions of the Railway Act, and especially the 24th section thereof, should forthwith take such steps as are necessary for this purpose;

And the proposed amendment thereto of Mr. Emmerson, namely:

That all the words after the word 'that' be struck out and the following be substituted : It appears from the correspondence laid on the table of this House that the Board of Railway Commissioners is now engaged examining the tolls to be charged on standard passenger tariffs, and that in consequence there is no occasion for the government to exercise the powers vested in it under section 24 of the Railway Act of 1903.

Mr. R. L. BORDEN. I have spoken on the amendment and have nothing more to say about it.

House divided on amendment.

YEAS :

Messieurs.

Adamson,	Lavergne
Archambault,	(Drum. & Arth.),
Aylesworth,	Law,
Beauparlant,	Lemieux,
Beland,	Loggie,
Bole,	Lovell,
Bourbonnais,	Macdonald,
Burrows,	Macpherson,
Caldwell,	McCool,
Calvert,	McCraney,
Campbell,	McIntyre (Perth),
Carney,	McIntyre (Strathcona),
Carvell,	McKenzie,
Cash,	McLennan,
Chisholm (Antigonish),	Marcile (Bagot),
Clarke,	Marcil (Bonaventure),
Conmee,	Mayrand,
Copp,	Meigs,
Cyr,	Michaud,
Crawford,	Miller,
Delisle,	Oliver,
Demers,	Pardee,
Derbyshire,	Parmelee,
Desjardins,	Paterson,
Devlin (Nicolet),	Pickup,
Dubeau,	Proulx,
Dugas,	Reid (Restigouche),
Ethier,	Rivet,
Fielding,	Robitaille,
Finlay,	Ross (Cape Breton),
Finlayson,	Ross (Rimouski),
Fisher,	Ross (Yale-Cariboo),

Fortier, Rousseau,
Gauvreau, Savoie,
Gervais, Schell (Glengarry),
Girard, Schell (Oxford),
Gordon, Sinclair,
Harty, Smith (Oxford),
Hughes Talbot,
(King's, P.E.I.), Telford,
Hunt, Templeman,
Jackson (Selkirk), Tobin,
Johnston, Tolmie,
Kennedy, Turgeon,
Knowles, Verville,
Lanctot (Laprairie-Napierville), Walsh (Huntingdon),
Lanctot (Richelieu), Watson,
Lapointe, Wright (Renfrew),
Laurence, Zimmerman.—96.

NAYS :

Messieurs.

Alcorn, Lancaster,
Ames, Lennox,
Armstrong, Macdonell,
Bergeron, McLean
Blain, (Queen's, P.E.I.),
Borden (Carleton), Martin
Boyce, (Queen's, P.E.I.),
Brabazon, Morin,
Broder, Northrup,
Chisholm (Huron), Osler,
Clements, Paquet,
Crocket, Pringle,
Daniel, Reid (Grenville),
Elson, Sproule,
Foster, Taylor,
Fowler, White,
Haggart, Wilmot,
Henderson, Worthington,
Herron, Wright (Muskoka.)—36.

PAIRS :

Messieurs.

Ministerial.	Opposition.
Logan,	Lefurgey,
McColl,	Ward,
Greenway,	Tisdale,
Brodeur,	Monk,
Black,	McCarthy (Calgary),
Belcourt,	Seagram,
Bickerdike,	Kemp,
Borden (Sir Frederick),	Barker,
Bureau,	Bennett,
Brown,	Porter,
Dyment,	Avery,
Boyer,	Leonard,
Galliher,	Lake,
Gladu,	Wilson (Len. & Adding.),
LeBlanc,	Roche (Marquette),
Grant,	McLaren,
Maclean (Lunenburg),	Ganong,
Guthrie,	Clare,
McCarthy (Simcoe),	Cockshutt,
Ratz,	Smith (Wentworth),
Sifton,	Marshall,
Stewart,	Lalor,
Martin (Montreal, St. Mary's),	Forget,
Wilson (Russell),	Barr,
Walsh (Montreal, St. Ann's),	Perley,
Devlin (Wright),	Bristol,
Laurier (L'Assomption),	Jackson (Elgin),
Emmerson,	Christie,
German,	Walsh (Huntingdon),
Sloan,	Staples,
Roche (Halifax),	Schaffner,
Smith (Nanaimo).	Gunn.

Amendment agreed to.

Motion, as amended, agreed to.

ADMINISTRATION OF JUSTICE IN SASKATCHEWAN AND ALBERTA.

House went into committee on Bill (No. 146) to make certain amendments to the statute law in its application to the provinces of Saskatchewan and Alberta.

Hon. A. B. AYLESWORTH (Minister of Justice). This Bill stood over yesterday, after the several clauses had been gone through in committee, for the purpose of further consideration with special regard to the possible necessity of making provision for the trial of Dominion controverted elections in the new provinces. But on reference to the Dominion Controverted Elections Act, as it appears in the revised statutes, I find that there is no necessity for any such provision, and I have nothing, therefore, to suggest to be added to the present Bill.

Bill reported.

Mr. AYLESWORTH moved the third reading of the Bill.

Mr. R. L. BORDEN. I understand the Minister of Justice (Mr. Aylesworth) to state that the trial of controverted elections in the new provinces is provided for under the present law, and therefore there is no necessity for making any amendment to the present Bill to cover that point. I have not looked into the matter, and I ask for information.

Mr. AYLESWORTH. I am speaking, of course, of the Dominion controverted elections. The present statute with reference to Saskatchewan and Alberta provides that, until the new courts are constituted, the jurisdiction to try Dominion controverted elections shall rest, as before, with the Supreme Court of the Northwest Territories; and that upon the new courts being constituted, the jurisdiction shall be vested in such new courts in each province.

Motion agreed to, Bill read the third time and passed.

YUKON PLACER MINING ACT—AMENDMENT.

Consideration of an amendment made by the Senate to Bill (No. 135) an Act to amend the Yukon Placer Mining Act—Mr. Oliver.

Hon. FRANK OLIVER (Minister of the Interior). I desire to have this Senate amendment amended by substituting the words 'nor until' for the words 'and only' in section 2. The section will then read :

No claim shall be relocated within ten days of its being so abandoned, nor until after notice of such abandonment has been posted up for at least one week in the office of the mining recorder.

That is the reading proposed by the law clerk.

Amendment agreed to.

SUPPLY—CAR FERRY BETWEEN PORT HOPE AND CHARLOTTE, N. Y.

Mr. H. A. WARD (Durham). Before you leave the chair, Mr. Speaker, I desire to bring to the attention of the House an Act of injustice recently committed by the government, affecting adversely the interests of the town of Port Hope in the county I represent, and favouring in the most remarkable manner the town of Cobourg in the constituency of West Northumberland. I do not offer any apology for engaging the attention of the House for a short time at this late stage of the session, because I believe it is a matter of sufficient importance to justify me in doing so. I think it is of more importance than the government themselves consider, and will have more far reaching consequences than they are inclined to realize. I cannot imagine the reason for the action of the government in this instance except it be that the town of Cobourg is represented by my hon. friend from West Northumberland (Mr. McColl) a well known adherent of the government, while I am not recognized, I imagine, as a very warm supporter. There might be another reason, and it is found in a rumour I have heard that the hon. the Minister of Justice has expressed himself as desiring to give the county of Durham a few object lessons. This possibly may be one of those object lessons, but it is one for which we are not thankful to that hon. gentleman. Now it will hardly be believed that political considerations can be carried so far as to involve the confiscation, as I believe it is a confiscation, of the rights of one community in favour of another, involving as it does the taking away of all the advantages which the enterprising town of Port Hope have secured for themselves by a very large expenditure of money in the past, money that they are now paying interest on, and giving all these advantages to the town of Cobourg, taking away, as I say, what has actually been paid for in hard cash and is now being paid for in interest on that hard cash, and giving to the town of Cobourg all the advantages which the town of Port Hope should possess. I do not think that is an act of justice to the town of Port Hope, and I hope before I finish my remarks that I will be able to convince the House on that point. I am informed also by friends of the Minister of Justice in the town of Port Hope that that hon. gentleman assured them that the matter is in no sense one in which the government was interested. But I will prove to the House that the government did take upon themselves to decide the matter, and adversely, as I say, to the town of Port Hope, in a way that is not creditable to them.

Now it is necessary for me to give a brief history of the matter which I desire to bring to the attention of the House. About a year ago Sir Charles Rivers Wilson, president of the Grand Trunk Railway, in his address to the shareholders announced that a ferry was about to be established, a car ferry capable of carrying twenty-seven cars, between Charlotte in the State of New York, and the town of Port Hope. The town of Cobourg was never thought of. It is a well known fact that the town of Port Hope possesses the best harbour on the lakes between Kingston and Toronto, and has been recognized in all these years since the harbour was built as a harbour of refuge on the long stretch of Lake Ontario beween these large cities. As I say, the town of Cobourg was never thought of. But as soon as this announcement was made by the president of the Grand Trunk Railway, people in the town of Cobourg, considering no doubt that it was a gross outrage that any such plum should fall to the lot of their sister town, made themselves busy with the government of the day and brought to the attention of the government, no doubt, that it would be an outrage to give to a town that is not represented by a supporter of the government any advantage no matter how just it would be to confer it upon the town of Port Hope. For nearly a year action was delayed as to which port should be selected ; the final decision has been given in favour of the town of Cobourg. I will show, by reading from the Cobourg 'World,' that the decision was actually made by the government :

Last week our member, Mr. J. B. McColl, M.P., received a letter from the acting Minister of Public Works, stating that the government had decided to make the necessary repairs to the Cobourg harbour in order that it might answer the purposes of the Grand Trunk Railway car ferry. An appropriation will be made for that purpose in the supplementary estimates. The government will not only do the necessary dredging, but will complete the harbour as a harbour of refuge. That will involve the extension of the present piers about 700 feet. We think this solves the question of who got the ferry. We must congratulate Mr. McColl upon the results of his efforts, not only in succeeding in landing the ferry at Cobourg, but in getting our harbour completed.

Now it will be interesting probably to the House to know in what manner the govern-

ment was sufficiently interested to take into their own hands the decision of locating the terminus of the ferry. I suppose, but it is only conjecture on my part that the government were approached by the Grand Trunk Railway and induced to do some dredging that was necessary in order to establish the ferry at one of these ports. Now in connection with that dredging, I may state that I was informed by Mr. Hyman, the Minister of Public Works during last session, that from the reports of his engineers it would take about $75,000 to place the harbour of Port Hope in a proper condition for a ferry, but that it would take a slightly less amount to do the necessary dredging in the town of Cobourg. That estimate of the Hon. Mr. Hyman, which was given as he told me from the reports of his engineers is corroborated by Capt. Lyman, of Grand Haven, who commands the ferry between Grand Haven and Milwaukee, and who came down to Port Hope and Cobourg at the instance of the Grand Trunk Railway to examine the two harbours. I intend to read the declaration of Capt. Peacock, who has been for the last forty years a mariner on Lake Ontario and other lakes, to show what the opinion of Capt. Lyman was after his examination of these two harbours. I am reading the whole document now, although it refers to other things. I wish to show that, in Capt. Lyman's opinion, the sum which it would be necessary to spend to place the Port Hope harbour in a condition for a ferry, was exactly the same as stated to me by the Minister of Public Works upon the report of his engineer. The declaration is as follows :

I, James H. Peacock of the town of Port Hope in the county of Durham, master mariner, do solemnly declare, that :

1. In the early part of January, 1907, captain Lyman, who I understand commands a ferry boat running between Grand Haven and Milwaukee, came to Port Hope at the instance of the Grand Trunk Railway, as I have been informed, for the purpose of reporting upon the harbours of Port Hope and Cobourg, as to their fitness for the terminus of the car ferry about to be established between Charlotte, New York, and a point on the north shore of lake Ontario.

2. I was requested by a committee of Port Hope citizens in charge of the matter to accompany Captain Lyman and furnish him with any information he might ask for, and I was further requested to drive over to Cobourg with him, which I did.

3. I may say that I have been sailing on the great lakes since 1867, and have been a master mariner since 1874, and have been in command of the 'Oliver Mowat' for seventeen years past and am now in command of the 'E. B. Maxwell.'

4. After examining the Port Hope harbour Captain Lyman stated that there would be no difficulty in entering it with a ferry steamer, and that the good feature of the entrance was, that it gradually widened inside.

5. He afterwards went over to Cobourg and met Captain Rooney who is, I believe, in charge of the harbour there. Captain Lyman looked over the entrance of the present harbour, and then questioned Captain Rooney as to undertow and surge. Captain Rooney stated that there was no undertow or surge to which Captain Lyman replied that it was the first lake shore harbour he had known where there was no undertow, he also asked what caused the ice banks to form on the inner side of the harbour if there was no surge, and Captain Rooney remarked that the ferry slip was not to be in the inner harbour, but on the west side of the outer harbour, inside the piers. Captain Lyman then inquired as to depth of water, and was assured by Captain Rooney that plenty of water could be had with a little dredging. He also asked about the open lake, south of where the ferry boat was to land, and Captain Rooney informed him that the government was going to make it a safe harbour. Captain Lyman then inquired about the cost and the length of time required to complete the works, to which he received no definite reply. He then stated that in his opinion, it would take two years or over to complete the necessary cribwork, and would cost something like $250,000, and Captain Rooney said he thought the government would do it.

I may say that he made the remark at the same time, although it is not in the declaration, that about 1,300 feet of cribwork would be necessary in addition to the dredging and that he thought the government would do it.

Captain Lyman then remarked that it was necessary that the ferry slip should be in quiet water.

6. Upon our return to Port Hope we examined the inner basin of the west harbour. This, Captain Lyman claimed, was the proper place for the ferry slip, if the necessary depth of water could be obtained. He asked me as to the bottom, and I informed him that it was shell rock and mud. He claimed that rock bottom was much the best for a ferry, as the slips could not be undermined by the action of the screws which was very heavy. He said that at Grand Haven the company was put to a considerable expense in keeping the slips filled up with stone, in order to prevent undermining, but this would not occur where the bottom was rock. He further stated that he thought an expenditure of $75,000 ought to put the Port Hope harbour in excellent shape. He also expressed the opinion that if the right people were employed it could not cost much more in shell rock than in ordinary clay or sand dredging. He also said, after I had informed him as to the distance between the east and west sides of the basin, which is about five hundred feet, there would be no difficulty in handling the boat.

7. Captain Lyman also stated that they had sometimes to make repairs to a ferry boat which occupied ten or fifteen hours, and in such cases absolutely quiet water was necessary.

8. I have had a great deal of experience with both harbours, and I am convinced that in its present condition a ferry boat could not land at Cobourg in any southerly or easterly wind, but would probably have to lie outside.

9. In my long experience of sailing Lake Ontario, I have always considered the Port Hope harbour a safer one than Cobourg, either to make or lie in, in bad weather.

That declaration, and the opinion that Captain Lyman has expressed therein, agree that the expenditure at Port Hope harbour would not exceed $75,000 but the hon. acting Minister of Public Works evidently did not think the disparity between the expenditures necessary at Cobourg and Port Hope were sufficiently marked to justify the government in coming to the conclusion in favour of Cobourg which they evidently did, but the minister procured another engineer's report on the two harbours and I am informed by one who has a copy of that report, which I have never seen, that the report simply states the bald figures of $147,000 as being necessary at Port Hope and $67,000 as being necesary at Cobourg. That, as I understood from the gentleman who informed me about the report, was merely for the dredging. From what I have heard from other engineers, from the opinion expressed by Mr. Hyman on the reports of his engineers and on the strength of what has been stated by Captain Lyman, I believe that report is, to say the least, very inaccurate and that it only reflected the desire of the members of the government to make the conditions of Port Hope as onerous as possible in order to justify them in coming to the conclusion they did. I do not know who the engineer is who made that report, but I have no hesitation in characterizing it as not an honest report because the conditions are well known there and I do not think there is the difference which has been stated to exist between the expenditures necessary on these two harbours.

The letter written, as stated in the Cobourg 'World,' by the hon. acting Minister of Public Works to the hon. member for West Northumberland (Mr. McColl) goes on to say that the Cobourg harbour will be made a harbour of refuge, that is that the expenditure will be made which is necessary to make it a harbour of refuge. I have been so informed personally by the member for West Northumberland, and I would like to ask the hon. acting Minister of Public Works, if he does make any reply to the statements I am making here to-day, to state whether the expenditure put in the estimates for the town of Cobourg means the only expenditure which is to be made there. According to Captain Lyman and every one who knows anything about the subject 1,400 feet of crib-work cannot possibly be built in 20 feet of water, and the necessary dredging, be done for $67,000. It seems to me that the estimate for the expenditure at Cobourg is simply the commencement and that before the completion of the work we will find the country saddled with an expenditure of $300,000. For what? To make a harbour of refuge which is about as useful to the mariners on Lake Ontario as a fifth wheel would be to a coach. It is a well known fact that Port Hope has been a harbour of refuge for the last fifty years when the shipping on Lake Ontario was twenty times in volume what it is at present. I can tell the minister that during the winter of 1874-5, thirty-nine sailing vessels wintered at Port Hope. These thirty-nine vessels were all owned by the people of Port Hope while to-day there is only one vessel in Port Hope which is owned by a resident of that town and that is a vessel owned by the captain whose declaration I read a few moments ago. What can be the reason of a harbour of refuge being required for Lake Ontario when, as I say, the shipping has decreased about twenty times what it was years ago when all the lumber and grain were shipped from that and other ports to the United States, whereas these shipments all go by train at the present time?

In regard to the question as to the value of the two harbours I want to call the attention of the acting minister to the fact that the inner basins of the harbour of Port Hope are excavated inside the shore line. They are surrounded on three sides by high hills while the Cobourg harbour is virtually open to the lake. There are only piers extending out from the shore line and every wind that blows sweeps across the harbour no matter from what direction it may happen to come. There is no doubt in the world as to the relative merits of these two harbours, and I cannot understand for one moment why the government are entirely ignoring a harbour which was built fifty years ago and more and which has satisfied the mariners all these years unless it be that the government are undertaking this large expenditure simply because the hon. member for West Northumberland is one of their supporters.

In order to justify what I said as to the superior claims of Port Hope, I desire to point out that years back, in the early fifties, when the parliament of Upper Canada established what is known as the Municipal Loan Fund debt, both Port Hope and Cobourg borrowed largely from that fund. The first move was, I believe, made by the town of Cobourg, and their intention was to build a railway running from Cobourg directly across Rice lake in a straight line to the town of Peterborough. The Port Hope people approached the authorities of the town of Cobourg at that time and requested them to join with Port Hope and run the railway around the head of the lake at Bewdley to Peterborough, and they would build a branch from Port Hope to Bewdley and thus both towns would be served by that railway running to the north. The Cobourg people refused to entertain that proposition but preferred to run a bridge four miles across Rice lake which disappeared within two years, and ever since that time the railway from Cobourg to Rice lake or Peterborough has only been operated at times from Cobourg to Harwood on the south shore of Rice

lake. The Port Hope people then borrowed $800,000 from the municipal loan fund for the purpose of assisting in building the Midland railway, which, I think, every one will agree has done very much towards the development of the northern part of central Ontario. That amount was put into the railway, and railway development stimulated in that way, and the terminus of that railway has always been at Port Hope.

At the same time, Port Hope borrowed $354,000 from the Municipal Loan Fund for the purpose of constructing the harbour I have spoken of. That large debt was incurred by a town of about 5,000 inhabitants, and when the settlement of this municipal loan fund came to be taken up by the Ontario government, the town of Port Hope was adjudicated to pay $93,000 in full settlement of that large loan. Cobourg, as I understand from the records of the Ontario government, settled for $80,000. I wish to call the attention of the House to the manner in which the two towns have been treated in regard to the settlement of the Municipal Loan Fund. The Port Hope share was $93,000 and they were obliged by the Mowat government to sign their bonds for that amount. In addition to that they issued debentures to complete the harbour on the security of the harbour, for $60,000, and to this day they are paying 4½ per cent interest on that total sum of $153,000 or $6,885 a year. That is the burden, in addition to the ordinary debt of the town, that Port Hope with 4,300 people has to undertake and has undertaken to pay ever since the settlement of the Municipal Loan Fund.

Let me examine for a moment how differently Cobourg was treated. The settlement in respect to the town of Cobourg was $80,000. But a kind and benevolent government in the province of Ontario did not insist upon the town of Cobourg signing their bonds. Thirteen years afterwards, when that debt at 4½ per cent interest had amounted to $125,000, the Mowat government settled with the town of Cobourg for the small sum of $25,000. The Mowat government thus threw off $100,000 of the indebtedness of Cobourg, while Port Hope was not allowed one single cent of abatement. I desire to read an extract from the budget speech of the Hon. A. W. Ross, provincial treasurer, delivered in 1888:

> It will be recollected that in 1886 I stated that a settlement was then in progress with the town of Cobourg as to the unsettled balance due from that municipality which had been in the accounts of the province for the past thirteen years. I stated at that time that a proposition had been made and partially accepted to issue new debentures to the amount of $42,768 running for twenty years. That proposition was not consummated owing to the refusal of the town council to pass the necessary by-law. They contended, looking at the financial condition of the town, that the settlement was more onerous than they were able to meet, and the matter was left in abeyance until the close of last year, when they made an offer to the government of $25,000 cash, in full settlement of their liability. The government agreed to accept that $25,000 subject to the approval of the legislature, and it is now in the estimates of receipts for the current year.

Hon. Mr. ROSS. The money was paid and is now at the credit of the province in the bank.

I desire to point out that the town of Port Hope has shown a great deal of enterprise in building what was then called the Port Hope and Peterborough railway. Port Hope is now paying a large sum in interest every year on the cost of that railway, and on the cost of the construction of its harbour, and the government of this country—simply because the hon. member for West Northumberland (Mr. McColl) is a supporter of theirs—are taking away all these advantages which should accrue to Port Hope, and handing them over to the town of Cobourg. The town of Cobourg claims now that the Grand Trunk Railway have undertaken not only to give them the ferry, but to give them the terminus of the Midland Railway as well. That means a great deal for the town of Port Hope, and, the act of injustice which has been committed by this government has affected us very seriously.

Let me point out that the town of Cobourg has received considerable benefits from this government. You have only to look at the Public Accounts to see that in the last few years Cobourg has received $40,000 for an armoury and about $13,000 for buying the land for a rifle range and putting the necessary improvements thereon. But the town of Cobourg was costly to the government in another sense. When the Trent Valley canal was under discussion and the town of Cobourg was afraid that some little advantage might go to Port Hope, they asked that a survey should be made to the town of Cobourg and it cost $11,300 to satisfy the people of Cobourg that the Trent Valley canal could not possibly be constructed in their direction. The result of that survey showed that the town of Cobourg was not the place for the Trent Valley canal because the cost by that route would be $9,000,000, whereas the cost via Port Hope would only be $3,900,000. That is another little expenditure that the government found it necessary to make for the town of Cobourg. It was money absolutely thrown away, simply to show to the supporters of the hon. gentleman for West Northumberland (Mr. McColl) that he had done what he could to get the Trent Valley canal to go to Cobourg. Then, there is $67,000 which the government have brought down in the supplementary estimates for the dredging at Cobourg.

It is stated in the estimates to be for the extension of piers and dredging; but I think the chief part of it must be expended in dredging and a mere flea bite

will be for the extension of piers. If these piers be extended 700 feet, amounting to 1,400 feet in twenty feet of water, there cannot be less than $300,000 spent in the town of Cobourg, before these works are completed in a manner suitable for the ferry. We find that all these favours have been showered on Cobourg by different governments: $100,000 of debt remitted by the Mowat government, $40,000 for an armoury, $13,000 for a rifle range, $11,300 for the survey of the Trent Valley Canal, $67,000 on the harbour and $250,000 on piers to be built. A very expensive constituency that must be for the government to keep up. I venture to say that there is not a constituency in this country that has anything like the money expended on it that that constituency seems to be able to worm out of this government and others. It reminds me very much of a remark of a statesman in a country not very far from this—I will not mention any names—who had a rather recalcitrant follower, and who said that he had to buy him every day, and then he was never sure of him. I think that is the way with the town of Cobourg; the government have to buy it every day, and then they are never sure of it.

Now, I am sorry I cannot say that the Minister of Justice has shown that justice to the town of Port Hope that one would expect from a gentleman of his character. As I have said, I have been assured by his friends in the town of Port Hope that the government had nothing whatever to do with this matter; but I think I have shown very conclusively that the government had something to do with it, and that they took the matter entirely out of the hands of the Grand Trunk Railway company and decided it for their own purposes. I may mention a little incident that occurred in the early stages of this ferry controversy; it was in connection with the visit of a prominent railway official to the town of Port Hope. I refer to Mr. McGuigan, who is now translated to another sphere. That gentleman visited Port Hope in his car and he stated to the deputation that there waited on him, that they were a foolish lot of men, because if they had elected the hon. Minister of Justice when they had the opportunity of so doing, they would have had the ferry beyond a doubt. That was Mr. McGuigan's opinion, and I have no doubt he was correct. Another incident that occurred—and I have it from one of the prominent Liberals in the town of Port Hope—was this: that at a banquet given to the premier in the City of Toronto shortly after the last general election, he was very much surprised to hear the premier make this statement, that the electors of Durham, who had recently rejected a very great friend of his, might possibly be forgiven in the next world, but never would be forgiven in this. The gentleman who told me that was the vice-president of the Reform Association in the town of Port Hope, and he told me that he immediately retired from the banquet and declined to remain there any longer where such statements were made. I am only mentioning these matters to show that there is a certain amount of animus against the County of Durham on the part of this government.

These are not the only object lessons which that county is receiving at the hands of this government. I might refer to the Trent Valley Canal, which my hon. friend the Minister of Justice (Mr. Aylesworth) represented very strongly in his campaign would come to Port Hope if he were elected. I do not make that statement from anything I myself have heard the hon. gentleman state, because I never heard him speak during that campaign; but the newspaper part of the struggle was carried on by a very clever lawyer who was sent down from Toronto by my hon friend to conduct the campaign in his interest. That gentleman took over the Liberal paper in the town of Port Hope and was I am sure, responsible for every advertisement and statement that appeared in that paper. I am sorry to say that I have not kept very many of them, but I want to give you a sample of the advertisements that were issued at that time by that gentleman from the Liberal headquarters. Here is one:

A chance of a lifetime. Aylesworth and the canal for Durham electors. The Liberal government will undoubtedly be sustained, Candid Conservatives all over the country admit this fact. Then consider your own interests for once regardless of political ties. The canal to Port Hope would mean the expenditure of millions of dollars in Durham and a great reduction of taxation in Port Hope. The government is now pledged to all you asked.

What does that mean? I am sure the hon. gentleman must take some responsibility for the advertisement that his own organ and his own agent brought out. It was not as if they were written by a gentleman in the town of Port Hope. They were got up by this clever man who came from Toronto to conduct the campaign. I will not read all these advertisements; but another one says something about Col. Ward being responsible for bringing the canal question into politics in the Durham campaign:—

Colonel Ward in opposition has failed to accomplish anything for the Port Hope outlet, and in the presence of Hon. Mr. Borden has told us that to get a survey from the present government on an 8 feet 4 inch basis was a hopeless task. Mr. Aylesworth, a cabinet minister, has in a few short days secured this survey from the government.

Now, what was the object of the hon. gentleman getting that promise of a survey? The hon. gentleman, I am informed,

at several public meetings read the telegram from the premier, promising that an 8 foot 4 inch outlet would be given; and, although I am quite sure the hon. gentleman veiled his language in such a way as not to make a direct promise, yet he read this telegram at the different meetings and represented to the people of Port Hope and the surrounding country that his election would mean the canal for the town of Port Hope. Here is another advertisement:

Trenton people say that Aylesworth's election secures the canal to Port Hope. Peterborough and other papers say so too. With such definite, positive and satisfactory assurance from the government, and having unbounded confidence in the merits of the Port Hope route as compared with that of Trenton, we believe that the Port Hope route will be found not only shorter, quicker, cheaper and safer, but less expensive route to operate.

That is quite true ; the Port Hope route is shorter, quicker and less expensive to operate, and will cost less for construction. I want to know from the government if that is the case. If it was right to promise the electors of Durham that the canal would be constructed, why was it not right when the report of the engineers came down ? If it was right to hold out to the people of Durham that the canal should go there and if it was right according to this advertisement—and every one of the statements therein have been corroborated by the report of the engineer—why is it not right now, and why is the terminus taken to Trenton ? That is another object lesson which the town of Port Hope has been given by the hon. gentleman and his associates. While I am speaking of the ferry, I desire to give to the House, and especially to the members of the government, the opinion of their friends in the town of Port Hope regarding their action in this matter. I am about to read an article from a Liberal organ, the Port Hope 'Guide,' of Tuesday, April 16th. After quoting from the Cobourg 'World' as to what was said there, the article continues :

All the Cobourg papers have been very jolly at Port Hope's expense. It has to be at the expense of some other place ; nothing is ever originated or paid for by our counties' town. This generosity for themselves has extended through every avenue. Local, counties, Ontario government, Dominion government and the Grand Trunk Railway. Nothing that Port Hope first originates but Cobourg like a spoiled child reaches out and cries for.

The counties' buildings are largely owned by Durham, and had it not been for the treachery of some one in Durham, the county house of refuge would not have been at Cobourg. It is hard though for the 'Post' to call it a house of 'refuse.'

The sooner Durham is separated from its blood-sucking eastern neighbour the better for Durham.

Take too the Trent Valley canal outlet. The Cobourg people never had the remotest hope for it, but they insisted on their route being surveyed because Port Hope had put in a valid claim, and the Dominion government would have less hesitation in turning down Port Hope's feasible and cheapest route when both were so treated, in favour of the grafters along the Trent river who would thus save their stake. It will cost more money to build the canal by Tory Trenton and maintain it, but what of that, the county is rich and Port Hope must be made to suffer.

Cobourg has usually contrived to have a representative with both the local and Dominion governments, and no government could change so quickly that Cobourg could not as rapidly right about face. Port Hope on the contrary has stool loyal to the Liberal cause through every discouragement, but owing to the almost impossible Tory handicap of Cartwright, Manvers and Cavan our plucky work fails to elect even an Aylesworth, one sure of a portfolio.

Port Hope and Hope, with their 400 Liberal majority, cannot get common justice while insatiable Cobourg—secures its armoury—steals the Durham field battery from Port Hope to ornament the new building, and compels the Dominion government to undertake the initial steps of building their harbour that cannot fail to run up an expenditure of $300,000 at least.

Port Hope, on the other hand, builds its own harbour, contributes heavily towards building the Midland Railway, and now Cobourg decides that it must have the terminal of the Midland to match the robbery of the Grand Trunk Railway ferry which was first planned and annouced to be for Port Hope. On this as in other matters Cobourg appears to have the backing of the full power of the Dominion government.

Port Hope is the only town on the front which has stood continuously Liberal, and this is how Port Hope is rewarded for its Liberal loyalty by its 'friends'.

Port Hope certainly owes no extra good will towards J. B. McColl, M.P., for it is largely through his efforts that Port Hope has been robbed. Not satisfied with what has been done, insult is added to injury to our citizens who have the misfortune to visit the counties' town. Mr. McColl is reported to have guyed one of our citizens about losing the ferry, and also said 'Oh, we will give you $5,000 for your old harbour'.

A stranger at first coming to Port Hope cannot at first understand the deep resentment toward Cobourg, but when the wrongs of Port Hope are explained wonder ceases. Words fail to express the utter contemptible meanness of our counties' town.

That is the opinion of a Liberal organ in the town of Port Hope on the action of the government in this respect. In conclusion I wish simply to point out that if this very large expenditure is to be made at the town of Cobourg, not only for dredging but for making it a harbour of refuge, it means simply the taking away of the rights which Port Hope has enjoyed in return for its large expenditure on the Port Hope and Peterborough Railway and the handing over of these advantages to the town of Cobourg. This expenditure at Cobourg is in no sense reasonable or justifiable. The town of Port Hope, in common with the rest of the country, has to bear its portion of this large

expenditure for the purpose of establishing a harbour of refuge where there is not the slightest necessity for it. In this respect the action of the government is in the highest degree reprehensible.

Before sitting down I desire to say a few words about the Trent Valley Canal, as I have referred to it in the course of my remarks. The contention of the people of Port Hope for the last five or six years, based on the early surveys made of that route, has been that Port Hope really was the cheapest and best outlet for that canal; and although the decision has been come to that Trenton is to be the outlet, I wish to point out that, according to the report of Mr. Walsh, the engineer who made the latest surveys, the contention of Port Hope as to the cost of the canal by the way of that town is fully borne out. In the first place take the cost of the actual construction of the canal between Rice lake and Port Hope and Rice lake and Trenton, and the engineer shows that for a six-foot canal, the cost by Port Hope would be $3,541,917.34, and by Trenton, $3,118,811.63. For an eight and one-third foot canal the cost by Port Hope would be $3,958,051.91 and by Trenton, $3,997,482.53, showing that for an eight and one-third foot canal the advantage in favour of Port Hope is something over $40,000. I am just going to read three or four short extracts from that report to show that the other contentions of Port Hope are correct.

Cost of Operation.

In considering the cost of operation as applied respectively to the Port Hope and Trenton routes, it seems obvious that at least from twice to three times the number of employees would be required on the latter as against the former. Capitalizing the excess cost in this respect and including the amount with the estimate for the Trenton route would bring the cost of the latter almost, if not up to that of the Port Hope route for six feet draught in proportion to the greater for nine feet, and eight and one-third feet draught.

Cost of Maintenance.

The cost of maintenance of the canal would perhaps be somewhat lower on the Port Hope route than on the Trenton route. On the former some difficulty might be expected from time to time in the deep cutting near Rice lake where it passes through blue clay, but the greater length of the Trenton route with the larger number of structures, perishable material, &c., would, in my opinion, more than counter-balance this.

Distance by Length.

The distance from the mouth of the Otonabee river to Kingston via Trenton route and Bay of Quinté is 135·72 miles; via Port Hope, Lake Ontario, Murray canal and the Bay of Quinté, 134·32 miles; and via Port Hope open lake around Prince Edward county, 126·73 miles, showing the mileage in favour of Port Hope of 1·40 miles and 8·99 miles respectively. On the same principle, the latter route affords the shortest distance to each of the places on detailed list.

There is a long list of these places. Especially to Toronto and to other places in the west the advantage of the Port Hope route would be proportionately greater.

Distance by Time.

During calm weather on Lake Ontario the matter of sailing time between the mouth of the Otonabee river and Kingston would also be in favour of Port Hope, notwithstanding the blockage would be the same in either case, the lesser mileage from Rice lake to Port Hope and the unobstructed open lake would contribute to this.

Navigation Facilities.

In so far as open lake navigation is concerned, the Port Hope route would have superior advantages over its rival in respect to trade with such ports on Lake Ontario as Toronto, Hamilton, Dalhousie, Niagara and Oak Orchard (the latter in New York state) but not so as regards Fair Haven, Oswego, Sackett's harbour (all in New York) and Kingston.

One advantage always spoken of in connection with the Port Hope route was that no railway crossing was necessary by that route, whereas it was necessary to cross five different railways by the Trenton route. As against all these advantages—the smaller cost of maintenance and operation and the shorter distance both by length and by time, the only disadvantage that Port Hope had was the open lake for twenty-six or twenty-seven miles down to Presqu'Ile harbour. That is the only thing on which decision was given in favour of Trenton, and I believe it was not sufficient to counterbalance all the other advantages which were certainly on the side of the Port Hope route. If this canal were ever to be a great grain route, I might admit some of the arguments which have been put forward in favour of the Trenton route and agree that the open lake was a dangerous factor. But I think it will be many a long day before we find this a great grain route. The canal will be more of local importance than anything else. I see my hon. friend from West Peterborough (Mr. Hall) in his place. His city, Peterborough, will probably derive more advantage from the construction of the canal than any other place on the route. And I am sure it would be a greater advantage to the people of Peterborough to have the outlet at the town of Port Hope than to have it at Trenton.

Mr. Speaker, I desired to save the time of the House so far as was consistent with a fair statement of this case. I thought that to bring it up now and lay the facts before the House would probably be the briefest way in which to deal with it. I have, nothing further to say as to the position of the government with regard to the Trent Valley Canal except that in this case as in the case of the ferry which I have described—I fear at too great length—justice has not been done to the town of Port Hope.

Hon. SYDNEY FISHER (Acting Minister of Public Works). Mr. Chairman, I must say to my hon. friend from Durham (Mr. Ward) that I am rather surprised and disappointed at the tone of his remarks and the very evident desire that he has shown to drag this question into the political arena and to make political capital out of it, not only in his own favour in Port Hope but against my hon. friend from West Northumberland (Mr. McColl) and against the Minister of Justice (Mr. Aylesworth). I do not think it was at all necessary. It seems to me that this is a business question that ought to be dealt with in a business way. I venture to think that it would have been very much better for my hon. friend to have dealt with it in that way. However, he himself must be the judge of that. But my hon. friend (Mr. Ward) seems to think that the Minister of Justice has had a spite against Port Hope because the county of Durham did not elect him in the general election. He seems to think that that spite has influenced the decision of the government to do the work in connection with this car ferry at Cobourg instead of at Port Hope. I want to say at once that this had no influence whatever upon the decision. My hon. friend the Minister of Justice entertained and manifested a most friendly feeling for the people of Port Hope as residents of a riding, which, although it did not elect him, gave a most substantial expression of opinion in his favour. Especially did the town of Port Hope do this because it gave the hon. gentleman (Mr. Aylesworth) a very substantial majority over the present hon. member for Durham (Mr. Ward). The question came up in a business way and was dealt with by myself as acting Minister of Public Works, from a public standpoint. When my hon. friend the Minister of Justice was informed of the respective claims, and advantages of Port Hope and Cobourg, in order to make one or other the Canadian terminus of the car ferry, no personal desire on his part to confer advantage on Port Hope would cause him to seek to influence the government in favour even of a place that had been so kind to him in the election. In this he showed what every one would have expected of him, the determination to regard the matter simply from the point of view of the public interest without fear or favour. But I regret that my hon. friend from Durham has not shown the same feeling towards Cobourg. I think when he reflects upon that he will regret having intimated that Cobourg has been bought, and that Cobourg is one of those places that do not stay bought.

Mr. FOSTER. That was the opinion of the Port Hope 'Guide.'

Mr. FISHER. I gathered that my hon. friend endorsed it, and I am sure when he thinks it over, he will regret making that statement. I am sure that it is an unfair imputation on the town of Cobourg. I have been informed that the town of Cobourg has generally given a Conservative majority.

Mr. WARD. Not very often.

Mr. FISHER. But sometimes it has; therefore the government would have no motive, from political favour, to carry on this work in Cobourg instead of Port Hope. My hon. friend knows that for years and years Port Hope has given a Liberal majority, and it would be more to our political interest to give Port Hope that terminus instead of Cobourg. But that was not the reason which guided us in making the decision. I say that although it was not altogether the government which decided that question. It was a question largely for the Grand Trunk Railway Company to decide, after a consideration of the advantages of the two ports. The Grand Trunk did tell the government that if we wished them to go to one port rather than another, they might try to do so if we would do the necessary dredging in order to make the port selected a suitable one for the terminus of their car ferry. But my hon friend has gone further, and has drawn into this discussion a large number of what I think are extraneous subjects. He has pleaded in forma pauperis for Port Hope.

Mr. WARD. That is what Cobourg always pleads.

Mr. FISHER. Well, perhaps it would be better to hear from Cobourg herself on that point, and I regret that my hon. friend who represents that constituency is not present. My hon. friend from Durham (Mr. Ward) is of course jealous of Cobourg, so it would be better to allow Cobourg to speak for itself. As I say, he is pleading in forma pauperis for Port Hope, and why? Because the terminus of the Trent Valley canal has been taken away from Port Hope and because Port Hope, from some municipal loan fund question, has suffered. Because Port Hope wanted to be made a harbour of refuge and has not been——

Mr. WARD. Excuse me. I never said anything of the kind. I said Port Hope was a harbour of refuge, and had been for fifty years, and it was absolute nonsense to expend money on making Cobourg a harbour of refuge when there was already a good one in existence seven miles away.

Mr. FISHER. Then my hon. friend is complaining that Cobourg is not a harbour of refuge, and that therefore it ought not to be made a terminus of the car ferry. I do not think it is necessary for us, from a business point of view, to consider whether Port Hope or Cobourg has had favours from the federal government, or has been discriminated against by the provincial govern-

ment. As I said before, the government, through the Department of Public Works, have tried to deal with this matter from a purely business standpoint. There had to be established a car ferry to cross Lake Ontario and carry coal from the coal fields south of the lake to be distributed through the province of Ontario. The Grand Trunk were interested in that matter. There was no port on the north shore which was suitable for that purpose in its present condition. They required a port for a car ferry furnishing a considerable depth of water and affording a safe harbour, and the question arose between these two ports. The Grand Trunk appealed to the government to aid them by dredging and improving a suitable port. The government said, very well, for the sake of the trade of the country we are willing to aid you and dredge out a port for your car ferry at whichever port you may find the most suitable terminus on the Ontario side of the lake. The natural proceeding for the government would be to have an engineer make an examination of the ports which had been suggested for this terminus and ascertain which one would be the most economical and the most suitable for a terminus. I have here the report of the engineers, which says distinctly that Cobourg is the most economical and the best, and under these circumstances the government had only one duty to perform.

Mr. WARD. When the Grand Trunk Railway was well acquainted with the harbour, which they have rented for years and years, and were also acquainted with the Cobourg harbour which they have also rented and when they had decided that Port Hope was the best place for them to go, why should the government interfere? And I want to say here that Mr. McGuigan told me he was the only official of the Grand Trunk who was in favour of Cobourg, and that every official except himself was favourable to Port Hope.

Mr. FISHER. I am not aware what the Grand Trunk officials may have thought. Mr. McGuigan may have said that, but I have it from Mr. Wainwright, the representative of the Grand Trunk, when they came before the government, that so far as they were concerned they were willing to go to either harbour; and if the government decided that in their opinion it was better to make Port Hope the terminus the government would acquiesce in that decision.

Mr. WARD. I do not want to interrupt the hon. gentleman, but I wish to tell him that Mr. Wainwright told me that if the government would allow them to settle the question they would settle it in two minutes, but the government would not allow them to settle the question.

Mr. FISHER. I do not think Mr. Wainwright could have said that to my hon. friend; but if he did, he must have said something very different to what he told me. He told me most emphatically that the Grand Trunk was ready to abide by the decision of the government, and would go to either place which the government thought was the best place in the public interest, and which they could make a suitable terminus the most economically and the most effectually. At the same time I am not violating any confidence when I say that Mr. Wainwright told me that so far as he was concerned he believed it was to the best interests of the Grand Trunk to go to Cobourg.

Mr. WARD. He told me a very different story.

Mr. FISHER. I am sorry if he said something different to the hon. gentleman from what he told me. However, believing that the Grand Trunk was ready and willing to go to either place, believing that either place must be made a suitable and convenient harbour for this purpose, believing perhaps that in either case the general distribution of goods throughout the country must be served, there was one question which the government must reasonably be expected to look to in the interest of the whole country. When public money is asked to be expended for a certain purpose it is the duty of the government to see whether that purpose can be accomplished economically in one case, or less economically or perhaps extravagantly, in the other case. I have here the first report which the engineer sent in. I do not think it is necessary for me to read the whole of it, but here is a description of what is intended to be done, or what will have to be done at the two places, and a comparison of the cost as between the two harbours:

Cobourg—	
Excavation of sand and clay.. .. ..$	13,725 00
Breakwaters on each side of entrance..	53,707 00
Total..	67,432 50
Port Hope—	
Excavation, sand and clay..	22,414 50
Excavation of rock..	117,800 00
Total..	140,214 50

More than double the money is required to make Port Hope a suitable harbour for this terminal as compared with what it would cost the government to make Cobourg a good and suitable harbour.

Mr. WARD. I say that report is absolutely false.

Mr. FISHER. My hon. friend may say that. I am not going to accept his opinion as against the opinion of a well known and efficient servant of the government of long standing and one of the best known engineers in the country.

Mr. HAGGART. Who is he?

Mr. FISHER. Mr. Valiquette. My hon. friend no doubt knows him because he was in the service of the government for many years—I do not know how many—but before this government came into power. He was a nominee of hon. gentlemen opposite. My hon. friend (Mr. Ward) is but voicing what the people of Port Hope said, that this report is not a very good one, because it is based on making what is known as the outer harbour of Port Hope, the harbour, and they said that the inner harbour should be made the harbour and that it would cost less. I immediately required from Mr. Valiquette a report on that question and this is the report which he sent to me afterwards:

The quantities and cost of excavation of channel leading to inner harbour will be as follows :

Earth excavation	$ 16,530 00
Rock..	258,000 00
Total..	275,345 20

Making the additional cost for the inner harbour at Port Hope, which the deputation told me was going to be much cheaper and better, a sum of no less than $135,000. My hon. friend is simply voicing the opinion of the people of Port Hope. The opinion of the people of Port Hope was that they could come to me with a plan or scheme by which Port Hope could be made a harbour more economically than the plan referred to in the original report of Mr. Valiquette. I have the report here and what is the result ? That their suggestion and their scheme are going to cost $135,000 more than Mr. Valiquette's own scheme for the improvement of the harbour at Port Hope.

Mr. WARD. Did Mr. Valiquette go back to make that report?

Mr. FISHER. He did not go back; he did not require to go back.

Mr. WARD. I thought not.

Mr. FISHER. No, he did not require to go back. Before Mr. Valiquette made his first report he had taken soundings and borings all over the harbour of Port Hope. He knew exactly how much rock there was under it, what depth of water there was above the rock, what depth of sand and clay there was above the rock, he had every sounding. If my hon. friend will go to the Department of Public Works and examine the plans of Port Hope harbour, he will find that every ten feet square has been tested, sounded and bored. Mr. Valiquette did not require to go back to Port Hope because he had already made a careful examination of the whole of Port Hope harbour and all he had to do was to make a calculation based on the proposal which was made, which calculation was made by the regular standard of engineers and he was able to make that second report as I have given it here. I know my hon. friend will say that it was not fair to Port Hope, but if Mr. Valiquette had gone to Port Hope again he would not have got any more information than he had already obtained when he was there before.

Mr. WARD. I am informed Mr. Valiquette never went near the inner basin at all when he was at Port Hope.

Mr. FISHER. Mr. Valiquette has a plan on about every ten feet of which there is shown a sounding of the harbour of Port Hope. I cannot say that Mr. Valiquette took every sounding with his own hands. He is one of the chief engineers of the department and he has his assistants, but I know that these soundings were taken in the harbour of Port Hope, that the harbour was examined by reputable engineers, that they have a record which shows exactly the soundings that were taken over the whole harbour, that Mr. Valiquette had information which enabled him to make his first and second reports, that both are based on the actual soundings and borings made in the harbour and which are well known to whoever chooses to deal with this matter in a fair minded and judicial spirit. The deputation which came here to interview me, claimed that their scheme could be carried out more cheaply than the one which Mr. Valiquette originally proposed, but when it was tested by engineering skill and properly worked out as it had to be by the engineering staff they were not only shown to be incorrect, but the scheme they proposed was shown to involve nearly double the expenditure involved in the scheme which the engineer himself at first proposed after he had examined the harbour of Port Hope. Under these circumstances it seems to me that the clear duty of the government, without reference as to whether Port Hope was represented by a Conservative or whether Cobourg was represented by a Liberal, without reference as to whether Port Hope was a strong Conservative town or Cobourg was a strong Liberal town, to consider how the treasury of the country would be least depleted by the adoption of a place which would make a successful, efficient and suitable terminus for this car ferry. We came to that conclusion properly. We came to it in the interest of the transportation facilities of the country. The question of politics of the town or the fact that it was represented by an honourable gentleman opposite did not present itself and my hon. friend's accusations against the Minister of Justice and his accusations against the general conduct of the government in this regard

are unworthy of himself, are baseless and are only the result of his own feelings in regard to political questions which he has allowed to carry him away and to lead him to commit an injustice which, in his calmer moments, I am sure, he will regret.

Mr. WARD. I asked the hon. gentleman particularly in the course of my remarks as to one thing, and he has in no way referred to it.

Mr. FISHER. What was that?

Mr. WARD. That was in the opinion of Captain Lyman the necessities of Cobourg harbour called for 1,300 feet of cribwork in twenty feet of water. In addition to that, according to the hon. acting minister's own letter to Mr. McColl, the piers are to be extended 700 feet. That is 100 feet more than Capt. Lyman stated. How in the world, for $67,000, are the government going to build 1,400 feet of cribwork in twenty feet of water, which is absolutely necessary according to Capt. Lyman and the acting minister's own letter to Mr. McColl?

Mr. FISHER. I am glad that the hon. member has drawn my attention to what I have omitted to state. I will just read the report which will show my hon. friend that the piers at Cobourg represent the chief expense. There is very little expense for dredging at Cobourg.

Mr. WARD. I saw that.

Mr. FISHER. Very well. I am going to read my hon. friend just what is stated:

> It is proposed to extend the eastern breakwater a further length of 350 feet and the western one a length of 425 feet which makes a total of 775 feet; both extensions having a width of 30 feet, built of timber cribwork sunk after dredging the berth to a depth of 21 feet at low water. For the present the dredging is to be done over the area tinted red in the plan, to a depth of 20 feet from the entrance to the proposed landing slip as shown on the plan. The mean depth to be removed is somewhat over 6 feet; the average mean depth is about 15 feet. It will amount to 91,500 cubic yards of sand and clay. The estimate is: excavation, sand and clay 91,500 yards at 15 cents, $13,725.

In the view of this engineer, breakwaters on each side of the entrance are necessary to make this a safe harbour for the car ferry, and they will cost $53,707.50, making the total cost of the work at Cobourg, on piers, breakwaters, and dredging, $67,432.50.

Mr. WARD. Does my hon. friend believe that that amount of cribwork can be built for $53,000.

Mr. FISHER. I certainly believe the report and the estimate of my own engineer.

Mr. WARD. Then the hon. gentleman has a great deal of credulity.

Mr. FISHER. I would prefer to take his word to that of Captain Lyman or any one else who is travelling on the lakes. If I was not prepared to accept my engineer's statements and estimates, I would dismiss him from the service and not rest my case on his estimate.

Mr. J. D. REID. Who is the engineer?

Mr. FISHER. Mr. Valiquette.

Mr. J. D. REID. If the cost exceeds that amount you will dismiss him?

Mr. FISHER. No, I won't. I did not say that, but I do say that I believe it is a just and fair estimate, because I have known something of Mr. Valiquette, and I do not think there are many people in this House or in the country who will dispute the fact that Mr. Valiquette is an efficient and successful engineer and that his estimates are worthy of credence.

Mr. WARD. Does he propose an excavation to twenty feet in the inner basin, in that last report?

Mr. FISHER. Yes, that is what the car ferry requires.

Mr. WARD. Does the hon. gentleman mean to say that the car ferry draws 19 feet or 18 feet or even 17 feet?

Mr. FISHER. I believe she draws about 16 feet when she is loaded.

Mr. WARD. Captain Lyman says his vessel is larger, that it does not draw quite 15 feet, and that the ferry will not draw 15 feet. The inner basin is absolutely quiet water, not a ripple can get in there and why you want four or five feet more than the vessel draws is a mystery to me. That is the way this report is padded. That is the way you require this enormous amount of money by making it necessary to excavate to 20 feet or 21 feet. It is absolute nonsense.

Mr. FISHER. My hon. friend may say that, but we are comparing the same depth in Cobourg with the same depth in Port Hope, and my hon. friend thinks we should favour Port Hope by allowing a shallower harbour there than in Cobourg.

Mr. WARD. Cobourg is open to every wind that blows, and when there is a sea running there——

Mr. SPEAKER. The hon. member is not in order.

Mr. WARD. I know, but my hon. friend (Mr. Fisher) will not mind. Every wind that blows from certain quarters goes into Cobourg harbour, and it is necessary you should have a much greater depth of water when there is a sea running in the harbour, but no possible ripple could get into Port Hope harbour.

Hon. A. B. AYLESWORTH (Minister of Justice). As the hon. gentleman from Durham (Mr. Ward) has made some observations in regard to me, I want to say a few words. The part which the government had in the matter of the car ferry question, and the only part they had in it, has already been explained. It was a question of improving the one harbour or the other to make it a terminal suitable for this ferry. The question for the decision of the government simply was, whether for that purpose it should expend the amount which is included in the estimates for the improvement of the harbour of Cobourg, or, as the government was advised by its engineers, a very substantially larger sum, a sum more than double, to make the Port Hope harbour suitable. It has been said by the hon. gentleman (Mr. Ward) that rumour had it, that the choice of Cobourg had been made with the intention of giving to the county of Durham an object lesson, because the hon. gentleman (Mr. Ward) secured a majority over myself in the general elections two and a half years ago. I wish to say it is the first I ever heard of that rumour. It is the first occasion on which anybody has said in my hearing that there was intention on my part or on the part of the government to do any thing in the way of giving an object lesson to the county of Durham. I should have been very gratified if my hon. friend (Mr. Ward) had favoured us with the authority for the rumour, and had been able to give us some foundation for the statement. So far from any such rumour, if there is one, having any foundation in fact, the exact contrary is the truth, and I have to say so far as my friends in the county of Durham, and especially in the town of Port Hope, are concerned, that in this matter there is nothing more that I could have done had I been member for Durham than I have done in my efforts to see, in connection with this whole controversy, that the interests of Port Hope as against those of Cobourg were fairly represented and were fairly considered by those upon whom it fell to decide. There was every reason why I should have taken that position. I came into the county of Durham, some four weeks or less before the voting day. I had never made any venture prior to that in political life. I had scarcely any acquaintance with the county of Durham. My opponent, the present member, was a gentleman who had lived in the town of Port Hope and had carried on his profession, so far as I know, for the whole of his life there. He was well known, he had represented the county for more than one parliament before, and he had been in the field for weeks if not for months before I had set foot in the county. The county of Durham consists of six townships, three bordering on Lake Ontario which generally give a Liberal majority, and three situate in the north of the county which give a very strong Conservative majority. The townships in the north of the county have their business interests more directly connected with the towns to the northward than with those to the southward. The people residing in the northern three townships have their main business connection more with the town of Lindsay and the city of Peterborough, than with Port Hope. The people in the northern part of the county, are little if at all interested in this question of the ferry terminus as between Cobourg and Port Hope. The counties of Northumberland and Durham are united for municipal purposes, Cobourg is the county town, where the court house is, and so far as the rivalry between Port Hope and Cobourg is concerned as to this question of the ferry, I do not suppose the people of the three northern townships care one cent which way the decision may go. The whole interest in it is in the southern part of the county, and particularly in the town of Port Hope itself and in the immediately surrounding township of Hope. With regard to political affairs in connection with not merely the whole front of Durham, but particularly the township of Hope and the town of Port Hope in it, I have every reason to be gratified. I came into Port Hope absolutely unknown. I think my only acquaintance there, when I first set foot in that campaign, was my hon. friend himself. Under these circumstances, I felt not merely pride but gratitude as well when the result of the election showed a majority in my favour in the town of Port Hope of some 120 votes, which was, I am told, a majority two or three times larger than had ever been given in the town before.

Mr. WARD. Will my hon. friend allow me to state that in the previous election there were eighty-five votes against me, and that there were only sixteen turned for the hon. gentleman.

Mr. AYLESWORTH. Well, if in the previous election there was a Liberal majority of eighty-five, and if in this election, under the handicap I am describing, and which I assure my hon. friend I felt very strongly, that was increased to a majority of one hundred and twenty. I think it was an occasion for pride and gratitude on my part. Under the circumstances, in view of the friends I found in the town of Port Hope, and the very generous support accorded me there on that occasion, I have every reason to feel grateful to the people of that town and to wish them well in every respect. I am but stating these things to rebut the attack that has been made by my hon. friend on the government and particularly upon myself, as if there had been in some sense an effort of spite on my part to punish the town of Port Hope for the result of that election.

But my hon. friend has not limited himself to the particular matter which he has

brought to the attention of the House. He has taken occasion to bring into the discussion also the question of the outlet for the Trent canal, and in that connection to state—although he said he did not hear it himself—that he believed that I had in the course of that campaign represented to the people of Durham on more than one occasion that the canal outlet would come to Port Hope if I were elected. I am very glad to have the opportunity of saying here—and I hope to a larger audience than simply those who hear my voice to-day—that there is not one word of truth in that statement, which has been the stock in trade in Tory newspapers throughout Ontario from that day to this. No opportunity has been lost for repeating it, in spite of my having taken every possible opportunity for repudiating utterly any foundation for it, and I suppose it will continue to be repeated as long as it is thought that the repetition of it will do any good. Now, I want to state simply what the facts are. When I came into the town of Port Hope, about the 10th or 12th of October, 1904, I was told, I do not know whether rightly or not, by political friends there that about ten days or a fortnight previously, when the hon. leader of the opposition in his tour through Ontario, had held a meeting at Port Hope, my hon. friend the present member for Durham (Mr. Ward) had discussed at that meeting the question of the outlet of the Trent canal, and had stated to the audience that they need never expect to get fair play, so far as Durham or Port Hope was concerned, until the advent of the Conservative party to power; that if and when the hon. leader of the opposition became premier of this country, Durham and Port Hope would, in the matter of the Trent canal outlet, have fair play, and they never could expect it until that millennium should arrive.

Mr. WARD. Did the hon. gentleman hear that?

Mr. AYLESWORTH. I was not present, certainly not; it was before I had any thought of being a candidate in the political campaign then started. When I came into Durham, between the 10th and the middle of October, I was told by political supporters of mine that at a meeting in the end of September, at which they said they had been present, that language had been used by my hon. friend. I was astonished to be told that fair play in the matter of the survey for the outlet of the canal or any other public work was something which any town in this country could not expect from the present government; and I at once put myself into communication with the right hon. the First Minister to ask what had taken place in regard to the surveys for the outlet of the Trent canal, and what the position of the matter was. It was something that I knew absolutely nothing about; it was something in regard to which I was then hearing and learning for the first time. In reply to my communication I received from Sir Wilfrid Laurier the following letter:

Toronto, October 13, 1904.

My Dear Aylesworth,—In answer to your communication requesting that there be made, without any delay, a full and detailed survey and report showing details of the work and of the estimated cost of the proposed outlets of the Trent Valley canal at both Port Hope and Trenton, by competent, reliable and impartial engineers, such report and survey to include hydraulic liftlocks and also locks of any other design which might be considered or adopted, also electrical power for mechanical and lighting purposes, buoys, cost of operation and maintenance, together with the cost of construction of any railway and highway bridges that may be necessary, also the damages for abstraction of water, flooding of lands, or injuring lands or other properties, on each route, and also including construction and maintenance of all necessary harbour facilities and lighthouses, with respect to each route, I beg to say that this subject has already engaged the attention of the government, which, some time ago, decided that such survey and report of estimated cost should be made.

I regret to learn from your letter that the work in question is possibly not proceeding on a satisfactory basis, and beg to assure you that the government will with all possible speed cause the survey and report, which you ask for, to be made. It is further intended to have such survey and report made with reference not only to a work of the depth and capacity of the completed portion of the Trent Valley canal, but also, of a work of greater depths and capacities, and therefore, the instructions to the engineers will be given in accordance with such intention.

From memory, I cannot go more fully into the details of the survey plans and report, but it is the intention of the government to have the most complete inquiries made as to the relative merits of the two routes in all their bearings, and therefore, the survey and report in question will be sufficiently comprehensive, not merely to cover the details above-mentioned, but any other details which it would be either proper or necessary to know before making the selection of an outlet.

If the details of the respective surveys and reports fall short of what is necessary or advisable, the government will be glad to supplement them in any manner that you recommend, in order to have both the government and the country in full possession of all information touching the relative merits of the various routes before a selection is made.

Yours very sincerely,
WILFRID LAURIER.

Hon. A. B. Aylesworth.

Mr. BERGERON. Has my hon. friend a copy of his own letter?

Mr. AYLESWORTH. No, I have not; I did not keep it. That letter, written on the 13th of October, was read at a public meeting in Port Hope, I think on the following evening; and forthwith it began to be asserted, not merely in the newspapers, but from the housetops apparently, that this political campaign in Durham was a

question as to the terminus of the Trent Valley canal, that my election meant the selection of the Port Hope route, while the election of my hon. friend meant of necessity that some other route would be selected. I am not responsible for that. I could not have prevented it if I had tried my utmost. I read this letter at the public meeting I have referred to, practically without comment. I certainly did not, in anything I said, step one jot or tittle beyond the language of that letter. I should have been, I think, very foolish indeed if I had dreamed of doing so. I had before me the answer to what I was told had been an unfounded attack made upon the government by my hon. friend upon the previous occasion to which I have referred.

Mr. WARD. I would like to contradict that by saying that I never made such a statement.

Mr. AYLESWORTH. I had this reply as a sufficient answer to any such attack, if any such attack were made. And I limited myself to simply assuring the people of Port Hope that they would get fair-play from this government, and that before the outlet of the canal was decided there would be the comparative survey which that letter promised. The matter however was not allowed to rest there. It became the subject of newspaper controversy between the Conservative organ and the Liberal organ in Port Hope and apparently a matter universally considered and discussed in that community. On the occasion of my next visit to Port Hope in that campaign I was told that this letter had been criticised by the Conservative newspaper and the opponents of the present government as being ambiguous and unsatisfactory and as not indicating particularly the kind of survey that was being made—as being in fact a mere subterfuge out of which the government was going to crawl when the proper time came. I communicated with Sir Wilfrid Laurier who had then reached London, and on the 17th day of October, 1904, he wrote me as follows:

My dear Aylesworth,—I had no opportunity, on Friday, in Toronto, of speaking to you on the subject of the Trent canal survey. Mulock represented to me since that my letter was satisfactory as far as it went, but that it would have been more so if it had mentioned that the survey for each southern route would provide for a canal eight and one-third feet on lock sills, nine and one-half feet in canal cutting, and ten and one-half feet in lake and river channel, with canal cuttings seventy-five feet wide on bottom with proper slopes, and river and lake channels two hundred feet wide on bottom.

I am not in a position to answer categorically on this point as it is a purely engineering question, but I need hardly tell you that the officer who shall be put in charge of such surveys shall have special instruction to ascertain if canal of such dimensions would be practicable, or if any other dimensions would be necessary to give effect to the original intention that the government had in undertaking such a canal. Whether the canal should be of eight or ten feet or more on the lock sills, is more than I can be expected to answer at this moment. All I can say is that the survey must be thorough and as desired by the people of the locality.

Yours very sincerely,
WILFRID LAURIER.

On the 20th of October Sir Wilfrid Laurier wrote me this other letter, and that is the whole of the correspondence:

Toronto, October 20, 1904.

My dear Aylesworth,—With reference to the surveys which are to be made to Port Hope and Trenton to ascertain whether or not a canal can be built from Rice lake to Lake Ontario, it is well understood, and there can be no ambiguity, that the depth of such a canal shall be at least eight feet four inches on the lock sills.

Yours very sincerely,
WILFRID LAURIER.

That is the whole of this matter from beginning to end. I do not think these letters were read, but certainly nothing was said by me, or by any speaker in my hearing, that was not fully borne out by their language. There was a perfectly definite promise to the people of Port Hope and the people generally that there would be a comparative survey, on the same footing, as between these respective routes, and nothing more. There was no language used nor was any inducement or expectation held out by me or by anybody in my presence, in any manner whatever, to the effect that my election meant giving this canal outlet to Port Hope and taking it away from Trenton. When the matter came before council for consideration, on the report of the engineers who made these comparative surveys, certainly I was not trammelled by anything that took place in the election from considering impartially the report of the engineers and the surveys made with regard to these two outlets and deciding which of them it was better, in the interests of the country, to adopt. That was a matter free from any political sentiment, and my hon. friend will find it very difficult to persuade anybody that the Trenton outlet was chosen in preference to that of Port Hope because of any political obligation which either I or the government were under to the constituency of West Hastings. That is something the hon. gentleman can settle with the representative of West Hastings and is a political matter as to which this government is reasonably indifferent.

Mr. FOSTER. My hon. friend (Mr. Aylesworth) has spoken with the sensitiveness and warmth of a new candidate in the political field. He evidently has been treasuring up wrath against the day of wrath, and has come to the conclusion that just now is the day of wrath, when this transaction

must come out. With excessive warmth he seized the occasion to berate my hon. friend from Durham (Mr. Ward) and clear his own political skirts from what he considers an imputation. When he gets older and has run several other political campaigns and has gone through several sessions of parliament, he will not feel so extremely sensitive on such points. He plumes himself on having made a splendid run although he only got in at the last moment and had but four weeks or so in which to do the work, and takes that election as an appreciation of his merits and capability. He says he was handicapped. Of course he was. He went through Durham with a canal in the one hand and a town clock in the other, and made his campaign on those two immensely strong questions in that county. My hon. friend knows that he must hold himself somewhat responsible for his agents. Being a business man and a man of the world, he knows that he cannot go through a campaign and shut his eyes to everything his friends are doing openly, above board, on the housetops and in the party press, taking every advantage that comes to him in these ways, without saying a word in public or, as far as we know, in private, in reproof of the methods of canvass, and yet be held entirely clear. If such were the case, there would be no use for any election laws and none we could have would be at all efficacious. It is impossible that my hon. friend did not know just the kind of canvass which was being used in his favour. He has placed all these letters which he received in reply from Sir Wilfrid Laurier on the pages of 'Hansard.' They are there embalmed. The letters he wrote Sir Wilfrid Laurier or the telegrams he sent him with such urgency do not appear on the pages of 'Hansard,' so that what they were we are not permitted to know at present. But they evidently found a sympathetic response at the other end. Sir Wilfrid Laurier declares: Yes, you want a letter, here is one; you want another, here is a second; you want another, here is a third. If there is anything else you want just say so, and you shall have it to help you in this canvass.

What did the hon. gentleman's friends, what did his own newspapers, what did his own canvassers, use, as the great argument in his favour? It was not simply Mr. Aylesworth they were voting for. Mr. Aylesworth, in one respect, was a lay figure in that contest. In Port Hope it was the canal they were voting for, and in Bowmanville it was the post office clock. Leave aside politics, was the cry, vote for Aylesworth and the mouth of the canal; vote for Aylesworth and the post office clock. That was the language—not in wicked, vicious Tory newspapers—bless you, no; they would not give prominence for that kind of thing, they would not put arguments in favour of the stranger in Durham. You find this kind of things in the Port Hope 'Guide' and in the Bowmanville 'Statesman.' The hon. gentleman's own agent in the town of Port Hope in the flaming advertisements that were put in and paid for in the party paper, made this appeal on behalf of the Liberal candidate. Here is a friendly paper—not a Grit paper, but friendly to the hon. gentleman, which condemned this line of canvass and wanted to see the hon. gentleman elected on different grounds. It said:

> Both mouths of the Trent Valley canal are working for the government. Mr. Byron Lott, the Liberal candidate for West Hastings, declared at the nomination meeting that he was confident that the canal terminus would be by way of Trenton and not by way of the sandhills of Port Hope. He had not said he would resign if the canal were not constructed within a year, but 'he would place his resignation in the hands of any man Mr. Porter might name, and if he were elected and his party defeated, that resignation could be sent to the Speaker, for he knew that as an opposition member he would be no good to the riding.' On the other hand, Mr. J. A. Culverwell, speaking at Port Hope, said: 'I can do nothing else but advise the people of Durham and Port Hope to cut out politics and vote for Aylesworth——
>
> Aylesworth alone? No.
>
> —Aylesworth and the canal.'

'And' is a conjunctive of emphasis which in this case, seems to join candidate and question, with the most important one last. The canal was what they wanted. Aylesworth might be in heaven, or anywhere else, for all they cared so long as they got the canal. That is what the voters were asked to vote for—'Vote for Aylesworth and the canal.'

But the 'Guide' is remorseless. In large type it makes its final appeal:

> 'Port Hope, wake up, Trenton is getting desperate. Port Hope's future rests in electing Hon. A. B. Aylesworth, a cabinet minister. Conservatives and Liberals in Trenton are uniting to elect a Liberal member. Men of Durham: Trenton interests are also said to be sending in men and money to elect Mr. Ward—by electing Mr. Ward in Durham Trenton knows that the Port Hope outlet will be killed for ever.'

That is not a Tory argument; that appears in my hon. friend's (Mr. Aylesworth's) own organ that was giving his canvass its full support, putting in his advertisements—well paid for, no doubt, because they always have an eye to matters of pecuniary importance. Here is the Bowmanville 'Statesman':

> Bowmanville wants that clock in the new post office tower. Who is so weak as to imagine that we'll get it if Colonel Ward is elected? He will never get a ten-cent grant for Durham from the Liberal government. Grants don't go that way. Party government is synonymous with party favour.

And again :

Hon. A. B. Aylesworth has been appointed to Sir Wilfrid Laurier's cabinet. If by chance he be defeated in Durham, he will be elected for some other constituency sure, then we lose not only his good-will——

That is the opinion of his own friends about it—not a Tory opinion. One of his strong friends and supporters—known him for a month and a little more in that campaign, and come to the conclusion that that was the kind of man he was.

—we lose not only his good-will but——

He is going to go further than that in his vindictive course.

—but that of his colleagues in the cabinet.

Wicked man. If he is not elected he will poison the minds of the other members of the cabinet, and so these trusting electors will lose the government's favour.

Don't we want the favour of the government of the day ? If so, then vote for Mr. Aylesworth and place a strong advocate at court for Durham.

And still again :

Laurier will be returned by a stronger backing than he had in the last parliament. What earthly use to send Colonel Ward to Ottawa to sit in idleness on opposition benches for four or five years? He could get no patronage for the county. If there were prospects of Mr. Borden gaining power, this might suffice as an excuse.

It does not make any difference, apparently, they will vote for a Tory as soon as for a Grit—the question is simply, do they want the clock and the canal? In other times, Liberals used to have principles, they used to favour certain policies. But these people are not thus limited—the clock for Bowmanville post office and the mouth of the canal for Port Hope, and candidates, policies and principles be blowed—we vote for the man who will give us what we want. Another newspaper says :

Mr. Aylesworth has his card in the Port Hope 'Guide' and his policy there is announced to be : 'Laurier——

By way of compliment of course, he must go first.

—Aylesworth——

Because he is the man to be voted for, he is the string to be pulled.

—and the Port Hope route.'

That is the great thing—the Port Hope route. And here is the final appeal, after Sir Wilfrid Laurier's letters have all come in and are all published in the 'Guide,' and the last desperate appeal is made to the voters signed by the president, vice-president, secretary and treasurer of the Liberal Association, two medical men, J. S. Helm and S. S. Smith :

Government grants all Port Hope's demands.
A second letter from Sir Wilfrid Laurier.
Canal to be eight feet four inches on lock-sills.
Everybody satisfied.

There you have it. That is the final appeal. And the committee goes on to say, in closing :

With such definite, positive assurances from the government, having involved confidence in the merits of the Port Hope route as compared with that of Trenton, and believing that the Port Hope route will be found not only the shorter, quicker and safer, but less expensive route to operate—we feel that the Port Hope Canal Association has won the first half of the battle and that it now only remains for the people of Port Hope and government to elect Mr. Aylesworth to secure the canal outlet for the Port Hope route.

There you have it—the whole thing.: The post office clock at Bowmanville and the mouth of the canal for Port Hope. That was the whole issue. Mr. Aylesworth came in as an essential part of it, no doubt, but not the main part—he was the string to be pulled.

I give these quotations to moderate the great pride my hon. friend (Mr. Aylesworth) had in the mistaken notion he got into his brain that he went down there and in three or four weeks, made himself so popular that he came pretty near being elected. What he did was to arouse the expectations of the people and make his best friends think that he was the kind of a man who, if not elected, would take a spite against the riding and try to influence his colleagues to injure its interest and make it an object lesson to constituencies that would refuse to vote for a town clock and a canal supported by Mr. Aylesworth.

At six o'clock, House took recess.

After Recess.

House resumed at eight o'clock.

SUPPLY—THE PETAWAWA MILITARY CAMP.

Mr. R. L. BORDEN (Carleton, Ont.). Before you leave the chair I would like to bring to the attention of the House certain matters connected with the supposed assumption by this government of about 560,000 acres of land belonging to the province of Ontario at Petawawa. It would appear from the information before this House and before the legislature of Ontario, that for some years past there have been negotiations between the government of Canada and the government of the province of Ontario with reference to the acquisition of these lands as a sort of training camp for the militia. These negotiations were inconclusive, and sometimes in the latter part of the year 1906, the Minister of Militia

(Sir Frederick Borden) came to Toronto and had an interview with the Prime Minister of the province and with the Hon. Mr. Cochrane, Minister of the Department of Lands, Forests and Mines.

Subsequently, on January 21, 1907, the Minister of Militia and Defence wrote asking that the Crown Lands Department of Ontario should issue direct to the Department of Militia and Defence patents for lands contained within the proposed camp site area, and which the Department of Militia and Defence had purchased from settlers; secondly, that the Department of Militia and Defence should be given a lease or allowed to purchase the remaining lands which were vested in the Crown in the right of Ontario. The Minister of Militia and Defence requested that the lease should be given at a nominal rental for as long a period as the lands should be required for military purposes without reference to the holders of the timber licenses, 'leaving the question of the acquisition of the rights of the timber licensees or otherwise compensating them for any encroachment to be adjusted between this department and the licensees themselves.' The Minister of Militia and Defence further asked that in the event of sale the government of Ontario should sell the lands required at 25 cents an acre. The total area required was approximately 73,000 acres, 12,175 of which had been acquired by the Department of Militia and Defence by purchase from settlers; 5,730 acres of this being unpatented. There were also 5,989 acres additional to be purchased from settlers, of which 2,870 are unpatented. The unpatented lands in the hands of the settlers would therefore approximate 8,600 acres, and the area remaining in the Crown would be approximately 55,000 acres.

Then after some further correspondence between the Department of Militia and the Minister of Lands, Forests and Mines of Ontario, the latter gentleman replied that:

Patents would be issued to the Minister of Militia and Defence for such lots as that department had purchased from the settlers upon filing in the Department of Lands, Forests and Mines of Ontario proper assignments from the settlers and paying in the balance of the purchase money due the Crown with interest thereon in accordance with the conditions under which the lands were sold, that the government of Ontario would be prepared to issue a lease for the lands in the Crown required for military camp purposes by order in council at a nominal rental for such term of years as might be agreed upon, the lands to revert to the Crown in Ontario when no longer required for camp purposes, the proposals in both cases to be subject to the rights of the timber licensees being acquired by the Department of Militia and Defence and their consent to the issue of the lease being filed here, also the Crown dues, which would accrue on the timber as cut would have to be paid by the Department of Militia and Defence. The Minister of Lands, Forests and Mines for Ontario further went on to say that he had a conversation with representatives of the Pembroke Lumber Company and had been supplied with an estimate of the kinds and quantities of timbers on their part of the territory, that he knew the man who had made the estimate and considered him well qualified, and regarded it as a conservative estimate although it was not as yet fully completed. The minister inclosed for the information and consideration of the Department of Militia and Defence a copy of the estimate referred to and intimated that if the Department of Militia and Defence acquired the rights of the licensees upon the estimate furnished, the Department of Lands, Forests and Mines would be prepared to accept payment of the dues upon the basis of such estimates at the rates fixed by the Crown timber regulations.

On February 21, 1907, the Deputy Minister of Militia and Defence wrote to the Minister of Lands, Forests and Mines of Ontario, that with reference to the issue of patents for the lots purchased from individual owners, the proposal of the Department of Lands, Forests and Mines was quite satisfactory, and the assignments would be forwarded at an early date so that the matter might be speedily adjusted; that with respect to the lands under license the Department of Militia and Defence had no desire to interfere with the rights of the licensees, but would undertake to facilitate the cutting and removing of the timber if a lease were granted by the Department of Lands, Forests and Mines.

The Deputy Minister of Militia and Defence again put the question: Would the provincial government grant a lease of 55,000 acres to the Department of Militia and Defence for ninety-nine years at a nominal rental, or would it sell to the Dominion government the 55,000 acres at 25 cents per acre?

On March 1, 1907, the Deputy Minister of Lands, Forests and Mines of Ontario, by direction of the minister acknowledged the receipt of this letter and said that with respect to the proposed lease of 55,000 acres the department could not grant any rights which would interfere with the timber licensees, that if the Department of Militia and Defence could make arrangements with the licensees and file their consent a lease would be issued at a nominal consideration for the period mentioned, but without the consent of the timber licensees being procured it is not possible at the present time to give such a lease.

On March 5 the Deputy Minister of Militia and Defence of Canada acknowledged the receipt of the letter of the Deputy Minister of Lands, Forests and Mines and informed him that the papers had been referred to the Minister of Justice. A despatch was subsequently received at Government House, Toronto, and transferred to the Department of Lands, Forests and Mines. That despatch informed His Honour the Lieutenant Governor:

That His Excellency the Governor General had under consideration the urgent necessity for the defence of Canada of acquiring certain lands convenient to the capital for military purposes; that several localities had been examined and that certain areas in the province of Ontario had been found to be the most suitable.

Then the despatch goes on to deal with the right of the timber licensees and continues:

That it was not intended to interfere with the rights of the said licensees or with the rights

of settlers in possession, but that subject to these rights and interests as they now exist all the lands are to be assumed under section 117 of the British North America Act of 1867, in the right of the Dominion of Canada for the defence of the country.

The description of the lands was set forth in the despatch. Some correspondence then took place by telegram between the Deputy Minister of Militia and Defence and the Prime Minister of Ontario. It is not very pertinent that I should quote it for this purpose. According to the view of the Ontario government, as appears from documents brought down in that House and from the discussions which have taken place :

The timber licenses affected have been granted by the government of Ontario and have been renewed for a great many years although some of them have been acquired by purchase within recent periods from former owners. Under the Crown timber regulations, made under the Crown Timber Act of Ontario licensees are entitled to a renewal of their license upon payment of an annual ground rent of $3 per mile and Crown dues at such rates as may be fixed by regulations.

It is estimated by the Department of Lands, Forests and Mines of Ontario that the stumpage value of timber on the territory approximates $100,000. It is also claimed that in addition to the value of the timber standing the province has a direct pecuniary interest to the extent of probably $25,000 or $30,000 dues payable on this timber as it is cut. It is also claimed that the safety of this timber will be seriously jeopardized by the presence of a large military camp as bodies of soldiers will no doubt be moving about through the territory using matches for lighting their pipes and fires and for other purposes without any thought or care of consequences to the property of the licensees. It is then claimed that :

The effect of the order in council, if the action is constitutional, is to take away from the province the surface rights and all rights in the timber and to deprive the licensees of their property unless some provision is made for compensation, both to the province and the licensees.

On the third day of April in this House the hon. Minister of Militia (Sir Frederick Borden) in response to a question asked by the hon. member for West Algoma (Mr. Boyce) made this reply in reference to the land so taken :

The government has not taken the interest of the lumber licensees, and they have, therefore, no claim to compensation. The Ontario government is not by the British North America Act, entitled to compensation, and it is not intended to pay that government any compensation.

The position which this government has taken in connection with these proceedings is, to me, somewhat startling. The action is attempted to be justified under section 117 of the British North Americ Act, which is as follows :

The several provinces shall retain all their respective public property not otherwise disposed of in this Act, subject to the right of Canada to assume any lands or public property required for fortifications or for the defence of the country.

If one were going into a strict construction of this section from a legal standpoint there would be room for a great deal of doubt, I would think, as to whether or not a training camp would bring this land within the expression 'public property required for fortifications or for the defence of the country.' I observe that the hon. Minister of Justice (Mr. Aylesworth) has somewhat enlarged upon that section in an interview which he gave to the correspondent of the Toronto 'Globe' on April 17. He says :

In view of the fact that it was being used for military purposes, that is, for defence purposes, in the rightly accepted sense of the word, the right to the land should be vested in the federal authorities, and the British North America Act so provided.

I will not stop to consider that question except to say that it is not at all plain that this camp is within the meaning of the word 'defence' in that section, but I have every possible doubt as to whether or not the executive of this government would have the right to assume that land without the provision of a statute. I do not find anything in the section or elsewhere in the British North America Act, which confers upon the Governor in Council the right to assume that land, and unless there is some expressed or implied provision which would enable the Governor in Council to take that step, it is a step which can only be taken by the Governor in Council under or by virtue of a statute of this parliament. But then, coming to the more essential consideration, let me point out that there is not one word in section 117 which declares that this government, whether by statute or otherwise, shall have the right to assume this land without compensation. It is a very elementary rule of law that where one person is authorized by law to take the property of another against the will of that person he must pay compensation for it and that compensation is usually assessed upon a fairly generous scale. In the courts of Great Britain and of this country as well, the usual practice is to add ten per cent to the value of the land, to give to the owner what that land is worth to him plus ten per cent. I do not find in section 117 any provision that this land may be taken without compensation, and if it is the construction of section of 117 that land may be taken without compensation I should be very much surprised that

such a result could be brought about under the provisions of that section. Let me point out certain provisions in the Militia Act which I think have a certain bearing upon the question coupled with the provisions of the Expropriation Act as well. I am quoting from the Militia Act, chapter 41 of the Revised Statutes of 1906, section 8:

> The minister shall have the control and management, including charge of the maintenance and repair, of all military buildings, and also of the construction, maintenance and repair of all forts and fortifications and other works for defence in Canada.

Now, certain powers of expropriation are conferred upon departments of government, including the Department of Militia and Defence. The statute which confers these powers is the Expropriation Act, chapter 143, Revised Statutes of Canada, 1906. By section 2, subsection (d) of that Act 'public works' is defined to include fortifications or other works of defence, and by section 2, subsection (a) 'minister' means the head of the department charged with the construction and maintenance of the public work. By subsection (f) of the same section:

> Land includes all granted or ungranted, wild or cleared, public or private lands, and all real property (&c.), for which compensation is to be paid by His Majesty under this Act.

So that, land includes public or private lands, and the expropriation of public lands must include, I would think, not only lands of a municipality but lands of a province as well, where this government has power to take them over. By section 8 of the Expropriation Act—

> Land taken for the use of His Majesty shall be laid off by metes and bounds.

By section 10 and 11 of the Act:

> A plan and description of any land so taken must be deposited in the registry office for the distance in which the land is situated.

By section 14 of the same Act:

> If the land taken is Crown land under the control of the government of the province in which said land is situated, a plan of such lands shall also be deposited in the Crown Lands Department of the province.

Section 26 and subsequent sections make provision for the filing of an information, by means of which information the compensation to be paid for such land shall be determined. In this case no action whatever was taken except the passing of an order in council which was transmitted by His Excellency the Governor in Council to the Lieutenant Governor of Ontario. Let us look for one moment at what would be the consequence of the construction which has been placed by this government upon section 117. I do not understand that there were any fortifications raised upon this land; it is simply a training camp site for militia used during a portion of the year. There may be some buildings of a more or less temporary character on it, I do not know about that, but it is not strictly speaking a fortification, nor is it a work of defence, unless a camp for training militia can be so regarded under section 117. If the government of Canada is in a position to take this land from the province of Ontario by order in council, and to make good its claim that no compensation is to be paid to that province for the land so taken, it can take all the Crown lands of the province of Ontario provided during certain seasons of the year, for two or three days at a time, it should see fit to march some of its militia force to these lands for training purposes. It could take the railway owned by the government of Ontario provided it conveyed its troops on certain days in the year over that railway. It could take all the hospitals and asylums of the province of Ontario provided it used these hospitals and asylums on certain days in the year for the billeting of its militia, and it could do all this without paying to the province of Ontario one dollar of compensation. I do not think any such action would be justified by the statute, and if it were so justified it would certainly be tyrannical and oppressive in the extreme. It would seem to me therefore that the government of Canada ought to afford a reasonable opportunity in the courts, to the government of Ontario to have the question determined.

I have in my hand a memorandum addressed by the Prime Minister of Ontario to the Lieutenant Governor of that province which has already been made public, but which has perhaps not been brought to the attention of this parliament. It is as follows:

> To His Honour,
> William Mortimer Clark, Esq., K.C., &c.,
> Lieutenant Governor of the province of Ontario.
>
> Sir,—With reference to the despatch from the Under Secretary of State for Canada, addressed to your honour, and dated March 22, 1907, notifying your honour of the assumption of certain lands for the militia camp at Petawawa the undersigned begs leave to report as follows:
>
> 1. We are not prepared to concede that lands desired by the Dominion for a camp come within the words of section 117 of the British North America Act as 'lands or public property required for fortification or for the defence of the country,' neither does it appear from section 117 that lands of the province can be assumed without compensation to the province.
>
> 2. From the despatch it appears that the Minister of Militia and Defence, after referring to the existing rights of timber licensees and the present interests of the settlers in possession, goes on to notify your honour of his

recommendation that 'subject to these rights and interests, as they now exist, all the lands hereinafter described be, under the authority of section 117 of the British North America Act of 1867, assumed by His Excellency the Governor General in the right of the government of Canada for the defence of the country' and of the approval thereof by His Excellency the Governor General. The description and boundaries of the land so assumed appear in the despatch.

This action on the part of the government of Canada has come to the knowledge of the provincial government, without either notice or warning and is a distinct surprise. Negotiations have been in progress between the two governments for some time looking to the granting by the Department of Lands, Forests and Mines, of a lease of the said lands to the Department of Militia and Defence for as long a time as the lands might be used for the purposes of a militia camp, and at a nominal rental, or for 99 years—the application of the Department of Militia and Defence asking for a lease for the latter term. For the information of your honour, as to the facts, I inclose report made to me by the Deputy Minister of Lands, Forests and Mines, together with telegrams to and from the Minister of Militia and Defence.

From statements made by the Minister of Militia and Defence, and the interview mentioned in the said report, the undersigned understood his views regarding the rights and property of the timber licensees to differ widely from the views held by the Minister of Lands, Forests and Mines. As stated by the deputy minister in his report 'under the Crown timber regulations made under the Crown Timber Act, licensees are entitled to a renewal of the licenses upon payment of an annual ground rental of $3 per mile and Crown dues at such rates as may be fixed by regulation. It must not be forgotten either that the provincial government has, besides the ownership of the said lands, an interest in the said timber, under the terms of the licenses, equal to about one-quarter of the value thereof. An estimate of the value of the timber,—not of course necessarily conclusive,—was made by an expert, whose qualifications were well known to the department, but this estimate has been characterized by the Minister of Militia and Defence as exorbitant. In any event, the value could have been easily ascertained and the Department of Lands, Forests and Mines would have been ready at any time to consider any method by which the value could have been satisfactorily arrived at.

And, it is a little difficult to understand why, if the government of Canada recognize the rights of the licensees in the timber which they hold under their licenses, it does not equally recognize the rights of the province of Ontario, because as is explained in this despatch, and also in the summary of the facts which I gave a moment ago, the province of Ontario has by virtue of these timber dues an interest equal to about one-fourth of the total value of the timber upon this land. The report of Mr. Whitney to the Lieutenant Governor continues :

Instead of co-operating with the department to this end, viz.: the determining the value of 'the existing rights of the said timber licensees' the Department of Militia and Defence has peremptorily, without any notice being given to either the provincial government or the licensees, taken over the lands indicated and confiscated, as far as possible at any rate, the property both of the licensees and of the province.

If this proceeding is constitutional, the rights of ownership of the provincial government have been taken away absolutely and without compensation, while the licensees must simply depend upon what may be called the bounty of the Department of Militia and Defence, the head of which has already, in a manner entirely ex parte, characterized the claims of the licensees as exorbitant. In other words, one of the parties to the dispute is to pronounce final judgment on the claim of the other party.

Further, if this proceeding is constitutional, the existing licenses cannot be renewed at the expiration of the present year (April 30, 1907), at least, according to the view held by the Department of Militia and Defence, their renewal would have no legal effect, the property having been assumed by the Dominion government and there being now no 'existing rights of the timber licensees.'

The situation is this, the government of Canada says to the province of Ontario : We will not pay you one dollar compensation although you have an interest to the extent of one-fourth the value of all the timber standing upon that land under arrangements, partly by virtue of law and partly by virtue of convention, which exist between you and your licensees. It says to the licensees : We will pay you compensation but, inasmuch as you have no absolute legal right as against the province of Ontario to renew your license at the end of the year we will give you compensation up to the end of this year only, and from that time on you will not get one dollar—although but for this action of the government of Canada those licensees would have continued in the enjoyment of the property, in the enjoyment of their right to cut upon payment of the proper dues, and in that way were possessed of a property of very considerable value.

Mr. Whitney's memorandum or report continues as follows :

The undersigned hazards the opinion that this is a strange condition of affairs to obtain in a British country, and desires respectfully to inform your honour that, in the opinion of his colleagues and himself, the action of the Department of Militia and Defence in this matter was unnecessary, unwarranted and arbitrary in the extreme.

Respectfully submitted,
(Sgd.) J. P. WHITNEY.

Toronto,
April 2, 1907.

It appears further that by a resolution passed without any dissenting voice, concurred in by both political parties in the legislature of Ontario it was declared as follows :

This House has learned with surprise and regret of the action of the Dominion authorities

in taking, without the consent of the province, 55,000 acres of its lands, with the timber thereon, and with the avowed intention of making no compensation for the lands or the timber, and this House cordially approves the course taken by your honour's advisers of earnestly protesting against the action taken.

This House also desires to assure your honour that it will, by all the means which it can command, assist you honour's advisers in maintaining the rights of the province.

I think this is a matter of sufficient importance to bring to the attention of the government and of the House and to ask the intention of the government as to taking the proceeding pointed out by the Expropriation Act for the payment of compensation in such cases. There seems to me grave doubt as to whether the action of this government is not absolutely void, but if it is not void, then the province should at least have an opportunity of making its claim for compensation under the Expropriation Act. If the action of the government in the present instance can be sustained we have this condition of affairs under the British North America Act, that the government of Canada can, in its own judgment, in its absolutely unfettered discretion, declare the whole on any portion of the Crown lands of Nova Scotia, Quebec or Ontario to be required for purposes of defence, and pass an order in council to that effect; and, having passed that order in council, can enter into possession, set the province at defiance and refuse to pay the province a dollar of compensation. If the action of the government can be justified in the present case, it can be justified on the same legal grounds in the extreme cases which I have put. I do not think that such a result was intended by the British North America Act and even if such a result were intended by that Act it seems to me that so extreme an exercise of the power as that to which I have just now alluded would be tyrannical and oppressive, and that the government of Canada, when it required the Crown lands or property of any province for such purpose, ought, in all fairness and justice, to pay to the province from which that property is taken a fair compensation therefor.

Hon. W. S. FIELDING (Minister of Finance). I had not until late to-day an opportunity of looking very hurriedly over some of the papers connected with this matter and therefore I have to confess that I am not as familiar with all its details as I should like to be in order that I might reply to the observations of the hon. leader of the opposition (Mr. R. L. Borden). I need hardly say that so far as the question is a legal one, I should speak with great diffidence and deference and if I venture to refer to that aspect at all, it will be with due recognition of the fact that these are matters not for laymen but for members of the legal profession. My hon. friend, however, went off from the purely legal phases of the case and talked of the equities of the matter, talked of its being a proceeding that was tyrannical, despotic and in every respect unjust. I think a little examination of the case will show that so far as the broad equities are concerned, if any one has the right to complain it is not the government of Ontario but the government of Canada. My hon. friend has given the substance of such papers as were furnished to him and if I caught the dates correctly he began the history in 1907.

Mr. R. L. BORDEN. I said there had been negotiations before that for some time.

Mr. FIELDING. I have no doubt my hon. friend gave the House the substance of the information in his possession but whoever furnished his information and the information used in the opposition press for some days past is open to the charge that he omitted—suppressed may be a strong word—he omitted the most vital facts of the whole case. What are the facts?

Some years ago the Militia Department determined that it needed a new camp ground and it began to take observation of various places within measureable distance of Ottawa with a view to obtaining a site. After examining a number of places the question came down to choosing between one site in Ontario and one site in Quebec, the site in Quebec being at Kazabazua on the Gatineau river, and a site in the province of Ontario within measurable distance of Ottawa. The province of Quebec offered its Crown lands free; the province of Ontario, the House will be surprised to learn in view of what my hon. friend said of the despotic character of the proceedings of this government, offered its Crown lands free—and that fact has been concealed by the parties who furnished my hon. friend (Mr. R. L. Borden) with the information he presented to the House to-night.

Mr. R. L. BORDEN. Has my hon. friend the document in which it was offered?

Mr. FIELDING. Yes, I have the document. I find that at the time the selection of a site was being considered by the Militia Department. Col. Pinault, the Deputy Minister of Militia, addressed on the 3rd October, 1904, the following letter to the Commissioner of Crown Lands for the province of Ontario. I had these papers prepared in order to bring them down to the House, and at the proper time will lay them on the table, but in the meantime I shall make use of them as my hon. friend has made use of those which have been brought down:

A number of communications have passed between Mr. Southport of Southworth of your department, and Colonel. Biggar, of this department, in reference to the site for the central camp. It is the desire of this department to

procure a site, and one has been found in your province, embracing the Crown lands in the townships of Petawawa, Buchanan, McKay and Wylie, as per the attached description. Please say whether, if this site is selected, you will grant on behalf of the province of Ontario, a lease for ninety-nine years, or for so long as such territory is required for military purposes, to this department, of the ground above-mentioned at a nominal rental. It is thought that a camp in this district would have a good effect, insomuch as supplies would be required for the men when in camp there, which would create a good local market. An early answer will be greatly appreciated.

I have the honour to be, sir,

Your obedient servant,

Col. L. F. PINAULT, Colonel,

Deputy Minister of Militia and Defence.

The argument that the selection of this site at the point intimated would be an advantage to the community and in that way an advantage to the province in which this land was situated, seems to have had weight. Either for that or for broad patriotic reasons, or for some other reasons, the government of Ontario, through its constituted officer, the Commissioner of Crown Lands, agreed to grant a lease of this property for ninety-nine years at a nominal rate.

Mr. R. L. BORDEN. What is the date?

Mr. FIELDING. The 12th October, 1904, about three years before my hon. friend's history began. The letter is addressed by the Commissioner to Col. Pinault:

Toronto, October 12, 1904.

Yours of the 3rd to hand and note what you say with reference to site for the central camp in connection with the militia of Canada, embracing parts of the townships of Petawawa, Buchanan, Wylie and McKay, and in reply would say the Crown Lands Department will be very glad to comply with your request as to a lease of said property as belongs to the Crown within the area mentioned, or such other tenure as may be mutually agreed upon, for the period you mention, and at a nominal rental or charge, the details of which we will work out at our earliest convenience and have an order in council passed covering the area and the terms and conditions agreed upon.

Yours sincerely,

E. J. DAVIS.

Mr. R. L. BORDEN. Does that speak of a sale or simply a lease?

Mr. FIELDING. A lease for ninety-nine years at a nominal rent, which is equivalent, as my hon. friend knows, to practically a sale. This was the undertaking, on the part of the government of Ontario, to give to the Militia Department of Canada what rights and interests the government of Ontario had in these lands for ninety-nine years, at a nominal rent, which was practically giving them as a free gift. The government of Canada accepted this arrangement and put aside the proposal of the government of the province of Quebec. It rejected the offer of free lands in the province of Quebec and accepted the offer of free land in the province of Ontario, and proceeded to buy other land which it required to complete the tract. It went on to make all the arrangements to carry out in good faith the plan proposed and establish a camp ground, and then the government of Ontario coolly repudiated the bargain it had made and then urged the Conservative press to abuse this government.

Mr. R. L. BORDEN. Was any arrangement made concerning the licensees?

Mr. FIELDING. None whatever.

Mr. R. L. BORDEN. What was to become of them?

Mr. FIELDING. It was not proposed to disturb the licensees. That question came up later. Here was the engagement of the province of Ontario, for a consideration, the consideration being that this government should abandon the negotiations they had entered into for the purpose of obtaining a site in the adjoining province. But after the government of Canada had abandoned the proposed site in the province of Quebec, after it had purchased other land to complete the tract, then we had the government of Ontario turning around and coolly repudiating the bargain they had made. In the face of that condition of things, the statement of my hon. friend that there has been despotic and tyrannical action on the part of the government of Canada is somewhat absurd.

Mr. R. L. BORDEN. Did I not read a statement to-night, in the hon. gentleman's hearing, that the government of Ontario had offered to grant a lease at a nominal rental provided the licensees were taken care of?

Mr. FIELDING. What right had the government of Ontario to put new conditions into the bargain they had made some years ago?

Mr. R. L. BORDEN. Where is the written acceptance?

Mr. FIELDING. This is my reply to that question. After negotiations had taken place personally between the various authorities concerned, the matter took a written shape by the Deputy Minister of Militia writing the Commissioner of Crown Lands of Ontario, stating that they had made this proposal and asking if it was agreeable, and we have the local Minister of Crown Lands saying they would give a lease for ninety-nine years at a nominal rent. What answer had this government to make? We asked: Will you do so and so? And they said, we will.

Mr. FOSTER. None of the details were settled.

Mr. FIELDING. I grant you that.

Mr. R. L. BORDEN. The licensees were not even mentioned.

Mr. FIELDING. The next letter on the file is dated 27th December, 1905, from Colonel Pinault, Deputy Minister of Militia, to the Commissioner of Crown Lands at Toronto :

His Excellency the Governor General in Council has authorized the acquisition of land at the junction of the Ottawa and Petawawa rivers, county of Renfrew, as a site for a central camp, as per blue print plan hereto attached. It has been understood that the government of Ontario would donate such parts of the area to be acquired as are still Crown lands, and I have been directed by the Minister of Militia and Defence to now make application to have such lands set apart and transferred from the Department of Crown Lands to this department. I shall be glad to be informed at an early date that the transfer of these lands to this department has been authorized by his honour the Lieutenant Governor in Council.

I have the honour to be, sir,

Your obedient servant,

L. F. PINAULT, Colonel,

Deputy Minister of Militia and Defence.

On the 5th January, 1906, Mr. White, Deputy Minister of Crown Lands for the province of Ontario, replied to that letter. And what was his reply?

Toronto, January 5, 1906.

Sir,—In reply to your favour of the 27th ultimo to the hon. the Minister of Lands and Mines inclosing the blue print plan showing part of the townships of Wylie, Buchanan and Petawawa, in the county of Renfrew, covering the territory you wish to acquire for a central military camp, I find that the area embraced within the red border on the blue print plan is 74,000 acres approximately. Of this area about one-quarter is really patented or located. About 52,000 acres is still in the Crown.

The matter has been before the minister and he directs me to say that in view of your department being likely to dispose of the old military camp grounds at Niagara he would be pleased if some arrangements could be made for a transfer of these lands to the province in exchange for the Petawawa lands, as the province is desirous of making an addition to the Queen Victoria Park at Niagara.

I would be glad to hear from you with reference to this suggestion.

Your obedient servant,

(Sgd.) AUBREY WHITE,

Deputy Minister of Lands and Mines.

It appears that a little later, these gentlemen of the Ontario government became very much disturbed about the position of the timber licensees. Up to that time there was not a word about them. Having made a bargain with the government of Canada to give the lands free, the Ontario government now proposed something else. Instead of giving the land free, as they had agreed to do under the arrangement they had made, they coolly asked us to purchase the land, and the purchase price was to be the giving by this government to the provincial government of public lands in the Niagara district which now belong to us. Is that the sort of bargain which my hon. friend says has been approached in a spirit of fairness and equity? Col. Pinault, Deputy Minister of Militia, replied as follows on the 3rd January, 1906:

Ottawa, January 13, 1906.

Sir,—With reference to your letter of the 5th instant, in which you state that the Minister of Lands and Mines would like this department to consider the question of giving the Niagara military grounds in exchange for the Crown lands at Petawawa which this department is desirous of acquiring as a site for a central camp, I have the honour to inclose, herewith, copies of a letter which I addressed to the hon. the Commissioner of Crown Lands on October 3, 1904, and the reply of the Hon. Mr. Davis thereto. From these inclosures it will be seen that the Hon. Mr. Davis promised a ninety-nine years' lease of the lands at Petawawa, at a nominal rent. It is only right that I should point out to you, that it was chiefly if not entirely due to such promise that Petawawa was finally decided on as a site for the central camp. A very suitable site had been located at Kazubazua, Quebec province, and probably would have been decided on had it been known that the Crown lands at Petawawa would be charged for.

In view of the foregoing, the Minister of Militia trusts that the hon. the Minister of Lands and Mines will be able to see his way to carry out the promise of his predecessor.

As regards the Niagara camp grounds, they are too small for the annual training of the militia in No. 2 military district, and it has been decided to dispose of them and to acquire a site in some other part of the province, probably in the county of Simcoe.

When this question was before the Governor General in Council, the intention was that the proceeds from the sale of the Niagara grounds should be used for the acquisition of a site elsewhere. The final disposition of the Niagara camp grounds has not yet been decided on. Certain parts are of great historical value, and it is the intention of the minister to recommend that those parts be retained and preserved. If you have any proposition to suggest with reference to the remainder, I shall be glad to submit it to the Minister of Militia for his consideration, who trusts that the question will be considered apart from the Petawawa matter.

I have the honour to be, sir,

Your obedient servant,

(Sgd.) L. F. PINAULT, Colonel.

Here we find the issue between the two governments. The government of Canada proposing to establish a camp grounds, entered into negotiations, and receiving the assurance of the government of Ontario that the lands would be given freely, made its arrangements on that basis, putting aside the offer it had from the province of Quebec. And when the time came for the government of Ontario to fulfil its obligations, that government first said : Before we fulfil the bargain give us some of your lands at Niagara. And when it was found that there

were good reasons against that, they started the new line of raising questions about the timber licensees. There is not a word in that letter about timber licensees—it was a question of swap at that time. But afterwards came this question of timber licensees. As I understand it, it is not necessary for the purposes of the Dominion government that the timber licensees should be disturbed. It is desirable, of course, that the government of Canada should control the whole property; but I am told that, even though the timber licensees continue to occupy their timber berths, their work can be carried on without serious inconveniences to those who have to use the camp ground. The camp only uses the ground for a short time in the summer, while the timber licensees carry on their operations in the winter. Therefore, the two do not necessarily conflict. However, the government of Canada, desiring that there be no friction in the matter, entered into negotiations to acquire the rights of the timber licensees. It appears, however, that the government of Ontario were very anxious that these licensees should be compensated on a very liberal scale. One company, occupying a considerable tract of land, demanded $98,000 for its privileges.

Mr. E. M. MACDONALD. Who were the licensees?

Mr. FIELDING. The Pembroke Lumber Company is the company to which I refer. I do not know the gentlemen who compose it. The Minister of Militia thought that if one company demanded such a price, to purchase the interests of all would make the transaction a very expensive one, and so declined to go on. This brings us back to the provisions of the British North America Act to which my hon. friend (Mr. R. L. Borden) referred. I have already said that I did not presume to discuss the legal aspect of the case, but I think that this section 117 is so plain that a way-faring man, thought a member of parliament, may understand it. It says:

> The several provinces shall retain all their respective public property not otherwise disposed of in this Act, subject to the right of Canada to assume any lands or public property required for fortifications or for the defence of the country.

There is nothing in that about expropriation or compensation. If the view we have taken of that section be correct, that land does not belong to the province of Ontario but belongs to the Dominion of Canada for the purpose of fortifications and defence whenever it suits the pleasure of the Dominion government to demand it for that purpose. These lands went into the possession of the provincial governments subject to that qualification. I grant that the case is somewhat different where land has passed into private hands. Where land has passed from the Crown into the hands of private parties and is required for public use, the private interest should be compensated. But this was Crown lands in respect of the province of Ontario, but subject to the right that I have indicated, and when the moment arrived that the Dominion of Canada wished to exercise its right they were taking possession of their own lands and not of the lands of the province of Ontario. Now, my hon. friend (Mr. R. L. Borden) says that this land is not taken for fortifications. The Act says: The land may be assumed—not expropriated, but assumed; we simply take it into possession—when required for fortifications or for the defence of the country. My hon. friend says that this is not for fortifications or defence. But what does 'defence' mean in the Militia Act, if this does not come within its scope? What other form of defence have we? We have not a very aggressive army. We have a minister and a Department of Militia and Defence. And surely everything which relates to the organization, equipment, and management of the militia of Canada comes within the meaning of the word 'defence.' Surely, it will not be contended for a moment that we could not use the power conferred under that section until there was a declaration of war and we wanted to erect a fortification? It must mean that the land can be taken for purposes of Militia and Defence. The government of Canada have the right, not to expropriate but to take into possession the property. By the terms of the British North America Act that property belongs to the Dominion and does not belong to the province.

Mr. R. L. BORDEN. Under that interpretation, the Dominion government could assume possession of all the Crown lands of all the provinces.

Mr. FIELDING. For purposes of Militia and Defence. And, if the issue were raised in court, it would be for the court to determine whether the quality taken was reasonable for the purpose.

Mr. R. L. BORDEN. It does not say anything in the British North America Act about its being reasonable.

Mr. FIELDING. But I need not tell my hon. friend (Mr. R. L. Borden)—for he knows more about these matters than I do—that the questions of what is involved in a statute may be raised and it will be decided by the courts according to the reasonable meaning.

Mr. R. L. BORDEN. Does the hon. gentleman (Mr. Fielding) think that if this went before the courts it would be a question for the courts to decide whether the action of this government had been reasonable or not?

Mr. FIELDING. Whether it had been bona fide and reasonable, yes If the gov-

ernment of Canada were to take possession of a great deal of provincial property on the plea that it was to be applied to some purposes in connection with Militia and Defence, and then should apply it to other purposes, clearly it would be wrong. For instance, if we were to take possession of a property on this plea and proceed to sell it to other people, that would be wrong.

Mr. R. L. BORDEN. I do not think executive action of that kind is reviewable in the courts.

Mr. FIELDING. If we took the land in good faith for the purpose of Militia and Defence, I hold, with all deference to my legal friends, that we are within the four corners of that section. I do not want to dwell upon that aspect of the case, and perhaps I should apoligize when I as a layman deal with such questions at all. But even though my contention be incorrect, no action has been taken by this government which should preclude the province of Ontario from setting up any claim for compensation which it thinks it is lawfully entitled to receive. We have notified them that we desire to take the land. If our action is not legal, I think, that ways can be found whereby the legality of the proceeding of this government can be called in question. But we will not stand upon that. I will say on behalf of the government that if the government of Ontario think they have been badly treated and if they have acted in good faith—and I am free to say that I believe they have not acted in good faith—they claim that they have acted in good faith and have been badly treated by the government of Canada, and if they will take any proper procedure such as the Attorney General of the province and the Minister of Justice of the Dominion can agree upon, as to the proper method of raising the question in the courts whether this procedure is reasonable and proper, we are here to say that we will help them to do it and obtain a legal decision upon it. From the information we now have, they have no legal right to get compensation for these lands. But if that is a mistaken view, and I admit that they claim differently, and we have a right to treat their view with respect, we will undertake to facilitate any means which they may desire to take to bring that issue before the court, so that for whatever rights they may have under the law and which have for the present been set aside, they shall have the most ample opportunity of receiving the compensation that they are entitled to.

Mr. R. L. BORDEN. The minister has made a rather serious charge against the members of the government of Ontario; he has distinctly stated two or three times that they have not acted in good faith, that they have acted in a bargaining spirit.

Mr. FIELDING. I thought I showed the proof in the official letter of the Commissioner of Crown Lands of the province of Ontario. When they were aware that we were negotiating for sites in different parts of the country, when they were aware that we were offered a site in another place, and had set aside that offer to accept the offer of the province of Ontario, and bought other lands from private interests in order to complete the tract, I say that these facts constitute a binding obligation upon the government of Ontario, which, although not enacted by an Act of parliament, is an obligation that the government of Ontario should recognize, and in a denial of which they are repudiating an obligation of the great province of Ontario.

Mr. R. L. BORDEN. Does the Minister of Finance say that although no provision was made for the rights of the licensees in this informal letter, and no provision was made for their compensation, the raising of the rights of the licensees afterwards constituted a breach of good faith by the government of Ontario ?

Mr. FIELDING. The licensees can protect their own rights, and I have pointed out that the rights of the licensees were only raised after they had made the interesting proposal that we should swap some Niagara lands of Petawawa.

Mr. R. L. BORDEN. A further question: Does the government propose to deal with the licensees upon the basis of their rights, and the tenure of their leases as they would have been enjoyed under the usual practice of the Ontario government, or does this government propose to deal with the licensees simply upon the basis of persons who have no further claim whatever after the 30th of April of this year?

Mr. FIELDING. I would not like to answer that. Whatever legal rights the licensees possess must be upheld. But as the Ontario government has not been willing to consider the equitable rights of other people, I do not see why they should expect their own equitable rights to be better treated.

Mr. E. B. DEVLIN. If the province of Ontario does not seem anxious to retain this Petawawa camp, and has imposed conditions upon the Dominion government which this government does not feel disposed to accept, would it not still be possible for the province of Quebec to keep open its offer of a site at Kazabazua in the county of Wright? We will be quite willing to accept it.

Mr. FIELDING. I will have to reserve an answer to that.

Mr. E. BRISTOL (Centre Toronto). I listened with care to the statement of the Minister of Finance with reference to the offer of Mr. Davis, and what I understood Mr. Davis to offer was

to give the lease of the interest of the province in these lands. I would like to ask the Minister of Finance if that is not correct, if that letter written on behalf or by Mr. Davis did not offer to lease the interest of the province, whatever it was, and if this was so, the province was not dealing with any interest of timber licensees which might not have been referred to in that letter, but which would be just as much an outstanding interest to be dealt with as a mortgage, but which the province could not give away because it did not have the power. I think this is the fair construction of Mr. Davis' proposal. Now the Minister of Finance seems to feel hurt because when, a year or two later, this matter is brought to the attention of another provincial minister, the other minister, acting I think in the public interest, suggests that if the government of Canada are going to give up certain lands which they now have at Niagara Falls, they should go into a public park and be kept for the benefit of Canada. That is not what you would call a bargaining proposition. The province of Ontario were not making a five cent piece out of that. We are all proud of the park at Niagara, and if the Dominion of Canada did not happen to want this land they now have here, I would like to ask what better purpose could it be used for than for a great public park? How could it be said that was a bargaining proposition ?

Mr. FIELDING. Why should that be mixed up with another different transaction ? If the government of Ontario have any suggestion to make about another transaction on its merits, all right. But why should they demand that as a condition of a bargain they have previously made?

Mr. BRISTOL. The letter does not demand that as a condition of a bargain. No lawyer in this House will say that this was suggested as a condition of the bargain. After a new administration comes in and the new minister hears of this land at Niagara not being required, and he knows the Dominion government proposes to make Petawawa take the place of the camp at Niagara, he makes, as a public official and nothing more, a friendly suggestion, not a bargain, a friendly suggestion that this land which would no longer be required for public purposes, that this camp which contains certain historic sites which the government want to preserve, should form part of Niagara Park. Now I say that is a fair and reasonable suggestion to make, and it was in no sense a bargain. I ask any fair minded man to read the letter which the minister has read, and I say that is a fair and reasonable interpretation to put upon it. Now there is a hiatus there, nothing is done after this suggestion. If at any time the Dominion of Canada had presented any lease that they desired the province of Ontario to sign, and the province had refused, they could naturally make some objection. But suppose they had done that, and had presented this ninety-nine year lease and said : Agree to that and sign the lease ; if the province had refused they might have had a cause of complaint. But instead of that the Dominion assume to take the lands of the province in the way they have done. I do not think the political friends of this government in Toronto, who ought to have some knowledge of the acts of the previous ministers and of what took place between the two governments, will approve of the action of this government. I venture to say that every Liberal member in the provincial legislature will unanimously support the present administration in their action. They are unanimously opposed to the principles enunciated to-night by the Minister of Finance on behalf of his party. If under these circumstances, I say, the government had presented to the province of Ontario a lease for ninety-nine years of the interest of the province, I venture to submit that they would still have had to consider the matter of these licensees. Why, dealing with the enormous amount of public lands thoughout this country, does the minister think for a moment that every minister or deputy minister keeps in mind that on every paltry 55,000 acres of timber lands, there may be timber licenses outstanding? It is not a fair and reasonable view that if there was nothing said about it it would be because the minister in Ontario would know that the minister in Ottawa would have enough knowledge to know that most of the timber lands in Ontario were licensed and when the minister was dealing with this land for the province of Ontario he would expect that the minister in Ottawa would look after the licensees and not the province of Ontario, that if Ontario made a free gift of land for a military camp the government here would look after these people who had their business interests at stake as timber licensees.

Mr. E. B. DEVLIN (Wright). Mr. Speaker, I am very glad that this question relating to the military camp has come up. For a considerable length of time the people in this section of the country have taken a deep interest in the establishment of a military camp at Kazabazua. It seems apparent that the government of Ontario is not over anxious to retain the camp in that province. Therefore I ask, would it not be wise, in view of this circumstance, to establish the military camp at Kazabazua. It may be possible that this House is not aware of all the advantages which would be offered for the establishment of a military camp at Kazabazua. Kazabazua is in direct communication with the city of Ottawa by the Canadian Pacific Railway line. Soldiers could reach the camp without any difficulty by taking the Canadian Pacific Railway at Ottawa and

when they found themselves at Kazabazua they would have a great area of land which we in the province of Quebec are quite ready to give to the government. We have already made an offer to the government and we are still ready to make a free grant of this land. I may say to my hon. friend who has asked me the question that there are no timber licenses that would bind us and that the government will not be bothered by timber licenses. In Kazabazua the government would find that the camp could be supplied by the farmers of the locality. We have in that section of the country a very rich farming community and the camp would be offered all the advantages that any military camp could expect.

An hon. MEMBER. Is the water good?

Mr. E. B. DEVLIN. It is within easy reach and they would have every possible requirement both for men and horses. I am glad that hon. gentlemen on the opposite side of the House are annoyed that this camp should have gone to the province of Ontario. I do not know myself why the camp went to Ontario. I for one urged very strongly upon the government the establishment of the military camp at Kazabazua. I still urge the establishment of the camp at Kazabazua and I hope the government of Ontario will persist in their efforts to impose impossible conditions upon the government of Canada and that we will have the camp at Kazabazua.

Mr. A. C. MACDONELL (South Toronto). Mr. Speaker, I perhaps misunderstood the hon. leader of the House (Mr. Fielding) in regard to what he said respecting the right of the Dominion government to take this property by virtue of its right under section 117 of the British North America Act. As I understand the hon. gentleman's contention it was that under section 117 of the British North America Act the government of Canada had the power to take such of the public domain of the province as it desired for the purpose of the defence of the country. The section reads as follows:

> The several provinces shall retain all their respective public property not otherwise disposed of in this Act, subject to the right of Canada to assume any lands or public property required for fortifications or for the defence of the country.

Now, that is very plain and very simple, and if I apprehended the hon. gentleman's remarks correctly, I quite agree with the construction he put upon it which is that it only applies to such public property in the province as remains in the Crown in the province or as remains undisposed of by the province, or which has not been sold by the province. I agree with the construction put upon it by the hon. minister that it only applies to that portion of the lands that the province of Ontario retains at the present time. As I understand the controversy, the fee in this land remains in the Crown in Ontario. There is no objection on the part of the province of Ontario to parting with the fee in the land, but previous to these negotiations the Crown in the province had parted with a certain right in the land; that is the right to cut timber. The hon. gentleman's own construction of the Act would preclude the right of Canada to confiscate or acquire the rights in the timber which had been previously granted by the Crown. In other words, the right of Canada was confined to such property or interest in this property as the Crown in the province of Ontario retained. That being so and the Crown in the province of Ontario being willing to give all it retains, namely, the fee in the land, and simply saying: we have parted with a certain interest in the land; we have given licenses to cut timber on this land, we have not got this right, and section 117 cannot apply to it, I cannot see, why the province of Ontario is in error in asking this government to settle with these timber licensees. The Crown in the province of Ontario has parted with an interest in the land, namely, the right to cut timber. This section only applies to such portion of that right or title to the land as remains in the Crown. Now, how can this government say that the province of Ontario should not only give them such portion of the land as remains in the Crown and also shall acquire at its own expense the rights which have been previously granted to timber licensees? Surely a position of that kind is not reasonable or tenable. It is not warranted under the construction which the minister puts upon section 117, and I think that no lawyer would put the strained construction that is now sought to be put upon this section. In so far as that view of the controversy is concerned and in view of the minister's own construction of the section I do not see what legislation this government has to stand on and in that respect I would like to know if I am correct in my statement of the hon. gentleman's view.

Mr. J. T. SCHELL (Glengarry). In reference to the ownership, or fee, or right, in a timber license, I would like to ask the hon. gentleman (Mr. A. C. Macdonell) if the right of the licensee does not extend to the land so long as he pays the dues upon the land?

An hon. MEMBER. No.

Mr. A. C. MACDONELL. The hon. gentleman (Mr. J. T. Schell) must know that the rights which the licensee or any other grantee from the Crown receives depend upon the language of the license or the grant absolutely and entirely. The usual rights of the license to cut timber

are simply the rights to cut timber within a certain territory, the licensee being required to pay certain royalties to the Crown.

Mr. TAYLOR. And the right to remove the timber.

Mr. A. C. MACDONELL. Yes, the right to remove the timber.

Mr. J. T. SCHELL. The right under a timber license in Ontario and Quebec extends beyond the right to simply cut the timber. You have the right to the control of the area covered by the timber license so long as it remains under license and you pay the ground rent. If the government of Ontario gave these people licenses they had the right to extinguish the rights of the licensees not only to the timber, but to their right to the timber license so long as they continued to pay the ground rent.

Mr. A. C. MACDONELL. I would like to know if I have made myself plain to the minister ?

Mr. FIELDING. Whatever the rights of the licensees are they can be trusted to settle them with this government. If they have vested rights we must respect them. I cannot say more than that.

Mr. A. C. BOYCE (West Algoma). I cannot allow the leader of the House to charge the Ontario government with a breach of faith of so serious a nature as this. The hon. gentleman thought fit to read certain correspondence, and he began with a letter of the 3rd of October as being the original proposal made by this government to the government of Ontario. But the hon. gentleman must have known of the previous correspondence between this government and Thomas Southworth of the Department of Lands, Forests and Mines in Toronto.

Mr. FIELDING. I read the first letter which appears on the file sent to me. It has reference, as I read it, to some previous correspondence, but I have not at this moment seen this other letter.

Mr. BOYCE. The leader of the House did not hesitate to commence with a letter of the 3rd of October, which is not the first letter, and which eliminates some of the terms mentioned before and after. The leader of the House had no hesitation in citing that correspondence, and upon the construction he placed upon it, he charged the government of Ontario with bad faith.

Mr. FIELDING. The only letter I cited as affecting the government of Ontario is the letter of the Commissioner of Crown Lands.

Mr. BOYCE. I will read one or two letters of the Commissioner of Crown Lands, and surely one of his letters is as good as another, and if one letter imposes conditions and the other does not, surely my hon. friend should have read both. I will start with this letter dated October 21, 1903:

Toronto, October 21, 1903.

Dear Colonel Biggar,—While in Ottawa a week ago, I endeavoured to see you, but was advised that you were in Montreal, and I was not able to wait to see you.

I wrote you some time ago regarding the subject of our conversation, and have been waiting to hear from you as to what was being done. I have noticed the minister's proposal to establish some sort of permanent camp, and sincerely hope that it may be established in Ontario, preferably in the vicinity of the lands selected, referred to by you. There would be no question as to the land as I wrote you, and our department would be glad to co-operate in any way to make the establishment a success.

Would you briefly let me know what is being done, or if this land is likely to be required at any time for the purpose.

Yours truly,
(Sgd.) THOMAS SOUTHWORTH.

On June 3rd Mr. Southworth writes :

Ontario Department of Crown Lands,
Bureau of Colonization and Forestry,
Toronto, June 3, 1904.

Dear Colonel Biggar,—I am sending you a four section map of the province of Ontario, showing the location of the proposed camp site at Petawawa, and the means of access by rail. I have been making some figures showing the comparative distances that would have to be traversed by the different batteries in reaching this point compared with Kazabazua. It figures out as follows : The total mileage consumed by the batteries at London, St. Catharines, Guelph (2), Hamilton, Quebec, Montreal, Toronto (2), Cobourg, Kingston, Gananoque, Ottawa, 3,495 miles, leaving a difference in favour of the Petawawa site of 88 miles, practically no difference at all.

I have had tracings made of parts of four township: Petawawa, Buchanan, McKay, and Wylie, with all occupied lots in them. A good many of these would of course require to be freed, but as the settlers have not very valuable improvements, I do not think there would be much difficulty about this.

Respectfully submitted for your consideration.

Yours truly,
(Sgd.) THOMAS SOUTHWORTH.

Taking the letter to which the leader of the House referred of October 3, it is followed by the acceptance of October 12, and by a telegram of the 5th November from Colonel Biggar to the Commissioner of Crown Lands, Parliament Buildings, Toronto :

Will you please pass order in council with reference to the central camp.

On November 7, Mr. Southworth writes :

Ontario Department of Crown Lands,
Bureau of Colonization and Forestry,
Toronto, November 7, 1904.

My dear Colonel Biggar,—The minister advises me that he answered your wire this morning. He was anxious to have the order

in council put through to-day but it will be impossible to do that because we have not sufficient information as to the condition of all the land asked for by you to enable us to do so. Mr. White has asked the chief clerk of the sales branch to look over the land rolls to find out how many and what lots applied for by your department are already in private hands. When that is done it will probably be necessary to have an inspection made to ascertain what other lots are squatted upon, before the lease can be formally issued.

I have your small sketch map, but if you should send me the tracings you have with the area marked on them that you desire, it would help us somewhat.

I will have the matter expedited as much as possible and it ought not to take many days before it will be in shape to have the order passed.

Yours truly,
(Sgd.) THOMAS SOUTHWORTH.

On the 9th of November, Thomas Southworth again writes to Colonel Biggar:

Ontario Department of Crown Lands,
Bureau of Colonization and Forestry,
Toronto, November 9, 1904.

My dear Colonel Biggar,—I am very sorry that the minister's instructions to the secretary were not carried out, as I know that he gave instructions to answer your wire, and a copy of his dictated message was sent to me.

I am glad to receive the plans as it will expedite our work in finding what lots in the territory asked for are located, and I will have the necessary information forwarded to you just as early as the clerks in the sales branch can obtain it.

Yours truly,
(Sgd.) THOMAS SOUTHWORTH.

That is somewhat different from the very positive statement of the leader of the House that an agreement had been made by the province of Ontario to convey these lands. It will be seen that both before and after the letters he cited to this House upon which he had no hesitation in charging bad faith on the part of the government of Ontario, there were conditions and stipulations attached to that very arrangement; conditions with regard to the rights of third parties, and conditions which give rise to the very claim now of the Ontario government, that those who had these lots which had been located either by settlers or by timber licensees, should be compensated. That is a very different state of facts from those presented by the leader of the House. The papers show that the department gave instructions to a gentleman at Pembroke by the name of Forgie, a lawyer, to try and settle with these squatters and other settlers in order to make the matter plain. That gentleman went to work and he was very liberally paid for his services, and by a strange coincidence it is found that this very gentleman himself obtains an amount of money for some property in that locality as squatters rights. That is a very extraordinary business, and one to which I would invite the attention of the leader of the House if he desires to see who has committeed any breach of faith. Here is a payment by this government to J. G. Forgie of $1,000 for land as squatters rights, out of the very fund appropriated for the purpose of settling with these so-called settlers, or those who had acquired rights on this camp ground, which the leader of the House says the Ontario government positively agreed ot grant.

In addition to that Mr. Forgie was paid by the Department of Justice a considerable sum in fees, $890.55 and another account of $506.80. The settlement effected by Mr. Forgie was referred to the Justice Department, and there is some interesting information in the report of the deputy minister as to the titles which were obtained by Mr. Forgie. The Department of Militia gave a free hand, so far as money was concerned, to Mr. A. T. Mackie, of Pembroke, who had authority to go to the Bank of Ottawa in Pembroke, overdraw his account some $40,000 and give his promissory note to the bank for any amounts he would require in payment for such sums as might be required to pay off the so-called squatter's claims. He expended that amount and more in such settlement, and in connection with this illegal transaction the government paid over $700 illegally in interest to the Bank of Ottawa, because the government took up Mr. Mackie's notes to the Bank of Ottawa, and that is how the squatter's claims were paid. The whole transaction forms the subject of certain correspondence which I shall not quote in full, between the Justice Department and the Auditor General. There are some very strong comments by the Auditor General upon the transaction, which he characterizes as at least being exceedingly irregular. But when the report was made by Mr. Mackie as to what he had done with the claims of these settlers it was found that he had expended:

Purchase money of patented lands..	$26,950 00
Purchase money to locatees and occupants of unpatented lands..	12,810 00
Interest on Mr. Mackie's notes to Bank of Ottawa..	711 68
My bill against him as inclosed.. ..	528 32
	41,000 00

As a consequence of this transaction the matter was referred to the Justice Department to inquire how it was that these large sums appeared to have been paid to persons as locatees or occupants and to find out, after the money had been paid that, whatever title the locatee, the local settler had, had been obtained in the name of Mr. Mackie and had been paid for by him and that his note was paid by this government. There was a reference to the Justice Department and here is a letter from the Justice Department to the Deputy Minister of Militia——

Mr. R. L. BORDEN. Do you mean that they paid first and investigated the title afterwards?

Mr. BOYCE. They paid first and investigated the title afterwards, strange as it may seem, and the papers to which I will invite the attention of the leader of the House (Mr. Fielding) will bear that out, that Mr. Mackie, of Pembroke, was given carte blanche to go to the Bank of Ottawa there and get what money he wanted on the credit of this government; a letter was written by the Department of Finance to the manager of the bank at Pembroke, authorizing Mr. Mackie to do so, and to use that money buying up these claims and then the money was paid in order to retire Mr. Mackie's notes. In short the government had pledged itself to this illegal and most irregular transaction and the money was paid by Mr. Mackie on the credit of the government through the Bank of Ottawa before it was ascertained what title, if any, these people had. Under date the 28th December, 1905, the Deputy Minister of Justice writes to the Deputy Minister of Militia and Defence as follows:

Petawawa Camp Grounds.

Sir,—Referring to your letter of the 29th ultimo, No. 67, 17, 1, I have the honour to inclose herewith reports upon the title of the lands contained in the memorandum attached to your letter. Some of the lands are patented, some not patented but located in the Crown land office, others not patented nor located in the Crown land office.

Below you will find a separate list as to each of these classes :

Lots Nos. 7, 24, 27, 28, 38, 39, range 'A.'

Lots Nos. 23, 24, 25, 32, 35, 36, 38, in lake range.

Lot No. 15 in concession 1, township of Buchanan.

Lot No. 14 in concession 15, township of Petawawa.

Lot No. 14 in concession 16, township of Petawawa.

Lot No. 15 in concession 16, township of Petawawa.

Patents for the foregoing lots have not been issued but are located in the Crown land office in the names of the various parties mentioned in the reports.

In the following cases neither patents have been issued nor has any person located for the lots, viz.:

West half of lot No. 8 in range 'A' in the township of Buchanan.

Lot No. 12 in concession 1, township of Buchanan.

Lot No. 20 in concession 10, township of Petawawa.

Lot No. 15 in concession 16, township of Petawawa.

Lot No. 39 in 'lake' range, in the township Petawawa.

Lot No. 29 in range 'A,' in the township of Petawawa.

In the following cases the lots have been patented, viz.:

Lots Nos. 30, 31, 32, 33, 34, in the township of Petawawa.

Lots Nos. 5, 6, in the township of Buchanan, all in range 'A.'

Lots Nos. 26, 27, 28, 29, 30, 31, 33, 34, 37, in 'lake' range, in the township of Petawawa.

Lots Nos. 13, 14, in concession 1, in the township of Buchanan.

Our agent, as you will notice from these reports, in all the cases where the patents have already been issued by the Crown certifies that the title is in Albert T. Mackie, and in the other cases, all the rights of the locators and those in possession have been transferred to him.

In the case where patents have not been issued by the provincial government I suggest that your department should arrange with the provincial government to have a patent issued to Mr. Albert T. Mackie who is to transfer all his rights in the land to the Dominion government. I am awaiting a description of these lands, and the assignments of the different persons to Mr. Mackie. When these are received they will be sent to your department for transmission to the provincial government. I also inclose the accounts of our agent in all these matters certified in duplicate. Will you please send me a cheque in his favour for the total amount of the same ?

Send me also a cheque for the amount of the purchase price of the lands in question, payable to Mr. Albert T. Mackie and our agent, Mr. J. G. Forgie. The amount of the cheque is to include interest up to the date of payment. Your department will have to calculate the interest up to the date when the cheque will probably reach the hands of our agent at Pembroke.

I have the honour to be, sir,
Your obedient servant,
(Sgd.) E. L. NEWCOMBE,
Deputy Minister of Justice.

That so far shows how much breach of faith there was on the part of the province of Ontario. I may say, before I pass on to the other part of the subject, that there were very substantial amounts paid by Mr. Mackie, on behalf of this government, for the acquisition of those very lots which were subsequently reported by the Minister of Justice not having been located or applied for or squatted upon.

I find, from the letter of the Deputy Minister of Justice which I have just read, that neither had any patents been issued nor had any person located the lots.

I find that in the west half of lot in range A. Township of Buchanan, John Berger was a somewhat lucky man, because for lots 7 and 8 he received $1,800, as shown by this return. In the township of Buchanan, lot 12 in concession 1, D. F. Landry received $1,000. Why was he paid this amount ? The Department of Justice says that neither patents have been issued nor has any one located on the lot, yet $1,000 is paid this gentleman for his rights in that lot.

Mr. McCOOL. Does the hon. gentleman say that a squatter who has been resident for ten or twenty years on the lot has no right ?

Mr. BOYCE. Does the hon. gentleman say this money was paid to squatters ?

Mr. McCOOL. Yes.

Mr. BOYCE. Does he know that ? Was he in the deal ?

Mr. McCOOL. No, there was no deal about it. I know something about it.

Mr. BOYCE. I am merely reading what is on record here. My hon. friend can put whatever construction he likes upon it, but I am endeavouring to show where the good faith and the bad faith exists in this transaction. There was in the township of Petawawa, concession 10, lot 20, for which a Mr. Monet got $60. In concession 16, for lots 15 and 14, one Mr. Sparling got $250, and he was not a squatter. In the Lake range for lot No. 39 in the township of Petawawa, Mr. Martin Woito seems to have got $1,800. For what he got it perhaps the hon. member for Nipissing (Mr. McCool) can tell us. When the department of Justice says, after the money was paid, that there was neither patent issued nor any person located on the land, how comes it that this sum was paid ? No one had applied for the lots, yet $1,800 were paid by this agent of the government and repaid by the government to that agent.

Mr. McCOOL. Do you ask me the question ? Perhaps I could give you some information.

Mr. BOYCE. Perhaps the hon. gentleman can explain it.

Mr. McCOOL. Yes, I can, if you wish.

Mr. BOYCE. In lot 24, range 9, in the same township, William Selkirk got $150. It will be noticed that it is required to certify these to the department of Crown Lands of Ontario so that before the letter written the 3rd of October, 1904, which the hon. leader of this House (Mr. Fielding) said was the official letter containing the proposals, the late Ross government of Ontario never agreed to, and never intended to do any thing more than grant the land on the condition that the rights of those who had any claims upon them through the government should first be settled with. Let us see how this is proved. The correspondence subsequently carried on with the Ontario government shows that the government of Ontario was all the time waiting for those conditions to be fulfilled, which the government were trying to fulfil in this very extraordinary manner by buying out the interests of the settler and that only, when those conditions had been fulfilled, would the Ontario government be called upon to carry out the arrangement discussed in the letters of the 3rd and 12th of October, 1904, to which the hon. gentleman has referred. So that it is perfectly clear that since this Ontario government came into power, letters were written by it carrying out exactly the arrangement they had agreed to. For instance there is a letter of October 30th, 1905, from Mr. Forgie to the deputy Minister of Militia in which he states that he has been acting for his department along with Mr. Mackie in purchasing these lands for the militia camp in the township of Petawawa in order to prevent speculators from holding up the Crown Lands Department of Ontario, in the event of more lands being required than were purchased. He proceeds to say :

> I afterwards had a conversation with the Hon. F. Cochrane, Minister of Crown Lands in Toronto, and asked him to withhold the lands referred to in my letter, from settlement or location, when he promised to have the deputy minister write me. I now send you a copy of the letter received by me on the 1st November. If you have any instructions for me in respect reference to the matter you might drop me a line.

That is what Mr. Forgie said, and that was exactly what was carried out by the Department of Crown Lands in Toronto, as evidenced by the letter of October 30th, 1905, from Mr. Aubrey White, deputy minister, to Mr. Forgie, of Pembroke, acknowledging receipt of his letter regarding the military camp and saying that he was under the impression that he had some time ago given instruction as to what townships in Petawawa, McKay, Wylie and Buchanan, were to be withdrawn from sale or location. There is the extent of this charge of breach of faith against the Ontario government. First it is seen that there was a distinct understanding that those who had claims were to be settled with and secondly that the government of Ontario were ready to grant this government land in connection with the Petawawa camp, that the government of Ontario desired it to be established and still desires it. This government went on in a most imprudent and extravagant manner to deal with the squatters, but, afterwards went back to the Ontario government asking that the lands be withheld from sale to prevent speculation in them. And the present government of Ontario carries out exactly what was agreed and says that, pending an arrangement the lands shall be withheld from sale. I think it was due from the leader of this House to the House, especially when his remarks reflected upon the government of Ontario, that he should state the whole facts, and read the whole correspondence, instead of reading only the letters of the 3rd and 12th of October, and building upon these the theory of a special arrangement and charging breach of faith in connection with it.

Mr. E. M. MACDONALD (Pictou). This debate has certainly taken a rather sudden turn. I have no desire to prolong it unnecessarily. but it may be as well to call the attention of the House and the country to the singular descent which this case of pro-

vincial rights in Ontario has had from the pinnacle it reached a week ago in the Ontario legislature. A week ago the traitor's hand was on the throat of Ontario, the rights of that province were being torn from her by a despotic government at Ottawa. And, if I am not mistaken, my hon. friend the leader of the opposition (Mr. R. L. Borden) sang the same song and asserted almost with equal vehemence that this government had attempted to deal with Ontario and her rights in the most despotic manner. I read in the Toronto 'World' the resolution which Mr. Whitney asked the Ontario legislature to pass just a week ago. He made that call with all the vehemence which is so characteristic of his utterances. He seemed to summon every possible atom of energy and feeling to spread the belief that the province of Ontario was being trodden under the heel of the Ottawa tyrant.

Mr. FOSTER. Hear, hear.

Mr. E. M. MACDONALD. My hon. friend from North Toronto (Mr. Foster) can hardly be as prolific of adjectives——

Mr. FOSTER. I am afraid my hon. friend (Mr. E. M. Macdonald) is a sprouting autocrat.

Mr. E. M. MACDONALD. Well, at least, that is much more polite in form and much less harsh in sentiment than the things which were said by the Prime Minister of Ontario a week ago. I am glad that my hon. friend from North Toronto is in better humour.

Mr. R. L. BORDEN. What did the Liberal members of the Ontario legislature say about it ?

Mr. E. M. MACDONALD. They did not join with the premier of the province in his denunciatory language. While prepared to uphold the rights of the province, they did not join in the resolution in the terms originally proposed.

Mr. R. L. BORDEN. In what way did they dissent from the resolution which I read to-night?

Mr. E. M. MACDONALD. I was not in my place when the hon. gentleman (Mr. R. L. Borden) read the resolution. But I refer to the resolution which the Premier of Ontario presented to that legislature in the first instance.

Mr. R. L. BORDEN. I am referring to the resolution that passed. In what way did the Liberal members dissent from that ?

Mr. E. M. MACDONALD. The hon. gentleman is referring to the address that was passed, and he would like to take advantage of the lack of knowledge prevailing at that time on this subject—a lack of knowledge which need no longer exist since the Minister if Finance (Mr. Fielding) has enlightened the House and the country to-night. For the evidence is so absolutely clear and explicit that it is evident that, instead of the rights of Ontario being pillaged and torn from her, successive governments of the province stood ready to hand over in fee simple the land necessary for this camp. As the Minister of Finance has indicated it is evident that the province of Quebec stood ready to give the necessary land absolutely free ; and the province of Ontario, under the Ross government were willing to do the same thing. To use the language of the letter of the then Commissioner of Crown Lands :

> The Crown Lands Department would be very glad to comply with your request as to a lease of such property as belongs to the Crown within the area mentioned, or such other tenure as may be mutually agreed upon, for the period you mention, and at a nominal rental or charge.

And what do we find when the present government of Ontario came into power ? Was it then supposed to be a case in which the rights of the province were being disregarded, by this ruthless invader from the capital ? On the contrary, the tone of the correspondence did not indicate any fear on the part of the Commissioner of Crown Lands in the Whitney government. In the first instance it was suggested that the Dominion government wanted to get some 55,000 acres of land. And as the Dominion government was likely to dispose of its military camp ground at Niagara, it was suggested that some arrangement might be made to transfer part of that land to be added to Queen Victoria park. But, as suggested by the Minister of Finance, it was pointed out to the Ontario minister that these lands were peculiarly used for the training of the militia of No. 2 district.

Mr. FOSTER. Will the hon. gentleman allow a question ? Does he find in the correspondence anything to intimate that the proposition was that the government should exchange their Niagara lands for the Petawawa lands ?

Mr. E. M. MACDONALD (reading) :

> The matter has been before the minister and he directs me to say that in view of your department being likely to dispose of the old military camp grounds at Niagara he would be pleased if some arrangements could be made for a transfer of these lands to the province in exchange for the Petawawa lands, as the province is desirous of making an addition to the Queen Victoria Park at Niagara.

So the total estimate of the value of these lands in Petawawa, was the value from a historical or park standpoint of the lands at Niagara. That was the value put upon them in January, 1906. But, as I have said, it was pointed out that these Niagara lands were peculiarly for the training of the militia in No. 2 district, that it was intended to use certain parts of them as historical mementoes, and the remainder would be sold

to provide funds to acquire elsewhere a camp for the militia of No. 2 district. But in 1906, one year ago, when the traitor was beginning to feel his way to the throat of Ontario, the value of all this vast domain, as the Premier of Ontario would call it, was simply the value of these camp grounds in Niagara. There was no word of licenses, no word of the rights of anybody else, no suggestion that any invasion was being made of the rights of the province which would warrant resolutions of the legislature against the ruthless acts of this federal government. On the contrary, down to May 15, 1906, what was the position taken by Mr. Whitney? He says, writing to Sir Frederick Borden:

> We have decided that as soon as you have completed your settlement with the timber licensees we will grant leases of 52,000 acres owned by the province for 99 years, at an annual rental of $10 for the whole quantity of land.

So the Hon. J. P. Whitney, less than a year ago, wrote to the Minister of Militia declaring that he was willing to give this whole 52,000 acres of land to the federal government for a nominal rental of $10 a year, and on this basis he asks the legislature of Ontario to present an address to the lieutenant governor asking him to protest against this invasion of the rights of the people of that province by this federal government.

Mr. R. L. BORDEN. Why did'nt they accept it ?

Mr. E. M. MACDONALD. Because the Premier of Ontario practically said to the Minister of Militia and Defence : there are some of my political friends there that have some timber licenses, and as soon as you settle with my political friends in the county of Renfrew and have given them the amount they are asking, then I will come around and do business with you.

Mr. R. L. BORDEN. The letter to which he alludes speaks of the rights of the licensees does it not, the letter which you have just read ?

Mr. E. M. MACDONALD. I will read it again. This is the position taken by Mr. Whitney on May 16, 1906, speaking on behalf of his government :

> We have decided that as soon as you have completed your settlement with the timber licensees——

That is, as soon as you have settled with my political friends in the county of Renfrew we will give you a lease of the 52,000 acres of land for $10 a year. Those are the facts disclosed in the correspondence.

Mr. SPROULE. How does the hon. gentleman know they are his political friends?

Mr. E. M. MACDONALD. My hon. friend need only turn to the hon. gentleman who sits behind him to get his answer.

Mr. MACDONALD.

Mr. SPROULE. That is an unworthy suggestion.

Mr. E. M. MACDONALD. I do not want to be unfair, I dont want to mention names, but if my hon. friend will read the papers he will find them.

Mr. SPROULE. The hon. gentleman is throwing out insinuations.

Mr. E. M. MACDONALD. If he wants to know who they are he had better ask the hon. member for North Renfrew who sits behind him (Mr. White); he knows. I am not here to make insinuations but to discuss the facts found in the papers. I am here to say that this hysterical action on the part of the Conservative government of Ontario in passing this silly resolution, followed up as it is by this discussion in this House, is a burlesque on free government in this country. When parliaments are asked solemnly to seek the intervention of the Crown in regard to the alleged invasion of the rights of a province, parliaments should be regarded as serious bodies who will deal with conditions as they are. Now what is the real position of affairs ? It may be said in all fairness that it was not right for this government to go in there and take this land and absolutely to disregard the rights of the timber licensees. What do I find in regard to this subject as indicating the spirit of this government on that phase of the question ? I take the memorandum presented to Council by the Minister of Militia on the 20th of March, 1907. The minister states :

> It is not intended by the present recommendation to interfere with the existing rights of the said timber licensees, or with the present interests of settlers in possession. But he recommends that subject to these rights and interests as they now exist.

Here is a memorandum which shows that the minister is reserving all the rights of the timber licensees in these lands. As to whether the Crown had a right to take the course it did in regard to the matter of obtaining the title to these lands, I have under my hand the opinion of the Deputy Minister of Justice, and this is what he says as to the 55,000 acres :

> I suggest that this government should assume these lands as being required for fortifications and for the defence of the country, under section 117 of the British North America Act, and that they be so assumed subject to existing interests of the timber licensees. This should be done by order in council, and notified to the Ontario government.

Now, to sum up briefly, the Ontario government places a value of $10 a year upon these lands which, by resolutions passed in their legislature, they assert that this government is filching from them. This vast domain of incalculable value, according to the letter of the Hon. Mr. Whitney, they consider worth $10 a year. Now who else was injured by the action of this government? The recommendation of the Minister

of Justice was to the effect that this government had a clear right to take these lands, but as to whether they were to take them under statutory rights of the British North America Act, or whether they were to take them at a nominal rental, is simply the difference between tweedledum and tweedledee, from a legal standpoint. As to the question as to whether the rights of the timber licensees were interfered with, the Deputy Minister of Justice reports that these rights should be reserved, and in addition to that, the order in council expressly reserves these rights for future determination. So it seems to me, Mr. Speaker, that in the light of these facts the attitude of the provincial government in asking the lieutenant governor to protest against the action taken by this federal government, is to the last degree fatuous and absurd.

Mr. G. O. ALCORN (Prince Edward). Mr. Speaker, it would appear to me, after listening to the various documents which have been read in the hearing of the House by my hon. friend the leader of the opposition (Mr. R. L. Borden) and those submitted by the hon. Minister of Finance (Mr. Fielding) and having regard also to the remarks with respect to compensation in the speech delivered by the hon. Minister of Finance, I think the position is simply this that this government, being under criticism and finding itself detected in a high handed act of spoliation in regard to the province of Ontario, takes refuge in an imputation as against the government of that province that it has repudiated its agreement. I wish to say to the minister that the government of Ontario are not of the class of people which repudiate agreements. They are gentlemen of integrity who have a history behind them very much to their credit and in respect to which the people of Ontario have the utmost confidence in them. It is quite natural for this government, having no such history behind them, to talk of repudiation of agreements or of a want of good faith. This government have a history of Robin's deals, of Halifax purchases, of Moncton land purchases and a score of similar transactions, and surely they are the last people who should throw insinuations of this kind gratuitously at the province of Ontario or at its government. As far as I am able to discover from the documents submitted there has simply been no agreement to repudiate. In so far as there has been any repudiation it has been on the part of this government itself and not on the part of the government of Ontario. I would like any hon. gentlemen advocating the government side of this controversy to suggest the period of time at which any enforceable agreement came into existence as between these two governments. I assert, and I think I am correct in doing so, that no such time can be pointed out. There is simply no enforceable agreement between these governments and never was in regard to these Petawawa lands. The simple fact is this, in so far as I am able to understand the controversy, that up to the time that the hon. Minister of Militia and Defence (Sir Frederick Borden) was advised by the Department of Justice that this government, under section 117 of the British North America Act, had the right to assume these lands—whatever the proper construction of the word 'assume' may be—the whole matter was one of negotiation. There had been no agreement and when the minister was so advised he took the position that he had the right to assume this land without compensation. It will be found in the course of the correspondence that the Minister of Militia refers to the matter of the licensees upon this land as having no vested rights with respect to which compensation should be given. His contention was that because the licenses are from year to year and the end of the license year expires with the end of the month of April in each year, as soon as the end of the present month of April should arrive these licensees would cease to have any rights in respect to which compensation could be claimed. I am advised, and I believe it to be true, that under the regulations and the terms of the license which is granted by the Ontario government each licensee is entitled as a vested right to the renewal of that license upon the same terms by making a certain payment. Therefore, it appears to me that the right to compensation attaches to the rights of these licensees quite as fully as it could attach to any person having an interest in this land. The defence raised by the government and contained in the speech delivered by the hon. Minister of Finance is what I have indicated, namely, an attempt to throw upon the government of Ontario the aspersion that they have violated their agreement, that they have repudiated some contract which they had made with this government. That seems a very peculiar position to take. If the Ontario government have made a legally enforceable agreement this government are in no difficulty with regard to the matter. They can proceed in the ordinary course in the courts and enforce the agreement. Therefore, it appears to me to be a lame position for the government to take to say that the government of Ontario are refusing to carry out their agreement and that that is the excuse for the action of this government with respect to this matter. As indicated by my hon. friend the leader of the opposition, section 117 of the British North America Act gives this government the power to 'assume' land for the purpose of fortification and defence. That is quite true, and a proper question then, it seems to me, to be decided is what is the proper construction to be placed upon this operative word 'assume' and in what respect, if any, does it differ from synonymous terms used in other statutes having

the like object? If we turn to the Expropriation Act, which has also been referred to, we find in section three that the operative word used in that Act is the word 'take'. That Act, as well as the British North America Act, provides that land may be taken for fortification and defence. The Expropriation Act expressly deals with the whole subject of the right of this government to take land for military purposes and in section 14 of that Act provision is made for taking lands belonging to the provinces. That is what has been done in this case. So we have the same circumstances and the same objects dealt with by both of these Acts, and there is, in both of them, the right given to assume or take lands for military purposes and for the purposes of fortification and defence. The Expropriation Act, of course, proceeds to provide for full compensation being given by the government which takes the land. The only difference is that the British North America Act is silent upon the subject of compensation. Certainly there can be no distinction raised between the term 'assume', used in the British North America Act, and the term 'take', used in the Expropriation Act, and therefore it appears to me that the same consequences ensue in each case, namely, the liability to make compensation. I submit that it was not necessary that the British North America Act should say in express or explicit terms that compensation should be given for lands taken by virtue of section 117 for the reason that it is a universally recognized principle of law attaching to all cases in which governments, corporations, or other bodies, are given the right to assume the property of third parties, that the right should only be exercised upon full compensation being given. Lawyers will be cognizant of the ordinary rules which apply to the construction of statutes. These will be found in Endlech on the Interpretation of Statutes, page 94 and ensuing pages. One of these canons is:

> Words are to be construed not according to their mere ordinary general meaning but according to their ordinary meaning as applied to the subject matter in regard to which they are used.

The subject matter in regard to which the word 'assume,' as conveying a right under section 117, is used, is the subject of the taking of land. Surely it will not be argued in a British country that that right should be exercised contrary to the universally recognized and well understood principle of law, that compensation should follow the exercise of any such right. Another canon of construction is that, against needless changes in the law—changes which cannot be fairly said to have been intended by the legislature which passed that law. Certain instances cited of that are, for example the case of the Wills Act which empowered 'all persons' to devise lands. The courts in construing that statute very properly held that the words 'all persons' did not include minors, lunatics, or infants, for the reasons that these classes of persons had theretofore been well understood in the law to be incapable of dealing with property and were not bound by their contracts or undertakings. Nevertheless they would fall within the term 'all persons,' but the courts held that they were excluded. It was decided that these words 'all persons' with reference to the power to devise, did not give right to any person to make a will in favour of a corporation, because gifts to corporations had for many years been interdicted as being in contravention of the statutes of mortmain. Here the principle, from the earliest time, has been established, that 'assumed' lands or other property can only be when full compensation is given. Therefore, it is not right to assume that the rule as universally understood, is changed in this particular instance. I think I am safe in saying that the government will be unable to point to any instance either in England or in this country in which this rule as to compensation has been disregarded by any statute passed. No such instance exists. We are familiar with the fact that in making grants of land throughout the country, the government has very properly seen fit to reserve from time to time from these grants, certain parcels of lands situate in such position as might lead to the assumption that at some future time they might possibly be useful for purposes of defence. But that is a very different thing from the contention raised by this government, that under section 117 of this Act, it has the right to arbitrarily assume or take these lands without paying any compensation therefor. This assumed right under section 117 is an instance of a grant of an exceptional privilege and therefore such grant must be most strongly construed against the grantee. I would therefore argue that this word 'assume' does not mean 'assume arbitrarily.' This then is another reason why the recognized principle should be fully complied with and compensation made. We have the Imperial statutes collated and commented upon in 'The Law of Compensation,' by Balfour and Allan. The first of these Acts is the Military Lands Act, 1892. It is there stated this Act consolidates and amends various Acts dealing with the acquisition of lands for the building and enlarging of barracks and camps, and for the erection of butts and providing ranges for drill grounds. In section 1, it provides that a Secretary of State may purchase lands in the United Kingdom under the Act for the military purposes of any portion of His Majesty's military forces.

This Act is certainly drawn with more care than the section of the British North America Act under which the government now raises this contention, because this Imperial Act specially provides that the land may be 'purchased,' so that no express provision with respect to compensatioin becomes necessary. By subsection 3, of section 2, it appears, that the Secretary of State who makes the purchase, actually has to give his bond in the first place, that the terms of the agreement will be carried out, for the protection of the vendor, and further that under section 4, the Secretary is bound to obtain the sanction of parliament to each particular transaction of that kind. In England, liberty is apparently not accorded to the government to make this arrangement by order in council; each case comes before the parliament by way of an Act. Further by the following section, particular provision is made for the method to be pursued for assuming the land. The Secretary of State has to serve a notice on every owner, reputed owner, lessee or reputed lessee and occupier of any land intended to be so purchased, stating the intention of the purchaser to obtain the sanction of parliament to the purchase. By the next section the Secretary has to cause public inquiry to be held by a competent officer into the objections made by any person whose land is required to be taken. All of which shows that the principle of compensation is absolutely taken for granted and that no such contention as is now raised by this government was ever mooted in England. In section 9, it is provided that if the Secretary of State is satisfied the land ought to be taken he has to submit a Bill to parliament in respect to the transaction. In section 26 of the Act, compensation is provided for in the following words:—

> The person or authority acquiring the land may require compensation to be paid for the land to be settled by arbitration, and not by reference to a jury.

In section 23, it is said:—

> In this Act the expression 'military purpose' includes rifle or artillery practice, building and enlargement of barracks and camps.

And at page 57 of this work we have the Defence Act, 1842, an Act to consolidate and amend the laws relating to the service of the Ordnance Department and the purchase of lands for the service, and for the defence and security of the realm. By section 9 of that Act it is provided that the principal officers of Her Majesty's Ordnance may from time to time 'contract for and purchase' lands for the defence of the realm and may enter into any contract for that purpose. And so, the power to arbitrarily assume, is the furthest possible removed from the whole principle of these Acts. From all of which it appears that my contention in the first place, that the principle of compensation is indissolubly connected with the whole idea of the taking of lands by the government, or of any body empowered to exercise that right. I can only add that it appears to me that the defence raised by the government is an extremely weak one, and one which they would not have thought of raising had it not been that they are detected in a most arbitrary proceeding for which there is no possible excuse.

Mr. T. S. SPROULE (East Grey). I wish to put one or two questions to the Minister of Finance (Mr. Fielding) with regard to the financial features of this transaction. I have before me a memorandum reading:

> Bank of Ottawa, Pembroke, December 4, 1905.
>
> Mr. A. T. Mackie, Pembroke.
>
> Dear Sir,—The interest on your demand loan of 15th December, 1905, amounts to $580.96.
>
> Yours truly,
>
> (Sgd.) F. V. MULKINS,
>
> Manager.

I would like to know on what authority the Minister of Finance gave Mr. Mackie the right to go to any bank and make demand loans for any such purpose. Has the Dominion of Canada got down to such a state that we have to borrow money from banks at 6 per cent? I could understand in the case of public works, letters of credit being issued to an individual as against the bank, but I do not understand on what authority the government can give such a power into the hands of any private individual. If such powers are given where are they to stop? How many of these outstanding loans have we in different parts of the country and how much money have we borrowed at the rate of 6 per cent interest? Does the Minister of Finance think that it is a good business transaction? What justification has he for giving such a right to any individual?

Mr. FIELDING. I must confess that that phase of the transaction has not engaged my personal attention; I confined my inquiry to the matter of the difference between the government of Ontario and the Dominion government. The other aspects of the matter, that is the dealings about private lands have not occupied my attention. In consequence of what was said by hon. gentlemen to-night I looked up the Auditor General's Report. All the information I have is in the Auditor General's Report, and if there is anything beyond this I would like an opportunity of making inquiry in my own department. I find in the Auditor General's Report this letter:

> Department of Militia and Defence,
>
> Ottawa, April 6, 1906.
>
> Sir,—In reply to your letters of February 14, and the 4th instant, relative to the acquisition

of land at Petawawa as a site for a central camp, I have the honour to inclose, herewith, a blue print plan showing the area to be acquired. Only 4,272 acres of this area have been as yet purchased, which is but a small part of the whole.

Of course this relates to the property of private individuals and not to the interests of the Ontario government.

Mr. SAM. HUGHES. Some of these very lands were not patented.

Mr. FIELDING. Perhaps not. The letter continues:

I also inclose a list of former owners of the lots purchased, and the prices paid in each case.

*For list and prices paid see page Q—

As regards the means adopted to ascertain the value of the lands purchased, I have to say that circumstances compelled our proceeding differently than usual, in this case.

Before the authority of His Excellency in Council was obtained to acquire the lands, whether compulsorily or as a result of negotiations, it was decided, after an officer of the headquarters staff had seen many of the owners, to have this year's training of the artillery at Petawawa. That officer, from the replies he received from the owners, was able to report that there would be no difficulty in arranging for the training at a very small cost.

When the troops assembled it became evident that somebody had been among the owners, as they refused to allow the training to proceed without their being paid what were considered exorbitant demands. Lieutenant-Colonel Rutherford, of the headquarters staff, who was at Petawawa in connection with the training, immediately came to Ottawa, late on the night of September 9, accompanied by Mr. A. T. Mackie, one of the most prominent residents of Pembroke, and went to Colonel Pinault's residence where the whole situation was thoroughly discussed. The undersigned was telephoned for, and was present during the greater part of the discussion. Lieutenant-Colonel Rutherford and Mr. Mackie brought a memorandum showing what certain of the owners would take. Rather than to abandon the training, it was decided to proceed at once, if the minister approved, with the acquisition of the land. The following telegram was immediately despatched to the minister, who was on an official trip to the Pacific coast, viz.:

Settlers at Petawawa claim large indemnity for disturbance, over two thousand dollars, and some wont move unless properties purchased. Mr. Mackie has obtained options from all for thirty-six thousand dollars, representing twenty-five hundred acres of best farm lands. Am advised price very reasonable. Shall I instruct Mackie to close with them. Pending practice held up.

It will be seen that the minister was told, from the best information available, that 2,500 acres would cost $36,000, or $14.40 per acre. We actually acquired 4,272 acres for $40,340.96, including legal expenses and interest, or $9.44 per acre.

To make good terms with the owners it was absolutely necessary to have cash to pay them on the spot, and as there was no way of obtaining money out of the parliamentary appropriation until the titles had been searched, we could not have proceeded without such assistance as Mr. Mackie rendered. His only concern in the matter has been a keen interest in having the camp located in the neighbourhood, and in the militia, his brother being the commanding officer of the 42nd Regiment. He has taken a great deal of trouble and given much of his valuable time to assist us, which the department very much appreciated.

I regret having taken up so much of your time to explain this transaction, but have thought it well to furnish full particulars. If you wish any further information I shall be glad to go over to see you.

I have the honour to be, sir,
Your obedient servant,
E. F. JARVIS,
Acting Deputy Minister of Militia and Defence.
The Auditor General.

I have no knowledge except what is contained in that, but it appears that having no appropriation and having the camp actually in operation at the time, and these private owners having held up unexpectedly the proceedings of the camp, arrangements were made with Mr. Mackie to obtain the amount required from the bank, which he was repaid with interest. Mr. Mackie acted in good faith, and with the assent of the Militia Department obtained that money which was repaid to the bank with the interest charged by the bank. It was an exceptional proceeding and one which I would not care to have repeated, but under the circumstances it was justifiable and there was nothing wrong in the whole transaction, although somewhat unusual.

Mr. SPROULE. How many of these transactions may we not have throughout the country? How many people may have received authority to go to a bank and raise money for the purposes of the government? And how are we to know anything about such transactions?

Mr. FIELDING. They would all come out in the Auditor General's Report and my hon. friend would know about it.

Mr. SPROULE. We have no guarantee that they would.

Mr. FIELDING. Oh, yes.

Mr. SPROULE. When the Minister of Finance (Mr. Fielding) speaks of Mr. Whitney's conduct as unbusinesslike and unbecoming, I am quite willing to put it alongside of that and let the country say which of them shows evidence of lack of business ability.

Mr. FIELDING. My hon. friend must assume that it was desirable the camp should go on, and these private owners were holding up the camp arrangements and forbidding their going on. Would not that be an exceptional circumstance which would justify an exceptional proceeding, always assuming the price was a reasonable one and that the transaction was made

in good faith ? What does my hon. friend see wrong in it ?

Mr. SPROULE. There were two features wrong. In the first place, it shows want of business management on the part of the Militia Department or they would not have been held up. They should have known that they had the authority and the right to use that ground before taking possession of it. They would have taken the precaution, which any intelligent business man would have taken under the circumstances, and have made sure of their right to occupy these grounds and not run the risk of being held up at the last moment. They were doing, in my judgment, what they had no authority for doing when they gave the right to any one to borrow money for them. I wonder if our ex-Auditor General, had he been in office, would have passed that.

Mr. FIELDING. Certainly he would.

Mr. SPROULE. I do not think so. I think it was presuming on the good nature of the Auditor General and on his gullibility—though perhaps that is too strong a word—but certainly the government had no right to expect that he would be likely to pass this payment when this order was given Mr. Mackie. We have heard from the hon. member for Pictou (Mr. Macdonald) about the government of Ontario dealing with its own friends. Was there anything of that nature in this connection when Mr. Mackie was given authority to go to the bank of Ottawa and draw $40,000 on behalf of the government at 6 per cent interest ? Was Mr. Mackie, who, I presume, is the son of a former liberal member of this House, authorized to make the best bargain he could in the interests of the friends of the government. I presume that these people who were paid these moneys were friends of the government and supporters of Mr. Mackie, because they were in the riding which his father represented and in which he, the son, has such large holdings to-day. Mr. Mackie, junior, was dealing with the friends of his father and paying them these moneys, whether the prices charged were fair prices or not. He had everything in his own hands. He made the purchase and paid the prices asked. Whether these prices were exorbitant or unreasonable did not make the slightest difference, and this amount of $40,000 was paid to friends of the government, in violation of the law of the land, without any check in the world and without any independent valuation being made, and without any evidence that the country received a fair return for the money.

Mr. FIELDING. If there is the shadow of a ground for suspecting anything wrong, I hope my hon. friend will bring the matter up before the Public Accounts Committee next session.

Mr. SPROULE. Very likely we will. The whole thing is shrouded with mystery. It bears suspicion on its face. It was not a business transaction.

Mr. FIELDING. I think it was.

Mr. SPROULE. Would any business man allow himself to be put in such a position at the moment the soldiers were going into camp, that he did not know whether he had the right to go on the land or not ? No business man would be found in such a fix at the last moment as that in which the Minister of Militia found himself in connection with this transaction. It is said that the government may be held up yet. How much money has been paid to friends of the government, I do not know.

Mr. FIELDING. If you owned the land, would you not want to be paid ?

Mr. SPROULE. That is not the question. What is in question is the way this money has been used without parliamentary authority. I do not know on what principle, under our system of government, the Finance Minister could authorize to pay out the money in that way.

Mr. FIELDING. The bank advanced the money and it was paid out ultimately on parliamentary authority. There would be no reason in the world for getting the money unless we were to get the parliamentary authority to repay it. We borrowed the money, and when parliamentary authority was obtained we repaid it.

Mr. SPROULE. You first spend the money and then ask parliament to authorize the expenditure. Can the hon. minister justify any such proceeding ? Why, before an item is voted for militia purposes, we scrutinize the expenditure before authorizing it; and unless the expenditure is justified, parliament will not vote it. But here is the government first spending the money and then trusting to its majority authorizing the expenditure. That is radically wrong. And besides the government paid 6 per cent interest. Is the financial standing of the country so low that it cannot borrow money cheaper than private individuals can ?

Mr. FIELDING. There is an item in the supplementary estimates to pay 8 per cent on a bargain made by the late government.

Mr. SPROULE. That does not justify this transaction. How many outstanding loans are there of this kind to-day

Mr. FIELDING. I do not believe there are any.

Mr. SPROULE. The hon. gentleman is not positive. He simply says he does not believe. Let him prove there is not any.

Mr. FIELDING. I cannot prove a negative.

Mr. SPROULE. But the hon. gentleman can make a positive assertion, which he has not done.

Mr. FIELDING. At the moment this transaction was made, I was a thousand miles away.

Mr. SPROULE. Under what authority was it done ?

Mr. FIELDING. That has been explained very fully.

Mr. SPROULE. No, the circumstances surrounding the camp going into exercise were explained but not a word was said about the authority to raise the money. That was conveniently kept from the House and there was no justification for it whatever. I am told by my hon. friend (Mr. Boyce) that there is a letter from the Auditor general declaring the whole thing to be illegal. I was not aware of that fact.

Mr. FIELDING. Will the hon. gentleman quote the letter ?

Mr. BOYCE. It is in the return brought down.

Mr. FIELDING. It is not in the blue-book.

Mr. BOYCE. No, it is in the return.

Mr. FIELDING. I have not seen the return. The hon. gentleman is not referring to anything in the Auditor General's Report ?

Mr. BOYCE. No, it is not there. I am taking the word of the hon. member who went over these returns, and he correctly drew attention to them. I cannot understand that there is any justification for borrowing money on the credit of the country by any individual, and allowing him to spend it in this careless way. The Minister of Finance speaks about the Premier of Ontario and the Ontario government having refused to give this land without being paid for the timber leases, which he characterizes as very improper and unbusinesslike. Now if it is unbusinesslike for the Premier of Ontario to ask for a payment for these leases, was it not unbusinesslike when this government provided that in the lands which they took in the Northwest for Dominion reserves they provided for paying the leasholders of timber there ? Was it any more reasonable that they should pay these leaseholders in the Northwest than that they should pay the leaseholders of these timber rights when the land is taken for militia purposes ?

Mr. FIELDING. We say that the timber lessees are grown men, they can settle their question with the government and let them do so. The Ontario government parted with their interest to the extent of the licenses, and the licensees can settle that matter with the Dominion government.

Mr. SPROULE. But the Ontario government are the parties who had the granting of these licenses, and to whom payments must be made ; it is they who are responsible to the leaseholders, because the lease is made by the Ontario government. Who would the leaseholder fall back upon if he failed to receive the consideration he was entitled to on account of his lease ?

Mr. JOHNSTON. Will my hon. friend allow me to ask him a question ?

Mr. SPROULE. Will the hon. gentleman sit down. He is always interrupting, and to no purpose in the world, and I am getting tired of it. If he wants to speak he may speak after I am down. I say that the Ontario government are responsible to the leaseholder, and it is their duty to see that the leaseholder is compensated before he gives up that right.

Mr. McCOOL. The Ontario government demands $93,000 in satisfaction of the rights of the license holders.

Mr. SPROULE. That is no proof of their value. Some members of this House asked an exorbitant figure for their timber licenses in the Northwest. There is a way of adjusting these differences when it is necessary to expropriate land for public purposes. The parties have to go to the Exchequer court. It is the right of an individual to ask whatever he pleases. But the Ontario government would not be doing their duty if they did not attempt to protect the rights of leaseholders and to see that they were settled with before their land is given over to the Dominion, even for defence purposes. The Minister of Finance said that the Ontario government gave these lands away at first and they did not say a word about those licenses. Well, what kind of a business transaction was that ? That was done by the Ross government and not a word said about it, as was supposed. But afterwards it came out that there was an understanding that these parties should be paid for their rights, and the letters were read by my hon. friend from Algoma (Mr. Boyce) which were not read by the Minister of Finance. Now the member for Wright (Mr. Emmanuel Devlin) says, Well, it served you right, why did not you take the land we offered you in Quebec free ? What authority has he for offering these lands free ? Who are 'we' ? We killed a bear. Is he the government of the province of Quebec ? He represents the county of Wright, and I am told these lands were in his county. Does he think he owns the land because he represents the county ? It looks like it.

Mr. E. B. DEVLIN. The hon. gentleman is seeking for information. The province of Quebec is anxious to have this military camp established in the county of Wright at a place called Kazabazua, and made a free offer of the lands, and that free offer is still open.

Mr. SPROULE. That is quite a different thing. If he had stated that in the first place I would not have had a word of comment to make. Now the hon. member for Pictou (Mr. Macdonald) charges Mr. Whitney with corruption in connection with this transaction. I would like to ask him in what respect? Where does the corruption come in? Is there any thing to justify such a statement? Not one word that I have heard in connection with it. I do not think there is a single item of the transaction from first to last that indicates any thing but the most honourable conduct on the part of the Prime Minister of Ontario. Had there been corruption, would the opposition have supported unanimously the motion which was passed before the legislative assembly closed? I think they would not. Is it not in evidence that they agreed with him in every particular in condemning this high-handed transaction of the Minister of Militia, which is on a par with the desire shown all along the line by this government to interfere with provincial rights, to take arbitrarily what does not belong to them? What belongs to Ontario may be taken from Ontario to-day, and what belongs to Manitoba or Saskatchewan may be taken from them to-morrow. I say it was a barefaced attempt to interfere in a tyrannical and improper way with provincial rights. An hon. friend hands me the Auditor General's Report, which shows something significant, and for the benefit of the Minister of Finance I will read it, Q—128:

PETAWAWA CAMP LANDS—METHOD OF PURCHASE.

Audit Office, Ottawa, February 14, 1906.

Sir,—In your statement of cheques drawn against the letter of credit for January last there is one, No. 6576 for $40,471.68, in favour of Albert T. Mackie and J. G. Forgie, for purchase of lands for Petawawa camp grounds.

Mr. FIELDING. I referred to that.

Mr. SPROULE. (reading).

In this connection I should like to be furnished with a sketch of the territory included in the camp grounds, a list of the parties from which the lands were purchased, with the price paid to each party and the means adopted to ascertain the value of the lands purchased.

I am, Sir,
Your obedient servant,
J. FRASER, A.G.

The Deputy Minister of Militia and Defence,
Ottawa.

Now, there is no answer to that here so far as I can see. Again, the Auditor General addresses the Deputy Minister of Militia and Defence, in the following manner:

Audit Office, Ottawa, April 4, 1906.

Sir,—I have to remind you that I have not received an answer to my letter of February 14, 1906, asking for certain information in reference to a payment by cheque, No. 6576 for $40,471.68 to Albert T. Mackie and J. G. Forgie for lands for Petawawa camp grounds.

I am, Sir,
Your obedient servant,
J. FRASER, A.G.

The Deputy Minister of Militia and Defence,
Ottawa.

The next letter is from the Department of Militia and Defence, and as I presume, it is the one read by the Minister of Finance. I need not read it again. Then we have the following letter:

Audit Office, Ottawa, April 10, 1906.

Sir,—Let me acknowledge the receipt of your letter of the 6th instant, inclosing blue print plan re Petawawa central camp grounds. Refering to the fourth paragraph of your letter, in which you state that an officer of the headquarters staff, after having seen many of the owners, reported that there would be no difficulty in arranging for the 1905 training at a small cost, please furnish me with a copy of the report referred to. I should also like to see the memorandum of Lieutenant-colonel Rutherford and Mr. Mackie, showing what a certain owner would take, referred to in the 5th paragraph of your letter. Please forward as well as the deeds, options and other papers in your possession in connection with the transfer from the original owners to Mr. Mackie and from Mr. Mackie to the Crown.

There is the go-between again.

These will be returned to your department after inspection by this office.

The memorandum of lots purchased sent me shows an outlay of $39,760, while the payment to Albert T. Mackie and J. G. Forgie was for $40,471.68, a difference of $711.68, which is still unaccounted for.

So, there must be a commission or rake-off.

Mr. FIELDING. Now, my hon. friend (Mr. Sproule) need not jump to that conclusion, let him read the next letter.

Mr. SPROULE. I am reading the letter of the Auditor General and he is trying to see whether he is justified in paying this amount. The difference referred to is $711.68 which, I presume, was for making a temporary arrangement. It goes either to Mr. Forgie or to Mr. Mackie or to both.

Which is still unaccounted for. This amount of $40,471.68 is exclusive of Mr. Forgie's expenses which amounted to $890.55, (cheque No. 6577), so that the total coast of the 4,272 acres would be $41,361.23 and not $40,340.96, as stated in your letter.

I am, Sir,
Your obedient servant,
J. FRASER, A.G.

The Deputy Minister of Militia and Defence.

Mr. FIELDING. Now, read the next one, for he answers that question.

Mr. SPROULE. (reading):

Department of Militia and Defence,
Ottawa, April 12, 1906.

Sir,—In reply to your letter of the 10th instant, with further reference to the acquisition of the lands at Petewawa as a site for the central camp, I have the honour to say that a return of the correspondence, &c., is being prepared to be laid on the table of the House of Commons, which will be done not later than the end of next week, and that if you will wait then, a copy of the return will be sent to you for your use. It is considered that with copies of the whole of the papers before you, further explanations will be rendered unnecessary. In the meantime, I may say for your information, that the $711.68 referred to in the last paragraph of your letter was interest on Mr. Mackie's note in the Bank of Ottawa, being money advanced for the purchase of these lands.

Your statement that the total expenditure, including all legal expenses, was $44,361.23, instead of $40,340.96 as stated in my letter of the 6th instant, is quite correct, and I regret the error, but I would invite your attention to the fact that the correction increases the price per acre from $9.94 to $9.68 only, which price must be admitted is a moderate one for a good farming land with quite a number of farmhouses and out buildings thereon.

I have the honour to be, Sir,
Your obedient servant,
E. F. JARVIS,
Acting M.M.D.

The Auditor General.

He admits the error, and that explains the whole thing. I do not think there is any ground for the Minister of Finance making any adverse criticism of Mr. Whitney in connection with this transaction. I think that Mr. Whitney did what was proper, manly, courageous and businesslike throughout. And I think that it is not creditable to the Dominion government to make the attempt that they have made, in an arbitrary and tyrannical way to take authority into their own hands and confiscate property that did not belong to them.

Mr. SAM HUGHES, (Victoria and Haliburton). As I understand it, there were two sites available, one at Kazabazua, up the Gatineau line, and this Petawawa camp on the main line of the Canadian Pacific Railway, in the county of Renfrew. The Kazabazua site in some respects is, possibly, better for military purposes, but in other ways it is not so desirable. Its isolation is against it—the cost of carrying troops to and from the camp would be a very large item as compared with this expense in connection with the other camp. I do not know anything about the details of this case except through the returns that, I understand, were brought down to-day, or at any rate appear to be in the hands of hon. members.

Mr. FIELDING. I intended to bring them down to-day, but this discussion anticipated me.

Mr. SAM. HUGHES. The property was acquired by purchase, and also by grant from the Ontario government. The issue in this discussion seems to be the action of the government in taking hold of these lands under the British North America Act, and now the attempt to blame the Whitney government for failure to carry out a contract entered into with their predecessors in office. All there is in the world to justify the statement that the parties in this case had made a bargain is simply a letter from the Commissioner of Crown Lands stating that the provincial government would be willing to grant the lands at a nominal rental. Mr. Whitney stands to that ground to-day. But the timber licensees have to be settled with. This is the whole thing in a nutshell. I do not see why the government should take the radical step of taking these lands as they are doing. Let the government have the matter referred to arbitration as far as these licensees are concerned and pay whatever the license holders are entitled to receive. If these licenses are worth anything the government should pay the holders of them, while on the other hand the claim need not be paid if it is found that the license holder is not entitled to it. I would certainly deprecate the action of the government in taking forcible possession of this land which I look upon as a very excellent camp. But, I would suggest that the government proceed in a business way. I would recommend the Minister of Finance to cancel the order in council taking possession of the land, refer the matter to arbitration and carry out the deal which Mr. Whitney from start to finish says he is most willing to carry out, that is to give the government the land at the nominal rental of $10 a year for ninety-nine years.

Mr. C. A. McCOOL (Nipissing). Mr. Speaker, I do not intend at this hour to make any extended remarks upon this subject. I do not think it is necessary to do so but I cannot allow the remarks made by the hon. member for West Algoma (Mr. Boyce) in reference to the purchase of these lands from the settlers there to pass without some notice. The hon. gentleman charges the government with having been guilty of an improper transaction in regard to the purchase of these lands because the farmers there did not actually hold the deeds of the land. Any one who is familiar with the new sections of Ontario knows very well that a very large proportion of the settlement of these new districts is made up by squatters. They have not the money in the first place or do not feel that they can afford to pay for the lands that they settle upon,

and while they are not encouraged to do this they are not forbidden to squat on lands which are open for settlement. It was in that way that these lands were taken up in many instances. As a matter of fact I think the greater portion of this territory, if not the whole of it, is free grant land, and any one who made application for it would just be at the small expense incidental to the cost of making the application. The settlers were principally Germans, thrifty, hard working people who had succeeded so well as to be possessors of splendid farms. There was one man mentioned by the name of Wioto who had a splendid farm, good outbuildings, and who was as comfortably situated as any farmer one could meet with. That man did not want to sell his farm and I think that the purchase of his property for $1,600 or $1,800 was cheap enough. I am quite sure that there was no money got improperly by Mr. Mackie in connection with the purchase of these lands. I happened to be right in the neighbourhood. I was a visitor at the camp almost every day during that time. I did not have anything to do with getting the options on this land but I talked the matter over daily with the officers. I, like everybody else in that section of the country, was most anxious that the camp should be established there. There could be no better site in or out of Canada for a military camp. I found the officers in the camp were endeavouring to make an arrangement with the farmers there to allow them to fire the large 4·7 guns. The officers were most anxious to test the shooting qualities of these large guns; in fact, guns of that character had not, previously to their being fired at Petawawa camp been used at all in this country. When the farmers refused to leave their farms and give them the privilege of firing these guns they undertook to buy the land in order that they might be enabled to practise with these guns which was one of the principal reasons for the artillery going there for their training on that occasion. I think I have explained the reasons why that was done. If there was any one who took any risk in connection with it it was Mr. Mackie because, if the money was not voted by parliament or the payment was not sanctioned by the Auditor General, the loss would fall upon Mr. Mackie. Mr. Mackie advanced the money and offered to do so to the officer in charge, Colonel Rutherford.

In regard to the timber licenses, the hon. member for Victoria and Haliburton (Mr. Sam. Hughes) has been referring to the great value of these timber limits and the great wrong that was done by the government in taking over this land and dealing with the licensees instead of allowing the Ontario government to deal with them. Any one who knows that country must admit that the putting of any such valuation as $98,000 upon those timber limits could not be done for any other purpose than for the purpose of helping the friends of hon. gentlemen opposite. I believe and believe firmly that if the ground covered by these licenses had not been required for a military camp any one could have purchased the timber on it for $10,000 or under.

Mr. WHITE. I understand that there is considerable timber on a limit in the Petawawa district which has not been cut on for some ten or twelve years, and I was led to believe that that limit has been estimated by an outsider at a figure not any less than this estimate.

Mr. McCOOL. I may say that I know the country very well. I lived for years right opposite this military camp; in fact I was born within four miles of it and I lived there during almost the whole of my life up to the present. I can tell you that the timber on the ground covered by this military camp was used up years and years ago.

Mr. SAM. HUGHES. Would not that be settled by arbitration ?

Mr. McCOOL. That is what the government offered to do. But the offer was not accepted. The Ontario government say that the limit holders want $98,000 for the property and unless you pay that——

Mr. SAM. HUGHES. No.

Mr. McCOOL—we will not put through the Bill. There is no doubt about the $98,000 that the license holders want. There is one company only, the Pembroke Lumber Company, which happened to hold the land covered by the military camp.

Mr. LENNOX. The hon. gentleman says that the Ontario government say that unless that is paid they will not surrender the land. The government do not say anything of the kind.

Mr. McCOOL. That is the inference. That is the ground they take.

Mr. FIELDING. They say that we must pay and the parties put that valuation on.

Mr. SAM. HUGHES. The government take the ground that they are to settle with the licensees. My hon. friend is in the lumber business ; does he ever offer to sell a timber limit that he does not ask four prices for ?

Mr. McCOOL. The Ontario government ask that the Pembroke Lumber Company shall be paid $98,000 for the timber limits in that territory.

Mr. SAM. HUGHES. Read the correspondence. You have it right there.

Mr. McCOOL. At least four fifths of the territory has been burned over and there is no timber on it. There are miles and miles of territory on which not a stick of merchantable timber is growing, nothing but

scrubby jack pine and on a great portion of it not even scrubby jack pine, nothing but blueberry plains. That is the character of the timber lands about which hon. gentlemen opposite are raising all this trouble. I may say that were it not for the fact that the president of that company happens to be a member of the Ontario legislature it is altogether probable that his demand would not have been made.

Mr. WHITE. I do not think the hon. gentleman is justified in making any statement of that kind whatever.

Motion agreed to, and House went into Committee of Supply.

Intercolonial Railway—increased accommodation New Glasgow, $14,000.

Mr. SAM. HUGHES. Will this be let by contract?

Hon. W. S. FIELDING (Acting Minister of Railways and Canals). Yes.

Mr. SAM. HUGHES. Who is the contractor?

Mr. FIELDING. The happy man will be the man who puts in the lowest tender.

Increased accommodation, St. John, $35,000.

Mr. FIELDING. This is to provide the necessary accommodation to take care of the flour business, which will amount to $30,000, and there are some small items.

Mr. J. D. REID. Will it be let by tender?

Mr. FIELDING. Yes.

To put railway between Indiantown and Blackville into condition for operation, $89,000.

Mr. FIELDING. This is a portion of the Intercolonial Railway which has fallen into disuse and it is desired to revive it.

Mr. SAM. HUGHES. What is the length?

Mr. FIELDING. The deputy says he thinks it is about seven miles, but I would not like to be bound down to that.

Mr. SAM. HUGHES. You could build a new road for $13,000 per mile.

Mr. FIELDING. The largest item is for a bridge, $40,000, approaches $5,000, masonry $5,000, culverts $3,000, ballast $4,000, and other items. Work under contract at Indiantown $19,000. This was started last year.

Mr. J. D. REID. Is it part of the Canada Eastern?

Mr. FIELDING. No, it is part of the Intercolonial Railway.

Mr. BERGERON. Why did you let it run down?

Mr. FIELDING. It is difficult to answer that. The people have been agitating for a long time to have it opened.

Mr. SAM. HUGHES. What stream does the bridge cross?

Mr. FIELDING. Tributaries of the Miramichi.

Mr. SAM. HUGHES. This is at the mouth of the Miramichi?

Mr. FIELDING. It is up the river a bit.

Mr. J. D. REID. Is there any increased business that makes it necessary to open this seven miles?

Mr. FIELDING. There are some stone quarries opening up along the line.

Mr. SAM. HUGHES. Does this road join to the Canada Eastern?

Mr. FIELDING. It is part of the Intercolonial Railway, and the Canada Eastern is now part of the Intercolonial Railway.

Mr. SAM. HUGHES. Who owns the quarry? I suppose that is the important point?

Mr. FIELDING. The quarry is owned by Hood & Sons, of Montreal.

Mr. SAM. HUGHES. This is to help their business?

Mr. FIELDING. It is to benefit the people generally; we are glad to have one large industry along the line.

Mr. BERGERON. Was there formerly a bridge over that river?

Mr. FIELDING. A wooden bridge and we are replacing it by a steel bridge.

Intercolonial Railway—rolling stock, revote, $1,775,000.

Mr. BERGERON. How many Intercolonial cars have been lost?

Mr. FIELDING. I gave the answer the other day and it is in 'Hansard.'

Mr. BERGERON. Will these cars ever come back?

Mr. FIELDING. They are going and coming all the time; there is an effort made to keep as many as possible on the road.

Mr. BERGERON. There seems to be more going than coming about it.

Mr. FIELDING. There are some coming and others going all the time as is the case of all railways.

Mr. SAM. HUGHES. Where are you getting these cars made?

Mr. FIELDING. The cars are made almost invariably in Canada by the various makers.

Mr. SAM. HUGHES. Are you getting any made of iron or steel?

Mr. FIELDING. We have not yet; that is one of the coming movements but we

have not yet adopted the iron and steel cars. An hon. gentleman asked what this is for. There are ten locomotives, 25 stock cars, 25 refrigerator cars, to equip 500 platform cars with racks for pulpwood; 400 box cars of 60,000 pounds capacity; 400 box cars of 80,000 pounds capacity, 310 platform cars, 80,000 pounds capacity, 2 auxiliary cars, 4 motor cars, 100 15-ton hoppers; 70 convertable dump cars; with a small sum for inspection, &c., making $1,775,000. The crying need everywhere not only on the Intercolonial Railway but on all lines is more rolling stock to move the business, and I am sure this is a vote that will be very gladly made.

Prince Edward Island Railway, $124,000.

Mr. LEFURGEY. I wish to call attention to a matter which I had on the order paper early in the session in regard to a claim of two parties in Alberton whose houses were destroyed by fire caused by a spark from a locomotive. An investigation was held at Alberton by the superintendent and the Hon. A. B. Warburton of Charlottetown who went up in a private car, and, after looking into the situation apparently reported against the claims of these two parties. Some evidence, I believe, was adduced showing that the fire was started by the locomotive and that these parties lost their property, if not through negligence on the part of the railway people, at least through its being set on fire by a spark from the locomotive. A gentleman came to Ottawa in regard to this business, interviewed the department and asked if this matter could be opened up again and new evidence adduced. He was informed that new evidence could be brought forward and he then returned to Alberton, a further investigation was held and a number of affidavits taken before Chas. A. Woodman, notary public, were sent up to the department. These affidavits all went to show that the fire originated from sparks from the locomotive and gave estimates of the damage caused to the property of the claimants. The witnesses were all worthy people, absolutely reliable, whose word could be depended upon and their testimony agreed. The affidavits were made by John Yeo, the engine driver, conductor Gillis, baggage-master Edward Martin, the crew of the train in question; Captain John Ireland, of Alberton, and Rev. A. E. Burke, of Alberton. In January I asked the Minister of Railways and Canals if any additional evidence had been brought forward with regard to those cases and the minister replied that there had been none. I now call attention to the five affidavits to which I have referred as to the cause of this fire, all of which evidence is brought in after the making of the report against the payment of those losses. I would ask the acting minister (Mr. Fielding) to again take this case into consideration. We have a case very much in point referred to in the Auditor General's Report for 1905. That case will be sufficiently explained by a letter there published from the Auditor General to Mr. A. B. Aylesworth which reads as follows:

Audit Office, Ottawa, May 6, 1905.

Sir,—Inclosed please find the correspondence relating to a claim by Mr. Thomas Poiré, of St. Charles de Bellechasse, for $1,200, as compensation for a house destroyed by a fire said to have been started by sparks from an Intercolonial Railway locomotive.

You will notice at page 29, that the Justice Department expressed an opinion that the Crown is not legally liable for the loss.

At page 27 you will find my opinion that only parliament, and not the executive, can authorize payment as a matter of grace.

Please let me have your view on this subject at an early date.

The case is important, as a fair type of such claims, if perhaps not so from its own amount.

Yours sincerely,
J. L. McDOUGALL,
Auditor General.

Hon. A. B. Aylesworth, K.C., Toronto.

The Hon. A. B. Aylesworth replied to that communication to the effect that while the railway was not legally responsible unless there could be proof of negligence on their part it was in the disposition of the minister to say under all these circumstances, if it had been found that the fire was started by sparks from the locomotive, whether the man should be paid or not. The important distinction is that in the case to which Mr. Aylesworth referred there was no contributory negligence on the part of the railway shown. In this case the fire started a few moments after the locomotive passed and we have the affidavit of the train crew and of others who were there that was the origin of the fire. I wish to call the attention of the acting minister to the fact that in this case I think the discretion of the department should be acted upon and that the claim these people who are not able to bear the loss themselves should be paid without the necessity of legal proceedings.

Mr. FIELDING. I understand that the matter is engaging the attention of the law officers of the department. We will consider it and have the additional benefit of my hon. friends' remarks.

Soulanges canal—lodging for electrical staff (revote) $4,600.

Mr. BERGERON. Can the Minister of Finance give any information about the old fort at Coteau? I am informed that it has been leased or sold by the government.

Mr. FIELDING. My deputy cannot remember, but the general practice of the department is not to sell land but to lease it during pleasure in cases which command themselves to its judgment.

Mr. BERGERON. I want to know if it has been leased and to whom and for what

amount. My information is that it has been leased for commercial purposes and that when it was deeded to the government, the deed contained a proviso that it must never be used for commercial purposes.

Trent canal—construction, $700,000.

Mr. WARD. Where is that $700,000 for construction to be expended ?

Mr. FIELDING. This will be about all that can be expended during the fiscal year. It will be expended as follows : Rice lake to Trenton $450,000 ; Lake Simcoe to Georgian bay $250,000.

Mr. LENNOX. As to the expenditure of $250,000 between Lake Simcoe and Georgian bay. There is a survey going on between the head of Kempenfeldt bay and Georgian bay by way of Nottawasaga river. In that connection the interests of my hon. friend from East Simcoe (Mr. Bennett) are different from mine. He wishes connection to be made by way of the Severn river. What I desire is an exhaustive survey before the government commits itself any further with regard to the Severn route. My hon. friend from North Simcoe (Mr. L. McCarthy) takes the same ground. There has been a complete survey of the Severn river route. We asked the late Minister of Railways (Mr. Emmerson) to have a survey made of this route by way of Nottawasaga river and we asked that before any more money is expended on the Severn river there shall be a complete survey of this new route. Further I would ask that I should be notified by the department when the report is made and be allowed to see the report—and I presume that my hon. friend from North Simcoe (Mr. L. McCarthy) who is not present would desire the same—because there are a number of people interested in that route who want to make representations when that report is in. We are also interested in the expenditure from Rice lake to Trenton. That money might very well be expended in opening up connection to Trenton in the meantime until the survey is completed. I would have been glad if more money could be spent this year because there are now upwards of $5,000,000 invested in this enterprise on capital account ; and the sooner the work is completed, the sooner it will be an interest yielding investment. I hope I shall have the assurance of the acting minister that both myself and the hon. member for North Simcoe (Mr. McCarthy) will be advised when the report of the survey is made to the department so that we can make our representations. We should like to be in a position to present our views, when the proper time comes, before the department decides on the one course or the other.

Mr. FIELDING. I shall see that my hon. friend receives notice when the report is completed and I do not see any reason why he should not see the report. He will be made aware when it is ready, and will have access to it or reasons be given to him why he should not. While the money is voted in this way, the department would not wish to be tied too closely to that, but would like to have a free hand in spending the money from year to year according to the conclusions that may be reached.

Mr. SAM. HUGHES. By the 24th May there will be continuous navigation throughout the entire length of the canal except at the two ends. I would urge upon the government the necessity of having the work completed by the construction of the two ends at the earliest possible moment.

Beauharnois canal—repairing leak in south bank, $6,000.

Mr. BERGERON. Whereabouts is that ?

Mr. FIELDING. It is a bad leak developed in the south bank about half a mile above the bridge at St. Timothee. The lessees will have to bear the burden of it.

Mr. BERGERON. Might I ask the hon. minister again to do the work in Valleyfield promised by the Minister of Railways and Canals and the Prime Minister, through his colleague the Postmaster General, not to me, but to the people at Valleyfield ? It has nothing to do with the leasing of the canal but is a work which the lessee will never do, and when it was promised there was no intention of leasing the canal.

Mr. FIELDING. I have had no opportunity of inquiring into the matter since last evening, and would ask my hon. friend to leave it for the present and I shall make further inquiry.

Mr. BERGERON. What about the investigation that took place at the canal last summer? What has become of it and what is the report ?

Mr. FIELDING. Was it moved for by way of a return ?

Mr. BERGERON. Yes, I moved for the return and got it but there was nothing in it.

Mr. FIELDING. I shall give instructions to have the information furnished the hon. gentleman. It may be rather late to bring it down now, but my deputy will see that the hon. member is furnished with the information.

Mr. BERGERON. There were some difficulties among the employees and the superintendent suspended a man. The man was replaced during the whole summer. Whether both were paid I do not know, but would like to know. There were proceedings before the criminal court, and while the matter was before the court a nolle prosequi was presented, leaving the public at a loss to know what it all meant. I would like to know whether the man who was suspended has been reinstated, who was guilty

and who not guilty, and the result of the whole story.

Mr. FIELDING. The hon. gentleman (Mr. Bergeron) shall have the information.

Rideau canal—to complete purchase of tug, $5,775 ; compensation for damages in connection with break in Poonamanile dam, $12,133, $17,908.

Mr. J. D. REID. Can the minister give the name of the tug the department are buying ?

Mr. FIELDING. It is being built.

Mr. J. D. REID. By the government ?

Mr. FIELDNG. By the contractors in Toronto—the Polson Iron Works Company.

Trent canal—to construct a road across McLaren's creek, $2,000.

Mr. SAM. HUGHES. Along these waters in the townships of Verulam and Emily, the dams for the Trent canal have raised the water in some streams, so that the municipalities have been at great expense in keeping up the roads. Now, I do not want to go into details on this matter, but I want to point out to the minister that the same principle is involved here as has been recognized in some of these other votes. Where municipalities are put to great expense on account of flooding caused by government works, the government should afford compensation. It is the same case as this roadway or waterway under the Chambly canal, in which case we voted compensation.

Mr. J. D. REID. There is an item here: 'Remuneration to A. Brunette, government director, Grand Trunk Pacific Railway, $2,000.' It seems to me that this man could not be doing his duty when he passed $165,000 of accounts in which there were reductions when they reached the Department of Finance. I suppose this man was entitled to see these accounts. Either he has not done his duty, or he has not been allowed to see the accounts. And if he has been allowed to see these accounts, we in the Public Accounts Committee should have been allowed to see them also.

Mr. FIELDING. I fancy they were of a preliminary nature.

Mr. J. D. REID. Before there was a government director on the board ?

Mr. DANIEL. There is an item here 'to pay expenses in reference to cases before the Railway Commission, $10,000.' What expense is this $10,000 supposed to pay ?

Mr. FIELDING. This is for counsel to be employed by the Justice Department, but chargeable to the railway account.

Mr. J. D. REID. Is this for the new appointment, Mr. Shepley ?

Mr. FIELDING. It will cover that class of expenditure.

Mr. J. D. REID. I understand that in the Railway Department there is a staff of American auditors auditing the accounts of the department. I would like to know if there is any truth in that report ?

Mr. FIELDING. The officers referred to are not auditing. They are a staff of officials employed through Mr. Falconer of Montreal, who is the Canadian representative of a concern in the United States, which is specially engaged in the adjustment of accounts for large concerns. These officers have been at work in the Railway Department for some time—on the Intercolonial Railway. The work will involve considerable expense, but the deputy minister assured me that the expenditure is a wise one.

Mr. BERGERON. What does the Railway Commission cost a year ?

Mr. FIELDING. The vote in the main estimates was $75,000, and we have here a vote of $15,000 further, making $90,000.

Mr. BERGERON. And $10,000 for the expenses of counsel under the commission. So the commission will cost about $100,000 ?

Mr. FIELDING. Yes, I think it will cost more.

Mr. BERGERON. I see an item here of stationery for the department. How is that stationery procured? Is it bought in Canada or imported from England ?

Mr. FIELDING. It is got through the King's Printer. He buys in quantiites and sells to the several departments.

National Transcontinental Railway—surveys and construction, $28,360,000.

Mr. CROCKET. I desire to call attention to a few matters in connection with the return which the Finance Minister laid upon the table of the House this morning in reference to the selection of the route for this railway in the province of New Brunswick. As members of the House are aware, two routes were surveyed at first through the province of New Brunswick in the fall of 1904 and the winter of 1905. The commission decided, after receiving the reports of the engineers, to adopt what is called the central route. That fact, however, was not known to the public for many months after the decision was arrived at. In the meantime there had been great dissatisfaction in regard to the manner in which these surveys were made, and as a result the government ordered a resurvey. That was made during the winter and summer of last year. On the 29th of December as I find by reference to a return brought down to-day the district engineer reported in favour of what is called the central pusher grade route.

That recommendation was passed on to the chief engineer of the commission, Mr. Lumsden, and he approved of it. On the 26th of January it was passed on to the Railway Department, and it was approved by the late Minister of Railways and Canals and forwarded to the government. The Minister of Railways and Canals has a memorandum to the Governor in Council dated the 2nd of March, in which he also formally approves of the recommendation. I find that the government, on the 9th of April, passed an order in council deciding that the railway should be located along that route. I may say that I have made several attempts, since the beginning of this year, to secure this information. In the first place, I made a motion for papers. A return was brought down, but no reports were produced. I subsequently asked the Minister of Railways during a discussion in the House whether the reports would be brought down before the government reached a decision. He was not able to answer, and I asked the Prime Minister. The Prime Minister intimated that he would see that the return was laid on the table of the House before a decision of the government was reached. Two or three times subsequently I questioned the Prime Minister, and was put off each time with a promise of definite information in a few days, and not until the other day was I able to receive an assurance from any member of the government that the report would be tabled, even before the House was asked to appropriate any more money for the construction of this railway.

Now I desire to call attention to one or two matters in connection with this report. In the first place, the district engineer recommends the adoption of the central pusher grade route which contains a section twelve miles in length that exceeds the grades which the commission instructed the engineers to confine themselves to, the pusher grade rising as high as 1·10 per cent or 52·8 feet per mile. The interim report of the Transcontinental Commission in 1904 states that the engineers were all instructed to confine themselves to grades not exceeding four-tenths of one per cent rising eastward, and six-tenths of one per cent rising westward. Notwithstanding that fact, the district engineer of district A takes it upon himself to recommend a route which exceeds that grade, and is in contravention of the instructions which the Transcontinental Commission determined upon. Then the report of Mr. Lumsden on the first survey, recommending the central route, not the pusher grade route, but the central standard grade route was based upon several statements contained in that report, which have been already shown to be inaccurate and misleading. The first point which he made on behalf of the central standard grade route as against the St. John river route, as set out in the report of April, 1905, was that the difference in bridging and minor structures would be very great, that is that they would be much more costly on the St. John river valley route. The second point he made was that all the minor structures would be larger and more costly than on the back line. The third point was that the earthwork on the back route would be considerably lighter than on the river route. He says :

> I am of the opinion that the difference in cost between the two lines will not be less than $1,500,000.

Then he says that the increased cost of operating the river route as compared with the back or standard route, will be $95,850 per year, which, capitalized at four per cent, he puts down as giving an operating value of $2,396,252. Then he says :

> Should the pusher grade be adopted a further saving in distance of, say thirteen miles, will be affected, but the expense of operating will be considerably increased.
>
> The back route opens up a new country well adapted for settlement, and at present without transportation facilities.
>
> The river route is already supplied with railway facilities and will be connected with the Transcontinental Railway at a number of points.

These are the chief points in the report of Mr. Lumsden dated in the month of April or May, 1905, and the points upon which he recommended the adoption of the central route as against the St. John river route, and upon which the commission approved of that recommendation. Now I took occasion last session to discuss this report of Mr. Lumsden, and to point out how inaccurate and misleading it was in several particulars. With reference to his statement that the river route is already supplied with railway facilities and would be connected with the Transcontinental Railway at a number of points, that is known to everybody along the St. John river to be an absolute misrepresentation. There is absolutely no railway accommodation along the St. John river between the towns of Fredericton and Woodstock. This railway by the back route will leave St. John river at Grand Falls and go across the country to Chipman and does not again touch the St. John river. That is a matter known to everybody in the province of New Brunswick, and yet Mr. Lumsden declares in this report that the river route is already supplied with railway facilities and will be connected with the Transcontinental at a number of points. Further, with reference to the settlement of the country which is to be traversed by the railway if constructed through the so-called central route, he says the back route opens up a new country well adapted for settlement and at present without transportation facilities.

I wish to refer in this connection to the report of the Geological Survey for this

year, which contains an account of the exploration of that country by Mr. A. A. Johnson, which flatly contradicts the statement contained in Mr. Lumsden's report. Mr. Johnson says at page 130 of this year's Geological Survey report in reference to the land along the route of this railway :

Most of the lands at all well adapted to agricultural purposes have already been taken up. The most important of these lie along the St. John river and its tributaries and are embraced in the settlements of Chamford, Commeau Ridge, Ennishone and New Denmark and a strip along the Tobique. A less important area is that to the north and northeast of the village of Stanley, embraced in the Williamsburg, Cross Creek, Green Hill and Maple Grove settlements. Along the Tobique the red clays derived from the distintegration of lower Carboniferous rocks afford excellent crops of grain and grasses. The cleared ground about the four last mentioned settlements furnishes fair crops of oats and grasses. The remaining portions of the country—

That is the principal portion which will be traversed by the back route between Grand Falls and Moncton.

—traversed by the back or central route of the National or Transcontinental railway are generally unsuited to agricultural pursuits since, even where the soil is otherwise fertile, the great accumulation of boulders with which the ground is cumbered rendered successful tilling well nigh impossible.

That is the statement of an officer of the Geological Survey as the result of an exploration that he made of that country. Yet, Mr. Lumsden, in the report which he presented to the commission in the year 1905, stated that this line would open up a new country well adapted for settlement and at present without transportation facilities. I called attention last session to the fact that neither the district engineer nor the chief engineer, nor the chairman of the Transcontinental Railway Commission, made any reference to the fact that great danger would ensue to the lumbering interests of the province of New Brunswick by the construction of this road along the proposed central route. If that country has any value at all it is in those timber lands which are among the most valuable timber limits in New Brunswick, and those who are interested in the timber industry of that province have been very much alarmed at the possible danger which will ensue from the construction of lines of railway through that country. Experience has taught the people of that province that railways are most dangerous to timbered areas. In the province of New Brunswick great areas of valuable timber lands have been destroyed by fire caused by railways. That, to my mind, is about the only effect that the construction of this railway will have upon the resources of that portion of the province.

Now, I want to call attention to some statements that appear in this year's report which contradict absolutely the position that Mr. Lumsden took in his first report. I have already called attention to the fact that he said in his first report that the construction of the railway by the river route would cost $1,500,000 more than by the central route and the difference that there would be in the cost of the structures and the nature of the earthwork. In this year's report Mr. Guy Dunn sets forth the total estimated cost of construction of this railway by the central route, standard grade, at $8,227.072 and by the river route standard grade at $8,217,745 which gives an amount of $9,327 in favour of the river route, notwithstanding the estimate of Mr. Lumsden in the year 1905 upon which he based his recommendation that the river route would cost $1,500,000 more than the central route. Furthermore Mr. Guy Dunn sets out in reference to the curvatures that the curves on the central route, standard grade, will be 5,893 degrees as against 5,576 degrees by the St. John river route so that, in the matter of curvatures also the St. John river route is shown to possess the advantage notwithstanding Mr. Lumsden's statement of 1905. The ground upon which his latest recommendation of the route which has finally been adopted and upon which he made his estimate as to what is called the operating value of the two routes —the central pusher grade route and the St. John river route—is thus stated by Mr. Lumsden :

Figuring out the traffic for only twelve trains daily in place of twenty, on the same basis the figures would be $1,584,000 in favour of the central route standard grade and $4,041,000 in favour of the central route pusher grade over the river route. With a traffic of twenty trains daily the result of combining the estimated cost of construction and operating values shows that when constructed the amount in favour of the central route pusher grade would be $7,682,000 or by the central route standard grade $2,670,000 as compared with the river route. With traffic of twelve daily trains, in place of twenty, the result would be $5,891,-000 in favour of the central route pusher grade or $1,575,000 in favour of the central route standard grade as compared with the river route.

That is absolutely all that is put forward in favour of the back route pusher grade as against the river route aside from the small difference that there is in distance. I have already referred to the passage in Mr. Lumsden's report of 1905 where it says that should the pusher grade be adopted a saving in distance of 13 miles would be effected but the expense of operating would be considerably increased. Yet we are asked in this year's report to believe that the adoption of the pusher grade is to decrease the operating expenses of the railway. It seems to me that this is rather a remarkable position for Mr. Lumsden to take. I am perhaps not very familiar with railway construction or operation but I

think that the people generally would take it for granted that it would cost very much more to operate a line of railway by a pusher system, which involves the employment of additional engines to haul the trains, than it would to operate a railway that had a gradient of not more than four tenths of one per cent. The pusher route gradient is given as 1.10 per cent in this report, which, as I have said, is very much in excess of the grades which the commission insisted all the engineers should confine themselves to. It is very evident to me that there has never been any serious intention on the part of either the Railway Commission or this government to give the St. John river valley route a fair show in connection with these surveys. The records which have been brought down and what has taken place in connection with these surveys establish to my mind—and I think that is the belief of the great majority of the people in the province of New Brunswick—that the government were determined from the beginning at all costs and regardless of advantages or disadvantages to construct this line through the central portion of the province of New Brunswick notwithstanding that the interests of New Brunswick—and I do not put it upon that ground entirely—but the interests, I may say, of the whole undertaking from a national standpoint required that the railway should be built down the valley of the river St. John which would have afforded the shortest possible route to the nearest ocean port. The government were determined, notwithstanding, that this route should be built through the central portion of the province of New Brunswick, and the engineers have strained every nerve to put forward every possible imagined advantage on behalf of the central route so called, and to minimize or suppress all the advantages that were possessed by the St. John river route. However, Mr. Chairman, I suppose it is too late now to speak with the hope of accomplishing anything. The government has at last decided the matter, and we in the province of New Brunswick will have to submit. I make these remarks simply to call the attention of the people of the province of New Brunswick who are particularly interested, to these facts as they have appeared to me in the light of the report which was tabled to-day.

Mr. FIELDING. On one point the hon. gentleman (Mr. Crocket) is correct and that is when he says that the government have determined that this line should be constructed through the central part of New Brunswick. My hon. friend stated that as if it was something that was very wrong; something that the government had of recent date been determining.

Mr. CROCKET. If the minister will pardon me; I meant that they had determined that from the beginning regardless of advantages or disadvantages.

Mr. FIELDING. Yes.

Mr. CROCKET. Regardless of what the surveys should show.

Mr. FIELDING. No, I object to the additional words. When the hon. gentleman says the government determined from the beginning that this road should be constructed through the central part of New Brunswick, that is quite correct. That determination is to be found in the Transcontinental Railway Act of 1903, which speaks of the route through New Brunswick as follows :

> The eastern division shall comprise the portion of the said railway to be constructed from its eastern terminus through the central part of the province of New Brunswick, and through the province of Quebec——
>
> Not regardless of anything, but——
>
> —by the shortest available line.

That is the point. What the government have been doing is to carry out the Act; what the engineers have been doing is to carry the Act. I have always tried to impress upon the hon. gentlemen from the province of New Brunswick who treated this as a political question, that it never was a political question. It was from the beginning an engineering question. From the outset it was to be the shortest available route from the city of Quebec to the city of Moncton, and having laid that down as the rule, to the engineers was left the laying out of the shortest route. That was the position of the government in the beginning; that was the position of the government in every stage; that was the position of the government in the end. It was from the beginning to the end purely an engineering question. The whole matter is well summed up in a report made by the late Minister of Railways, which is to be found in these documents, and in view of what my hon. friend (Mr. Crocket) has said, I think I will put it on 'Hansard':

> Department of Railways and Canals,
> Ottawa, March 2, 1907.
>
> To His Excellency the Governor General in Council :
>
> Memorandum.
>
> The undersigned has the honour to represent that, under date the 28th of February ultimo, the Commissioners of the Transcontinental Railway have submitted, for the approval of Your Excellency in Council, route maps showing the results of the first location surveys, now completed, over the two alternative routes between Chipman and Grand Falls, New Brunswick, district 'A,' such routes being known as the 'central or back route' and the 'river route.' They furnish a report from the chief engineer, dated the 26th of January, with which he submits a report from their district engineer, Mr. G. C. Dunn, dated the 31st of December last. Mr. Dunn's report is of a detailed

character, going fully into the several conditions ascertained, and his conclusion is that the 'central' route should be adopted with a pusher grade of 1·1 per cent, or 58·08 feet per mile, compensating for curvature, this he emphatically recommends. In this recommendation, the chief engineer, Mr. Hugh Lumsden, concurs, stating that when the cost of construction and operating values of the two lines are taken into consideration, there is no question but that the 'central' route should be adopted. He observes that the central route is 29·2 miles shorter than the river line, if standard grades be used, or 46·4 miles shorter with the pusher grade. He states that if the pusher grade be used for 12 miles of the central route the cost of construction will be $1,856,666 less than the river route ; he further gives details as to the prospective comparative financial results of the operation of the two routes, respectively, which are greatly in favour of the central route with pusher grade. The commissioners recommend the adoption of this central route with pusher grade.

The undersigned submits the said reports, the route maps, and condensed profiles, and recommends that the central route, pusher grade, be adopted.

Respectfully submitted,
(Sgd.) H. R. EMMERSON.

There you have the whole story in a nutshell. The Minister of Railways recommended this for the consideration of council and it was adopted. My hon. friend (Mr. Crocket) has made a vigorous fight for what he regards as the interest of the section of the province from which he comes, but it is his misfortune that these particular interests, important though they be, seem to come in contact with the terms of the Transcontinental Railway Act. I am content to put the summary of the whole matter in the words of the ex-Minister of Railways and let it go as an answer to what my hon. friend (Mr. Crocket) has said.

Mr. DANIEL. How much money has already been spent on the Transcontinental Railway?

Mr. FIELDING. The expenditure is:

1903-4.. .. ..$	6,294 40
1904-5..	778,491 23
1905-6..	1,841,269 93
1906-7 up to 31st January..	3,623,897 74
Total..	6,249,953 37

There has been some expenditure since the 31st of January at which date this memorandum was prepared.

Mr. DANIEL. Were there not $10,000,000 spent last year?

Mr. FIELDING. That was the appropriation, but not the expenditure.

Mr. DANIEL. How many miles are under construction?

Mr. FIELDING. West of Quebec 590 miles; east of Quebec 262 miles.

Mr. DANIEL. How many miles will be put under construction this year?

Mr. FIELDING. I have given the mileage now under construction. As to what further may be done within the year I cannot at the moment tell. It is expected there will be further contracts during the year.

Mr. DANIEL. Is this $28,000,000 to pay for the mileage now under contract?

Mr. FIELDING. It will be largely called for by the contracts already issued.

Mr. LENNOX. Do you expect to be able to spend this much this year?

Mr. FIELDING. Yes, it is so represented to me.

Mr. LENNOX. I suppose there is none of the line actually completed yet?

Mr. FIELDING. No.

Mr. CROCKET. Will tenders be called for the construction of any portion of the line between Grand Falls and Chipman during the present summer?

Mr. FIELDING. Probably yes.

Department of Marine and Fisheries, to increase salaries $900.

Mr. BERGERON. Is it true that the Minister of Marine and Fisheries is going to Russia to investigate the ice-breakers there ?

Mr. TEMPLEMAN. I believe it is true that he is going to the continent to inspect the ice-breaking boats.

Life saving stations, &c., $10,000.

Mr. DANIEL. With regard to the increased amount for life-saving stations is it intended to create any new stations?

Mr. TEMPLEMAN. Yes, by the vote taken this year it is intended to establish new stations in the maritime provinces, particularly in Prince Edward Island and New Brunswick.

Mr. DANIEL. When the matter was up before I called attention to the fact that they have established and now maintain a life-boat in St. John harbour. I then said it did not seem right that the city of St. John should keep up a life-boat service when the Dominion government are keeping up that service.

Mr. TEMPLEMAN. I am advised the department has that under consideration.

Mr. DANIEL. That is rather indefinite.

Lighthouse and coast service—maintenance and repairs to lighthouses—further amount required to pay for the services of expert and staff re-organizing the system of book-keeping to assimilate with all the branches of the department throughout the Dominion, $25,000.

Mr. DANIEL. This matter was held over to permit the minister to give some information with reference to it. Here is an

amount already due and we have no information as to either the necessity for the expenditure, the method in which it is expended, to whom it is due, or the results of the efforts of these accountants to create a new system of book-keeping, nor have we been informed why the officers of the department themselves are unable to create a new system of book-keeping if it was found necessary that such a system could be introduced. I think we should be told to whom the money is to be paid, the rate of payment, the length of time these people have been on duty and what results they have accomplished.

Mr. TEMPLEMAN. The minister some time last July made an engagement with chartered accountants of Montreal of whom Mr. Falconer is the head to make a thorough examination of all one year's transactions in the Marine and Fisheries Department. Mr. Falconer, with a number of assistants, had a room in the department placed at his disposal and opened a complete set of books on a new system covering the entire fiscal year. I have had an interview with Mr. Falconer who has given me a memorandum of the work he has been doing. Probably I cannot do better than read to the House what he says with regard to the work that has been accomplished.

Sometime about the beginning of the fiscal period just ended, the Minister of Marine and Fisheries took up with me the question of the installation in the head office at Ottawa and all branches of his department of a modern and up to date system of books, accounts and records.

After several conferences and some preliminary examination of existing methods and conditions, it appeared advisable that I should write up according to logical bookkeeping practice, all records of disbursement and of revenue of the department for the then current period. Besides securing proper and complete records for the period 1906-7, this would enable me to study the requirements of the case and to intelligently plan any reorganization or modification of methods which might appear necessary. It is self-evident that however complete and satisfactory a system of accounts may have been when designed to record transactions of a department spending say $800,000, it would require some modification and change when the expenditures had increased to seven or eight millions.

The work authorized by the minister covers a very much larger field than the installation of a new system of book-keeping. The chief object sought may be stated to be :

The installation of a proper and complete set of accounts, recording in double entry all records of expenditures and revenue of the department and susceptible of proof by balance :

The carrying of such accounts in the books so that any information asked for regarding expenditures and revenues or relating to the work of the department will be available immediately upon demand, the accuracy of the information furnished being guaranteed by the fact that all the books and accounts are in balance :

The keeping of all records concerning the work of the department in such form that statistical information relating to the operations and transactions of each month shall be supplied to the minister promptly after the close of each month, thus keeping those interested in constant and close touch with the workings of the department :

The installation of a modern and up to date purchasing system on lines similar to those regarded as best practice by the most advanced railways and industrial organizations. The object being to enable the officer in charge to form intelligent opinions as to probable quantities required in a given district for a given period, and thus to facilitate economical buying as regards quantities and seasons ; also to keep him currently posted as to proper market prices and enable him to criticise prices at which goods are purchased at outside points, and in addition, to keep record of all contracts between the department and vendors, and see that the full quantity of materials contracted for, no more and no less, are received and billed at correct prices :

To enable vouchers of expenditures and records of revenues to be examined, criticised, and certified as correct by officers of the department before payment of such vouchers or final record of such revenues; it is an acknowledged fact that such examination and criticism should be made as stated and not some months after the transactions :

To install in the branches and agencies and wherever materials and supplies belonging to the department may be proper stores and material records, recording expenditures and disbursements and surrounding such expenditures of materials with the same safeguards with which any proper system of accounting is supposed to surround expenditures of cash.

To install at the different branches and agencies of the department where manufacturing work is done a proper system of cost finding such as all modern industrial organizations now have. This to enable the officer in charge to keep currently posted regarding costs of operation and of maintenance of his department ; such costs can only be controlled to the best advantage if records regarding them are promptly available at frequent intervals for study and comparison either with similar records of preceding periods, or with items of related interest.

When this work was first discussed with the minister it was, naturally, quite impossible to estimate the amount of work involved or state the expenditure which would be required. It was agreed that the work should be done and my accounts rendered on a per diem basis, my charges for services to represent only the time actually devoted to the work and to be made at my regular schedule rates for different members of the staff. This agreement has been scrupulously carried out and my bills as rendered represent exactly the same rates and amounts which are charged to other clients for similar services. It was understood that as soon as the records for 1906-1907 were up to current date, my staff would be lessened, and so far as possible, the services of employees of the department would be used to carry on the work. This agreement has been carried out and the closing entries in the books of 1906-1907, as well as the opening entries in the

books for the current fiscal period are now being made by employees of the department.

It was also understood that in so far as work at the branches and agencies was concerned, my work should, as far as possible, be that of instruction and supervision. At Prescott and at the Sorel shipyards the new systems have been outlined and will be carried on by employees of those agencies. At the other branches and agencies the matter of inventories and stores accounting is having attention, the details of the work being done by employees of the agencies under the supervision of the inspector of agencies, who is a permanent employee of the department. To this officer has been intrusted work of installing at the agencies the methods outlined by me.

KENNETH FALCONER.

I have here a list of those employed, the rate per day, and the amount earned up to the present. Mr. Falconer, of Montreal, gets $40 per day.

Mr. SAM. HUGHES. Does he get his expenses in addition ?

Mr. TEMPLEMAN. Yes. He called to his assistance two eminent accountants of the city of New York, who received $75 per day each. They were employed only twenty-three days so that the amount is not $2,000 all told. There are on the list :

Name.	Days.	Rate.	Amount.
		$ cts.	$ cts.
J. N. Gunn	2½	75 00	176 77
W. B. Richards	21	75 00	1,585 71
W. F. Russell	40¾	50 00	2,041 06
K. Falconer	91	40 00	3,671 42
G. E. Fawcett	8	50 00	407 14
F. H. Leland	39¾	30 00	1,190 90
L. R. Acton	31	30 00	930 27
George Paré	48¾	25 00	717 86
M. L. Cooley	69½	25 00	1,737 49
H. A. Marvin	78	20 00	1,570 00
S. Kettridge	81	15 00	1,217 95
J. R. Ellis	17½	15 00	262 50
J. J. Moorman	27½	15 00	369 14
A. T. Doud	7	15 00	106 61
A. B. Murray	56½	15 00	846 96
L. D. Cone	26½	15 00	393 61
F B. Whittet	37¾	15 00	566 79
H. H. Petze	28¾	15 00	432 33
H. G. Whittet	14¼	15 00	213 21
H. Hipwell	25½	15 00	379 29
E. McGivney	14¼		49 63
E. C. Moulton	6¾		23 50
J. Meikle	7¼		27 12
L. B. Burton	5¼		18 75
L. K. Lydon	1		3 50
	Weeks.		
G. Graham	25½		242 25
F. Wilson	25½		242 25
Transportation and subsistence			3,879 69
Total			23,303 70

Mr. SAM. HUGHES. Are they from Canada ?

Mr. TEMPLEMAN. Messrs. Gunn and Roberts are members of a prominent New York firm of chartered accountants, who charge their regular fee.

Mr. SAM. HUGHES. Are any more of these names from outside Canada ?

Mr. TEMPLEMAN. I cannot say but I am advised that they are nearly all Canadians except the two first named.

Mr. BERGERON. Who fixed the price per day ?

Mr. TEMPLEMAN. That is their regular fee.

Mr. BERGERON. The Canadian ones also ?

Mr. TEMPLEMAN. Yes.

Mr. BERGERON. Is that what Mr. Falconer charges in Montreal, $40 per day ?

Mr. TEMPLEMAN. He said he could get all the work he could do at that rate.

Mr. LENNOX. There is one at $50 per day.

Mr. TEMPLEMAN. Yes; G. E. Fawcett. eight days at $50. I do not know where he comes from. There are two at $30 a day.

Mr. SAM. HUGHES. Have any charges been made against any of the officials of the department by any of these gentlemen?

Mr. TEMPLEMAN. None whatever. After investigating the matter as well as I could, my conclusion is that the work they have done is excellent and in the interest of the public service. While it has cost a good deal, a very good purpose will be served.

Mr. DANIEL. How long will it be before this work will be accomplished ?

Mr. TEMPLEMAN. It is practically finished now with the exception that a certain amount of supervision has still to be given several weeks more by Mr. Falconer himself and a little work done in some of the outside agencies.

Mr. DANIEL. Mr. Falconer explains that the object was to introduce a system of double entry bookkeeping into the department. Has not that system always been in vogue ?

Mr. TEMPLEMAN. I am told it is an improvement of the double entry system.

Mr. SAM. HUGHES. Have they made any report yet ?

Mr. TEMPLEMAN. There have been a number of reports.

Mr. SAM. HUGHES. Do they reflect on any of the officers of the department ?

Mr. TEMPLEMAN. Not at all. I am pleased to say that no discrepancy has been found in the keeping of the accounts, but Mr. Falconer thought that the system was not all up to date, and while it might be suitable for a department spending a million dollars, it was not suitable for a department spending seven or eight million dollars.

Mr. SAM. HUGHES. Do any of the reports reflect on any of the officers in the department ?

Mr. TEMPLEMAN. None whatever.

Mr. BERGERON. Will this occasion the appointment of new men in the accountant's branch or will the old officers be able to continue the new system ?

Mr. TEMPLEMAN. The old officers are, under the supervision of Mr. Falconer, working on the new system. It is very probable the minister may desire to place a couple of more accountants in the department with the view of carrying out the system practically.

Mr. BERGERON. Who is the accountant?

Mr. TEMPLEMAN. Mr. Owens.

Mr. BERGERON. What is his salary ?

Mr. TEMPLEMAN. $2,400.

Mr. BERGERON. How can you expect him to keep books at $2,400 per year when you pay $40 a day to other men to examine them ?

Mr. LENNOX. Is this the first item of expenditure in connection with this matter?

Mr. TEMPLEMAN. Yes.

Mr. LENNOX. Will this complete it ?

Mr. TEMPLEMAN. I am inclined to think it will not.

Mr. LENNOX. How much will it take to complete it ?

Mr. TEMPLEMAN. I am advised that it would cost possibly $30,000 or $35,000.

Mr. LENNOX. Is this system being put in operation in other departments ?

Mr. TEMPLEMAN. I do not know. As explained by the leader of the House (Mr. Fielding) these chartered accountants have done a good work on the Intercolonial Railway. As a matter of fact they were recommended very strongly by the Deputy Minister of Railways and Canals to the Marine and Fisheries Department.

Mr. LENNOX. As a member of the government, can the hon. gentleman tell us if it is contemplated that they shall go through all the departments reorganizing the books at an expense of $30,000 or $35,000 for each department?

Mr. SAM. HUGHES.

Mr. TEMPLEMAN. I do not know that to be the case.

Mr. LENNOX. Does the hon. gentleman know anything to the contrary ?

Scientific institutions and hydrographic surveys.		
Further amount required for meteorological service..	$12,000	
Meteorological service.		
Allowance to W. A. Found, meteorological observer at Ottawa, notwithstanding anything in the Civil Service Act..	300	
Hydrographic surveys — further amount required for the construction and completion of steamer for surveying service Pacific coast, and furnishings..	53,000	
		—$65,300
Marine hospitals.		
To provide for the building of a marine hospital at Yarmouth, Nova Scotia..	7,500	
Fisheries.		
Salaries, building and maintenance of fish breeding establishments—further amount required (revote $20,000)..	50,000	
To provide for the building and maintenance of fish breeding establishments on the great lakes (revote)..	12,000	
Further amount required for the construction and maintenance of experimental works for the reduction of dogfish..	10,000	
Further amount required for the distribution of the fishing bounty —for printing..	600	
Further amount required for the construction or purchase of a steamer for duty on Lake Winnipeg (revote $12,000)..	16,000	
		88,600

Mr. LENNOX. Let us have a little semblance of decency, in this matter, Mr. Chairman. I am willing to facilitate the passing of these votes, but I am not willing to allow votes running into hundreds of thousands to be passed so rapidly that hon. members have not time to look up the items. No man in this House would like one of his constituents to sit in that gallery and see him take part in this sort of work. I know I would not, and I am not prepared to be a party of it.

Mr. BERGERON. Who is this Mr. Found, and why do we pay him $300 in the form of a special vote ?

Mr. TEMPLEMAN. Mr. Found is a junior second-class clerk at a salary of $1,100 a year. He is also meteorological observer at the Ottawa station, for which extra service he is allowed $300 a year. The work is very exacting and demands attention early in the morning and late at night every day in the year. The work is done out of office hours and does not interfere with Mr. Found's work in the office.

Mr. BERGERON. Why not pay him a salary instead of giving him this extra allowance ?

Mr. DANIEL. What are the facts about this hydrographic steamer?

Mr. TEMPLEMAN. Tenders were invited in England and Canada and ten offers were received, including three from British Columbia. The lowest tenderer was from the Armstrong-Whitworth Company, of England, but they refused to put up their deposit claiming that they had made a mistake in making their tender, and withdrew. The contract was given to the next lowest tenderer, the British Columbia Marine Railway Company, at $143,000.

Mr. SAM. HUGHES. What was the Armstrong-Whitworth tender?

Mr. TEMPLEMAN. It was $107,750.

Mr DANIEL. What are the dimensions of the steamer ? Is she being constructed of steel or wood ?

Mr. TEMPLEMAN. I have not the dimensions here, but I shall be glad to get the figures if the hon. gentleman (Mr. Daniel) desires them. She is an iron vessel.

Mr. SAM. HUGHES. Is this the firm that fitted up the 'Quadra' some years ago ?

Mr. TEMPLEMAN. I fancy so. They have built a number of vessels including some for the Canadian Pacific Railway.

Mr. DANIEL. The hon minister will bring down the figures to show the dimensions of the steamer ?

Mr. TEMPLEMAN. Certainly.

Mr. DANIEL. Would the minister tell us how many fish-breeding establishments there are on the Great Lakes ?

Mr TEMPLEMAN. Two.

Mr. SAM. HUGHES. What is the object of this steamer on Lake Winnipeg ? Where is she being built, and what is she to cost ?

Mr. TEMPLEMAN. There was an item in the estimates of 1906-7 of $12,000 for a steamer for the fisheries protection work on Lake Winnipeg. Tenders were called for, but they were so much in excess of the sum appropriated that it was impossible to consider the building of one. Negotiations are going on and the department expects to get a vote suitable for the purpose within the present estimate.

Governor General's Secretary's office—allowance to A. F. Sladen, notwithstanding anything in the Civil Service Act, $300.

Mr. FIELDING. Mr. Sladen, in addition to his other duties, is private secretary to His Excellency, and we are giving him this increase of salary. He now gets $1,900.

Department of Militia and Defence—to provide for Mr. R. L. Fuller, second-class clerk, notwithstanding anything in the Civil Service Act as to age limit, $1,200.

Mr. BERGERON. What is the matter with Mr. Fuller ?

Mr. FIELDING. The only objection is that he is outside the age limit. He is otherwise qualified.

Mr. SPROULE. The objection to many of these increases is that while there is no provision made for the whole service, you pick out one here and there and bestow upon him a special favour. That is either an injustice to the others or else you are doing more than justice to those whose salaries you increase.

Mr. BERGERON. I understood there was a demand on the part of the civil servants generally to have their salaries increased. What is the government going to do about that ?

Mr. FIELDING. In these items there are a few special cases which the ministers felt able to deal with at once, and in each case I think for good reasons. But it was found that to deal with the demands of the civil servants generally was quite impossible, because the ministers had no time to take up the matter in detail. In fact even if they had time, I am not sure it could be conveniently done, because one minister may have a different standard in his mind as to what salaries should be paid, from what another minister would think proper. We have thought it better that the whole question should be taken up by some gentleman who could give ample time to it. An item will be found in another place to provide for the expenses of a commission of gentleman to inquire into the services and compensation of public officials generally. I may say at once, although no appointments have been made, I can give the names of the gentlemen whom we have selected for the purpose. The chairman of the commission will be Mr. J. M. Courtney, late Deputy Finance Minister. He will have with him Mr. Thomas Fyshe, former manager of the Merchant's Bank of Canada, and the third gentleman will be Mr. Garneau, present mayor of the city of Quebec. The only difficulty we may have is in persuading these gentlemen to undertake the service. We are taking a vote of $5,000 for expenses. We desire that these gentlemen shall sit down and leisurely discuss the matter after inquiry into the operations of the various departments, and if thought advisable, revise the Civil Service Act. Although we think in principle the Act is all right, in some details it may be capable of amendment. But the question of the classification of the service, and

the scale of salaries upon which the civil servants should be paid, might well be inquired into by a body of gentlemen so well acquainted with the various interests as these three gentlemen, Mr. Courtney from his large experience in the civil service, Mr. Fyshe from his large experience in handling a great financial institution and numerous employees, and Mr. Garneau, who is well known in the city of Quebec as particularly well qualified. We hope that before next session we will be able to revise the scale of salaries, and that the really deserving members of the service may find their work better recognized hereafter.

Mr. SAM. HUGHES. Is it understood that an official in the employ of the government for instance the translators, or the 'Hansard' reporters, are allowed to engage in any other business than that for which they are paid by the House?

Mr. FIELDING. That opens up a large question. The officers of the House in some cases do, out of session, engage in other line of work.

Mr. SAM. HUGHES. During the session ?

Mr. FIELDING. No, I think not. I fancy that the 'Hansard' reporters hardly have time to do any other work.

Mr. SAM. HUGHES. There has been a good deal of complaint about the translators, and I am told that they engage in other work.

Mr. FIELDING. I do not know about that.

Mr. BERGERON. The gentlemen named to serve on this commission are all very good men. But I am opposed to that commission, as I am to all others. It seems to me the matter could be settled in a shorter way. There is no question that the cost of living to-day is about fifty per cent higher than it was ten years ago, maybe more, and a higher standard of salaries than the present one might well be adopted. A man coming into the employ of the government to-day, a messenger for instance, comes in at $500 a year. Why not say that in future it will be $600 or $700 a year, and in the same way with the higher officials. You have in the service of this government men of the very highest attainments and responsibility. For instance, take the chief engineer of the Department of Public Works who comes to my mind at the present moment. That gentleman is paid a salary which is not at all adequate to the responsibility of the position which he holds. He has to pass judgment upon millions and millions, probably eight or ten millions of dollars worth of work a year and we give him the paltry sum of $3,500 or $4,000. A man like that can live with such a salary but the poor employee who gets a salary of $1,000 a year cannot live on it, and in conversation with public servants in Ottawa I find it is impossible for them to live without being heavily in debt. This is only postponing the matter again and it will cost the government $25,000 to find out what they know themselves without the aid of any commission.

Mr. FIELDING. This will not cost them $25,000.

Mr. BERGERON. My hon. friend will find it out before they are through.

Mr. FIELDING. You could not get these men to stay long enough in the work to cost $25,000. There is more in this than increasing the salary of a messenger in the service of the government. The question is one of providing for the special recognition of the technical officers in the employ of the government, including some of the class to whom my hon. friend has referred. These are matters well worthy of the consideration of any one who can give them the time. A minister cannot command the time to take these things up in all their details and even if he could, one minister might have a different standard from that of another minister. It will be money well spent, the gentlemen are most competent and they are not men who will spend an hour at the work longer than is necessary for the purpose.

Mr. SPROULE. We have had three or four commissions and every time that commission is said to be composed of most able and intelligent men who are going to reorganize the service in some wonderful way and every one is going to have justice done. The new arrangement is not long in operation when the agitation commences for a change. If the work of these commissions was of a permanent character, if there were any special benefits we would be less disposed to adversely criticise them. I am afraid that this commission would just follow in the same line as that which has been pursued by others.

Mr. FOWLER. It is all very nice to hear the generous remarks made by the hon. member for Beauharnois with respect to the low salaries paid to the civil service of this country, but there may be two opinions in respect to that and I think that if our constituents were consulted the great majority would perhaps think that the civil servants are now being paid enough. I think we should be just before we are generous. We must remember that we are not providing all the taxes in this country that go to pay these gentlemen. I believe in paying a fair day's wage for a fair day's work but at the same time I think we should be just before we are generous.

Mr. BERGERON. I would say in answer to my hon. friend (Mr. Fowler) that there may be too many civil servants and that there

are some persons who do not deserve to be employed by the government, but at the same time there are many in the service who are not paid sufficiently. I will take the case of the accountant in the Department of Marine and Fisheries who gets a salary of between $2,000 and $2,400 ; his books are in such a deplorable state that we have to have a commission costing $35,000 to put them in shape, and these accountants composing this commission are paid from $40, to $60 or $75 a day. How can you expect to get a good accountant if you do not pay him the salary he is entitled to?

Mr. FOWLER. I can tell my hon. friend that $2,000 a year will get a very good accountant, an accountant perfectly competent to do the business of this country. I think that a man who is getting $2,400 a year ought to be a first-class accountant who would not require a commission to get his books in shape.

Civil government—Department of Justice—to provide for an increase in the salary of J. Mullin, first-class clerk, to $1,850 per annum, notwithstanding anything in the Civil Service Act, $200.

Mr. AYLESWORTH. The explanation of that item is that Mr. Mullin finds himself in a peculiar position. He is a very valuable clerk and he had been discharging the work of private secretary to the former Minister of Justice jointly with the clerk who is now private secretary to myself. The allowance of $800 in addition to their salaries as clerks had been divided between the two men. Upon my taking charge of the Department of Justice the Solicitor General who is now the Postmaster General took with him to the service of the Post Office Department the private secretary who had been previously doing his work as Solicitor General and in consequence the Department of Justice has saved the salary of that clerk and of the private secretary to the Solicitor General. Mr. Mullin, however, has by the exchange suffered to the extent of $400. He has done his work as a first-class clerk and he receives a salary of $1,650. He has been utilized as private secretary upon occasions when the regular private secretary was incapacitated by illness or otherwise by absence. He has received no remuneration for that and it is proposed by this item to give him an increase of salary of $200. That leaves him $200 worse off than he was before, even although he is continuing to do the same work. I think I am in a position to certify, after eleven months experience, that he is a very capable clerk, that he is doing excellent work and that the $1,650 which he is now receiving is hardly an adequate remuneration for the services which he is performing.

To provide an amount required to promote a junior second-class clerk to a second-class clerkship, from April 1, 1907, $175.

Mr. AYLESWORTH. This is to provide for an increase necessary to promote a junior second-class clerk to a second-class clerkship. The clerk whom it is intended to promote is Mr. McGillivray, a barrister who had been a long time in the department as a temporary clerk. He was made a permanent junior second-class clerk in July, 1903, and his salary is $1,025. The work he performs is work entirely of a professional nature. He is reported to be a faithful officer. I have not any personal knowledge of his work except from seeing a specimen of it occasionally, but I think that the committee will agree with me that $1,025 is a very inadequate remuneration for a barrister doing professional work.

Mr. BERGERON. Will that be permanent ?

Mr. AYLESWORTH. Yes.

Department of Finance and Treasury Board—to increase the salary of Fred. Toller, controller of currency, notwithstanding anything in the Civil Service Act, $300.

Mr. FIELDING. Mr. Toller who is controller of the currency is one of the most important and responsible officers in the service of Canada. He is handling millions of the funds of the Dominion and his salary of $2,800 a year is out of all proportion to his responsibilities.

Mr. BERGERON. They are picked out here and there and increased while there are others who are not increased but who are equally deserving of it.

Mr. FIELDING. We have taken the principal ones and left the rest to be inquired into by the commission.

Mr. E. M. MACDONALD. I agree with the remarks made by the hon. member for King's and Albert (Mr. Fowler). I do not want to delay the passing of these estimates but I want to go on record as stating that the tendency to multiply these sums which certain increases in the salaries of civil servants is one that ought to be checked in the interest of the taxpayer. There are too many anxious to serve this country, without holding premiums out to them once they are in, to get their salaries increased except on the ground of absolute merit. I want to say that as my honest conviction.

Mr. BERGERON. You are entitled to your opinion.

Mr. MILLER. The people of this country are willing to pay good salaries to good men. There may be some men in the service who are not earning even poor salaries, but the other day the deputy of one of the departments told me that there was great difficulty in getting suitable men into the departments to take the places of the older officials who are retiring. He said business houses were taking some of the best men from the departments and giving

them better pay than the government did. It would be a good thing to get rid of some of the men who are not earning their pay, and to give proper salaries to efficient men who give good service.

Mr. BERGERON. This session, Mr. Bain, of the Customs Department left the service because his salary was not sufficient.

Some hon. MEMBERS. Hear, hear.

Mr. BERGERON. Another instance of this is, that a few years ago, a certain minister in charge of the Railway Department asked Sir William Van Horne to suggest to him a man to manage the Intercolonial Railroad, and when he mentioned the salary, Sir William said: Don't ask me to recommend a man; you will not get a good man for that price. And we know where the Intercolonial Railway is to-day.

Mr. E. M. MACDONALD. That is another question altogether.

To provide for the salary of an Assistant Deputy Postmaster General, $3,600.

Mr. LEMIEUX. When I took charge of the department I was confronted with the resignation of Mr. Laschinger who had been in the department for ten years, and who is one of the most able officers in the whole civil service. Mr. Cawthra Mulock had offered him a position to administer his estate, and Mr. Wilson, who is in the carbide business, had also offered him a position at a much larger salary than we are providing. The expansion of the Post Office Department is such that I thought we should retain his services, and it was decided to create this position of assistant deputy postmaster general.

Mr. SAM. HUGHES. Is that a new office?

Mr. LEMIEUX. Dr. Coulter, the Deputy Postmaster General, is overworked and Mr. Laschinger will help him in the general work of the office.

Mr. DERBYSHIRE. He is a first-class man.

Mr. BERGERON. Is $3,600 the maximum?

Mr. LEMIEUX. Yes.

Mr. FOWLER. Why do you increase Mr. Verret's salary?

Mr. LEMIEUX. He was my secretary as Solicitor General, and I brought him over to the Post Office Department. He has been in the office for eleven years; he works day and night; and like the other secretaries he has been made chief clerk. The work is greatly increased owing to the expansion of the department.

Mr. FOWLER. You might expand it more in the way of giving a greater number of post offices in the country.

Mr. LEMIEUX. I am doing it.

Mr. MILLER.

Private Secretary to the Minister of Labour, $300.

Mr. FOWLER. Have you two private secretaries.

Mr. LEMIEUX. The Department of Labour is assuming such importance that I found it necessary to get Mr. Giddens to act as my secretary, and he also helps Mr. Mackenzie King as stenographer and typewriter.

Mr. FOWLER. What is his salary now?

Mr. LEMIEUX. $1,000 I think.

High Commissioner's office, London, $250.

Mr. FOWLER. What is this for?

Mr. FIELDING. I think it is for the statutory increase.

Mr. E. M. MACDONALD. I want to say right here that when officials are required in the high commissioner's office in London, Canadians ought if possible to be obtained. A number of the men in that office in London—I speak of the under officials particularly—are not the proper people to be in the office of a colonial government. They do not know anything about Canada, and they are rather disposed to be pert to those who come from this country, and to regard themselves as not occupying a position which the Canadian taxpayer has to pay for. I am not referring to the higher officials although I think they should also be Canadians. If you can find in Canada half a dozen young Canadians who would be willing to accept these subordinate positions in the London office for the sake of the experience which London life would give them——

Mr. SAM. HUGHES. What part of London life?

Mr. E. M. MACDONALD. The business life, the educational life, and the wide experience they can acquire. If the government can get young Canadians for that office they would be an improvement on the class of men to be found in the high commissioner's office to-day.

Mr. FOWLER. You know we are paying $5 a head for bringing people to this country, and now my hon. friend (Mr. Macdonald) wants to send them out.

Mr. DERBYSHIRE. Send Canadians there.

Mr. FOWLER. If my hon. friend (Mr. Derbyshire) is in favour of that I bow to his wide knowledge.

Mr. BERGERON. Is it true that the present high commissioner has never drawn his salary since he has occupied the office?

Mr. FIELDING. I would rather ask the item to stand as I have not the information here. My recollection is that Lord Strathcona, has drawn his salary but I think there

are some allowances which he did not draw. I do not wish to be too positive however. I think a certain amount was allowed him which he did not draw.

Mr. BERGERON. If it be true that he does not draw his salary from patriotic motives we know he does not need it,—I would suggest that the money he does not take might be supplied to paying these extra expenses of the office.

Library of the Supreme Court of Canada, $5,000.

Mr. AYLESWORTH. That is reported to me by the chief justice of the court as being very important.

Mr. GERVAIS. What was the total amount of expenditure recommended for the library to the registrar of the Supreme Court?

Mr. AYLESWORTH. $35,000, and we are making a beginning.

Mr. GERVAIS. Will any of it be expended for French law books?

Mr. AYLESWORTH. It is intended principally for the improvement of the French section of the library.

Mr. FOWLER. Is this part of the $35,000?

Mr. AYLESWORTH. All we are asking this year.

Some resolutions reported.

ADJOURNMENT—BUSINESS OF THE HOUSE.

Mr. FIELDING moved the adjournment of the House.

Mr. SPROULE. What business will be taken up today?

Mr. FIELDING. The address to His Majesty in relation to provincial subsidies, the Bills on the order paper and estimates, as many of them as we can reach.

THE COAL STRIKE IN THE NORTH-WEST.

Mr. SPROULE. Has the Minister of Labour any additional information to give regarding the condition of the strike in the west?

Mr. LEMIEUX. I have received two telegrams from Mr. Mackenzie King to-night. The conference is still pending, and all I can say is that I hope in the morning, from the hopeful tones of the telegrams I received, that a settlement will have been reached.

Mr. SAM. HUGHES. Is it the intention in case the settlement is not reached for the government to bring in labour from any other part of the empire or any other country?

Mr. FIELDING. We are so hopeful of good results that we have not worked that out.

Mr. SAM. HUGHES. But the hope may not materialize.

Mr. FIELDING. We must have faith and hope together.

Motion agreed to, and House adjourned at 1.35 a.m., Thursday.

HOUSE OF COMMONS.

THURSDAY, April 25, 1907.

The SPEAKER took the Chair at Eleven o'clock.

JORDAN-ERIE POWER COMPANY.

Mr. W. M. GERMAN (Welland) moved:

That the following order be placed on the order paper for this day:

House in committee on Bill No. 115 (letter N of the Senate) an Act to amalgamate the Jordan Light, Heat and Power Company, and the Erie and Ontario Development Company, Limited, into one corporation under the name of the 'Jordan-Erie Power Company' (reported as amended), and that rule 25 be suspended for this purpose.

Mr. SPROULE. Why is it necessary to do this? We are changing the rules every day or two for the purpose of one Bill or another, without any reason being given therefor. We are so near the end of the session that it is quite impossible for these Bills to go through, and why should we take up the time of the House irregularly discussing them when they should be entirely dropped?

Mr. GERMAN. I have no interest in this matter one way or the other, and if there is any objection to it I will withdraw the motion.

Mr. SPROULE. I certainly object to it.

Mr. SPEAKER. Objection being taken, the motion cannot be entertained.

CANADA SHIPPING ACT AMENDMENT.

Hon. W. S. FIELDING (Minister of Finance) moved for leave to introduce Bill (No. 175) to amend the Canada Shipping Act. He said: This Bill is intended to correct an omission in the revised statutes. In the revision of the Acts relating to steamboat inspection a proviso has been omitted. I have shown the Bill to my hon. friend the leader of the opposition, who agrees that it is of sufficient importance to be corrected.

Motion agreed to, and Bill read the first time.

Mr. FIELDING moved that the Bill be now read the second time.

Mr. J. G. H. BERGERON (Beauharnois). I do not wish to object to the second reading of this Bill; but we have had to do the same thing two or three times this session. It shows a lack of attention on the part of the officers whose duty it is to attend to these matters that parliament has been called on to correct its own work during the session.

Mr. AYLESWORTH. I may say that this is the third error which has been discovered in a compilation extending over thousands of pages. It seems to me remarkable that in such a work the errors have been so few.

Mr. BERGERON. I can tell my hon. friend that when the revision of the statutes was made in 1886, there was no error at all, because the officers took good care of their work.

Mr. R. L. BORDEN. One would think that there were a sufficient number of revisors and that they had occupied sufficient time to ensure accuracy in the work. I do not know whether this error is attributable to one revisor or to all; but there is an idea somewhat prevalent throughout the country that some of the revisors did not do much work and that the main portion of it devolved on three or four of them. It seems to me that it should teach us to be more careful in the future to select thoroughly competent men. I know that some of the revisors are the best that could be got in Canada, but I have not that opinion as to all of them, and possibly the mistakes that have occurred are due to the fact that not in every case was the most competent man selected.

Mr. ARMAND LAVERGNE (Montmagny). If there are so many mistakes in the revised statutes, I do not see what reason there was for rushing the English version before the French version. I only rise to ask when the French version will be printed? To-day the criminal court is sitting in Quebec, and the French lawyers are at much disadvantage because they have not a copy of the criminal code in French. I think the people of this country have waited long enough for the French version of the revised statutes.

Mr. LENNOX. I would like to ask the Minister of Justice if the extra volumes of the revised statutes are available for the various parties entitled to more than one set?

Hon. A. B. AYLESWORTH (Minister of Justice). I would like to take this opportunity of saying what probably it is not unnecessary to say, because I find a very general impression prevalent that I or the Department of Justice have something to do with the printing or the distribution of the revised statutes. That is altogether an error. The Department of Justice has nothing whatever to do with the matter. It is entirely in the hands of the Printing Bureau, which is attached to the Department of the Secretary of State. Therefore I am not able to answer the question officially or to say more than probably any member of the House might say on the subject. I understand that three copies are to be distributed to each member of the House, that one has been already distributed and that the other two will follow just as soon as they can be prepared, but it was thought better to send one copy to each member in the first instance, reserving the other two until they are prepared.

Mr. BERGERON. I wish to call attention to the fact that it would be very important that the translation of these statutes be well made, so that we will not have to move next session to have the French statutes amended. There is more danger in this than in not having the English version of the statutes properly attended to. It is a most important thing. A French lawyer going before the court may have a French copy and may meet an English lawyer with an English version of the same statute, but the two statutes may not be the same, and it is very annoying. I call attention to this now so that the translation will be made carefully and we will not have any trouble at the next session of parliament.

Motion agreed to, Bill read the second time, considered in committee, read the third time, and passed.

MARRIAGES BETWEEN YOUNG PEOPLE.

Hon. A. B. AYLESWORTH (Minister of Justice) moved for leave to introduce Bill (No. 176) to empower the courts to declare certain marriages invalid.

Mr. BERGERON. Would the hon. minister explain the purport of this Bill?

Mr. AYLESWORTH. This is a Bill which, if the House is unanimously willing to pass it, is of some practical importance, but which is of such a character that, if it is objected to, I do not think it would be right to press at the present session. It is introduced, I may say, at the desire of the government of the province of Ontario. The secretary of that province was here last week and saw me on the subject, urging that, if possible, this Bill might be considered by the House and, if approved, passed at the present session. It is a Bill in the same language as a statute which has just been passed by the legislature of Ontario on the subject, to provide for such a case as seems to have happened (in one instance at all events) recently, perhaps in more than one, of marriage between a young boy and girl under the age of eighteen and without the consent of the parents of either. A case of that kind, has, I am

told, taken place, the ceremony of marriage not being either preceded or followed by that which, if the marriage had been a valid one, would have constituted consummation, and the parties, in the case I have referred to, before they had either of them attained the age of nineteen years, seeing the folly of their act and desiring to be relieved of the effect of the ceremony, which, possibly, had been gone through with some idea that it was more a joke than a very solemn contract and obligation, proceedings were instituted in the High Court of the province to relieve the parties to this proceeding of the consequences, and upon the trial of the action, or in the course of the proceedings, the need of legislation such as I am proposing was made apparent and, at the suggestion of the learned judge, with the concurrence of the other judges of the province a statute has been passed by the Ontario legislature to meet the circumstances of cases such as I have described. The British North America Act, as hon. gentlemen will remember, assigns to the jurisdiction of the provinces the right to legislate in regard to the solemnization of marriage, but at the same time assigns to the Dominion parliament, as something exclusively within the jurisdiction of the Dominion, legislation in regard to the subject of marriage and divorce. The particular form which this legislation takes is the authorization or the empowering of the court to declare a marriage such as I have described, taking place under circumstances such as those mentioned, invalid. That possibly trenches upon the subject of divorce. At all events, the right of the provincial legislatures to enact such legislation is not free from doubt and, the matter being of such serious consequence, the government of the province of Ontario, thinking that this was legislation which ought to be put upon the statute-book, has so enacted; but in passing that legislation has asked, through their provincial secretary, that this parliament supplement the legislation by passing an Act in the same words, which Act should be applicable to the province of Ontario or to any other province which thought well to pass the like provincial legislation.

The provisions of this Act are simply that in case a form of marriage is gone through between two persons, either of whom is under the age of eighteen without such consent as the law of the province requires—that is, in the case of the province of Ontario, the consent of the parents or guardians—any superior court of the province shall, notwithstanding there may have been a license obtained, or a proclamation of the intention to marry made, as required by law, have jurisdiction and power in an action brought by either party to declare and adjudge that a valid marriage was not made or entered into, provided the parties have not lived together as man and wife or cohabited as such, and that the action is brought before the person bringing it has reached the age of nineteen.

The second clause provides that the court is to have the like jurisdiction where a marriage has been gone through before the Act comes into force.

The third, that nothing in this Act is to affect any case where the marriage is absolutely prohibited by the law of the province, as, for instance, if the children were under the age of fourteen.

The fourth section provides that nothing in the Act is to apply where, after the ceremony there has occurred that which, if a valid marriage had taken place, would have been consummation; and finally the court is not bound to grant relief in case there has been sexual intercourse before marriage.

Those are the provisions of the Bill, clause by clause, as passed by the Ontario legislature. The Ontario statute is to go into force only on proclamation, and the provisions of this Bill are to apply only where there is reciprocal and similar legislation. Those are the general features of the Bill, and those are the general circumstances. I move its first reading, and if it commends itself to the consideration of the House there is no practical difficulty in passing it, even at this late stage of the session.

Mr. ARMAND LAVERGNE. This is very important legislation which requires to be thoroughly discussed before we decide on passing it. The subject of divorce is one to-day which belongs to the Senate, and I think we should be very careful in doing anything that would alter our existing laws on that subject. Is there any doubt that the provincial legislature has not the right to pass a Bill of this kind? Either it is a question of divorce or of the application of the civil laws of any province. If it be a question of divorce, we have the law as it exists to-day. If it is simply a question of civil contract, the provincial courts can deal with it. I think that the hon. minister would do well to hold the Bill over until next session.

Mr. R. L. BORDEN. If this Bill was intended to establish anything in the nature of divorce, I would be inclined to entirely agree with the hon. member for Montmagny (Mr. Lavergne). But I understand it is nothing of the kind. The Ontario law requires the consent of the parent to the marriage of persons under eighteen years of age. The marriage of such persons without such consent is not absolutely void even if false declarations are made. At least that is open to question. The legislature of Ontario has seen fit to provide that where a marriage has taken place under false declarations and without the consent of the parents, and where there has been no consummation of the marriage

either before or after the marriage, the courts may declare the marriage void. The provincial law makes the marriage absolutely void if contracted before fourteen years of age, and this Bill provides that if the marriage should take place when the parties are between fourteen and eighteen and there has been no consummation either before or after, and an action is taken to set it aside before the complainant has attained the age of nineteen, the court has jurisdiction, not to pronounce a divorce, but to declare the marriage void. It therefore does not trench on the province of divorce at all; and inasmuch as the provincial judges sanction the proposed legislation and as the Ontario legislature has unanimously approved of it, and as this Bill will have no force or effect in any province which does not adopt similar legislation, I do not see that any great harm can be done by our passing it.

Mr. ARMAND LAVERGNE. Is the hon. gentleman sure that the provincial legislature has not the power to pass such legistion?

Mr. R. L. BORDEN. This Bill is intended to remove doubt. In difficult matters such as that before the House, it is almost impossible to speak with certainty as to whether the legislature of a province has the power to pass a Bill of this kind. Instead of permitting such a case to be carried from one court to another and then eventually to the Privy Council, it is proposed to make it perfectly clear that this Act will have effect in Ontario but nowhere else.

Mr. ARMAND LAVERGNE. Is not the object sufficiently important to let the Bill stand for another session when it can be fully discussed?

Mr. R. L. BORDEN. I should think it could be discussed sufficiently this session, and if it be held over for another session, one very grave case could not come within its provisions.

Mr. AYLESWORTH. The parties I have referred to are now nearly nineteen years of age.

Mr. BERGERON. I do not quite understand the provisions of the Bill, and I agree with the hon. member for Montmagny (Mr. Lavergne) that, unless there are very pressing reasons to the contrary, it should stand for anotner session. My hon. friend the leader of the opposition says it has no relation at all to divorce, but it seems to me we are asked to make a general law for one particular province. The case mentioned by the Minister of Justice (Mr. Aylesworth) brings to my mind one that was before the House a few days ago, namely, a divorce granted by the Senate in the case of two parties, one aged sixteen and the other fourteen, who were married against the consent of their parents. I think they came from the province of Quebec, where our laws are very broad with regard to separation from bed and board, but where divorce is not recognized. Well, if those two parties from Quebec could come here and get a divorce from the Senate, why cannot those two in Ontario do likewise without having recourse to any special law?

Mr. AYLESWORTH. The Bill may receive its first reading to-day and then after distribution be considered.

Mr. ARMAND LAVERGNE. What I am opposing is a general law to meet a very special case. I have no objection to the first reading, but that does not imply that I consent to the passing of the Bill this session.

Motion agreed to, and Bill read the first time.

QUESTIONS.

MILITIA HEADQUARTERS STAFF.

Mr. WORTHINGTON—by Mr. Taylor—asked :

1. What officers compose the headquarters staff of the militia, giving names, rank, duties and seniority ?
2. What is the greatest age attained by any officer of the above staff since August 1, 1906, previous to retirement ?
3. What is the age of the oldest officer in the employment of the Militia Department at Ottawa ?

Hon. W. S. FIELDING (for the Minister of Militia). The information desired is much too extensive to be brought down in answer to a question. As at this stage, a motion cannot be made, I shall see that the information is furnished the hon. gentleman directly.

THE BERNE CONVENTION.

Mr. CHARLES DEVLIN asked :

1. Has the government received any communications from the colonial office with respect to the proclamation by the Canadian courts of the Berne convention ?
2. If so, what were the terms of the answer forwarded by the government to the colonial office ?
3. Has any action been taken, and have any instructions been issued to the Canadian courts in this matter by the government ?

Hon. SYDNEY FISHER (Minister of Agriculture). We have received no communication from the Colonial Office with respect to a proclamation by the Canadian courts of the Berne convention.

THOMAS D'ARCY McGEE.

Mr. THOMAS CHISHOLM—by Mr. Taylor—asked :

Is it the intention of the government to erect a monument to the memory of the late Thomas D'Arcy McGee ?

Hon. W. S. FIELDING (Minister of Finance). The estimates for the current year make no special provision for this item; but no one doubts that the record of the late Mr. McGee is one that entitles him to recognition the same as that given other distinguished statesmen, and at a future session provision will undoubtedly be made for the erection of a monument to his memory.

PERMITS TO CUT HAY IN SASKATCHEWAN.

Hon. FRANK OLIVER (Minister of the Interior). I wish to give a further answer to the question put yesterday by the hon. member for Labelle (Mr. Bourassa).

1. Has the Department of the Interior, or any of its officers or agents, granted one or more permits to pasture or the right to cut hay on any of the following lands in the district of Prince Albert, Saskatchewan : section 1, township 44, range 10, 3rd meridian ; section 23, township 43, range 10, 3rd meridian ?

2. If so, at what time, to what person, for how long, and on what conditions ?

The answer is. No.

SUBSIDIES TO PROVINCES.

Hon. W. S. FIELDING (Minister of Finance). I beg to move the following address of which I have given notice. His Excellency the Governor General having been made acquainted with the subject matter of the resolution, recommends its consideration to the House :—

To the King's Most Excellent Majesty :

Most Gracious Sovereign :

We, Your Majesty's most dutiful and loyal subjects, the Commons of Canada, in parliament assembled, humbly approach Your Majesty for the purpose of representing that it is expedient to amend the scale of payments authorized under section 118 of the Act of the parliament of the United Kingdom of Great Britain and Ireland, commonly called the British North America Act, 1867, to be made by Canada to the several provinces of the Dominion for the support of their governments and legislatures by providing that :

A. Instead of the amounts now paid, the sums hereafter payable yearly by Canada to the several provinces for the support of their governments and legislatures, to be according to population, and as follows:

(a) Where the population of the provinces is under 150,000..	$100,000
(b) Where the population of the province is 150,000, but does not exceed 200,000..	150,000
(c) Where the population of the province is 200,000, but does not exceed 400,000..	180,000
(d) Where the population of the province is 400,000, but does not exceed 800,000..	190,000
(e) Where the population of the province is 800,000, but does not exceed 1,500,000..	220,000
(f) Where the population of the province exceeds 1,500,000..	240,000

B. Instead of an annual grant per head of population now allowed, the annual payment hereafter to be at the same rate of eighty cents per head, but on the population of each province, as ascertained from time to time by the last decennial census ; (or, in the case of the provinces of Manitoba, Saskatchewan and Alberta, respectively, by the last quinquennial census or statutory estimate), until such population exceeds 2,500,000, and at the rate of sixty cents per head for so much of said population as may exceed 2,500,000.

C. An additional allowance to the extent of one hundred thousand dollars annually for ten years to the province of British Columbia.

D. Nothing herein contained shall in any way supersede or affect the terms special to any particular province upon which such province became part of the Dominion of Canada or the right of any province to payment of any special grant heretofore made by the parliament of Canada to any province for any special purpose in such grant expressed.

We pray that Your Majesty may be graciously pleased to cause a measure to be laid before the imperial parliament at its present session repealing the provisions of section 118 of the British North America Act, 1867, aforesaid, and substituting therefor the scale of payments above set forth, which shall be a final and unalterable settlement of the amounts to be paid yearly to the several provinces of the Dominion for their local purposes and the support of their governments and legislatures.

Such grants shall be paid half-yearly in advance, to each province ; but the government of Canada shall deduct from such grants, as against any province, all sums chargeable as interest on the public debt of that province in excess of the several amounts stipulated in the said Act.

All of which we humbly pray Your Majesty to take into your favourable and gracious consideration.

Mr. SPROULE. I rise to a point of order, namely, that we have no right to pronounce the second time on a question that has been the subject of discussion already in the same session and pronounced upon. The authority I quote is 'May's Parliamentary Procedure,' 10th edition, page 286, which reads as follows :

It is a rule, in both Houses, which is essential to the due performance of their duties, that no question or Bill shall be offered that is substantially the same as one on which their judgment has already been expressed in the current session.

A resolution may, however, be rescinded, and an order of the House discharged, notwithstanding a rule urged (April 2, 1904), 'That a question being once made, and carried in the affirmative or negative, cannot be questioned again, but must stand as a judgment of the House'. Technically, indeed, the rescinding of a vote is the matter of a new question ; the form being to read the resolution of the House, and to move that it be rescinded ; and thus the same question which had been resolved in the affirmative is not again offered, although its effect is annulled.

Then he goes on to give an instance where the British parliament was obliged to be prorogued and a new session opened

for the purpose of taking up a question that had been dealt with in that session, and which could not be offered substantially the second time. Now I find that the judgment of this House has already been passed on this resolution, which was sent to the Upper Chamber. It is returned to us, and we are asked to commence de novo and express judgment on it the second time in the same session. I have a distinct recollection that at different times we have been obliged to introduce another Bill to amend a Bill the current session where it was essentially necessary to make some change; but I do not think we have on record any precedent for the course which is proposed to be followed with respect to this resolution. Therefore, Mr. Speaker, I would like your ruling on this matter.

Mr. R. L. BORDEN. Before your Honour proceeds to deal with it, I would like to point out a very important decision during this session in which your Honour decided that a motion to be found on page 794 of the Votes and Proceedings was so essentially the same as another motion which is to be found on page 820 of the Votes and Proceedings, that the second motion could not be moved. It seems to me there was much more difference between the two motions to which I refer than there is between the motion moved some time ago in this House by the Prime Minister, and that which is proposed to-day by the Minister of Finance. On the 26th of March the hon. member for Labelle (Mr. Bourassa) moved this amendment to the motion to go into Committee of Supply:

That all the words after the word 'that' be left out and the following added instead thereof: The report of the Royal Commission on Life Insurance and the evidence connected therewith have made public various transactions in which members of this House participated, namely, the hon. member for North Toronto (Mr. Foster), the hon. member for King's, New Brunswick (Mr. Fowler), the hon. member for East Simcoe (Mr. Bennett), the hon. member for Prince, Prince Edward Island (Mr. Lefurgey).

That such transactions have been commented upon by several organs of public opinion in terms reflecting upon the honour, the integrity and the independence of the above-named gentlemen.

That references to such transactions have been made in this House, during the present session, namely, by the hon. member for Carleton, New Brunswick (Mr. Carvell), on the 7th and the 21st days of February, and by the hon. member for Yale-Cariboo (Mr. Ross), on the 19th day of February—in terms indicating that in the opinion of those two hon. gentlemen, the above-named hon. members are guilty of improper conduct.

That on the 26th day of November last, the hon. member for Wright (Mr. Devlin) referred to the hon. member for North Toronto as being unworthy of a seat in this House, on account of the transactions above-mentioned.

That on the 19th of February last, the hon. member for King's, New Brunswick (Mr. Fowler), addressing the hon. member for Yale-Cariboo (Mr. Ross), stated: 'We will show your connection with Mr. Hill—and we will give you the true insight of the Hyman story, too'; and added: 'I shall discuss the character of hon. members opposite, whether they be ministers or private members, and their connection with women, wine and graft.'

That these statements have become a matter of general comment and have aroused public opinion throughout the country, so that an immediate inquiry is imperative.

That the Prime Minister and his colleagues, being the principal guardians of the honour of parliament, should take the initiative in such an inquiry.

That the government should therefore ask the House to constitute a special committee to conduct a strict and impartial inquiry as to whether any ministers of the Crown or members of parliament have improperly made use of their positions as such for their private gain or have otherwise been guilty of personal misconduct under such circumstances or of such a character as to justify the intervention and censure of this House.

That any charges that may be preferred against any member of the government or of the House should be formulated before that committee, and that members of this House or other persons who have material or data at their disposal with reference thereto should divulge them to that committee.

That such committee have power to employ and hear counsel, to send for persons, papers and records, to examine witnesses on oath or affirmation, and to report to the House during the present session.

That was the motion moved in the first instance by the hon. member for Labelle. The motion which was held to be essentially the same and which therefore could not be discussed the second time, was moved by the hon. member for Labelle on April 3rd:

That on the 19th of February last, the hon. member for King's, New Brunswick (Mr. Fowler), stated: 'I shall discuss the character of hon. members opposite, whether they be ministers or private members, and their connection with women, wine and graft.'

That the hon. member stated further that he had 'data' and 'material' at his disposal with respect to such charges.

That such a statement, undefined as it is, with regard to the parties concerned, reflects on the honour of the House and of the government.

That the hon. member for King's be therefore invited either to name the ministers and members of the House to whom he was referring on the 19th of February, and to specify his charges against them, or to withdraw his accusation.

That unless the hon. member complies with that request and adopts one of those two courses, he stands censured by this House.

Now it cannot be doubted that there are a great many material distinctions between these two resolutions. For example, the second resolution does not at all set out what is set out in the first resolution, namely, the remark of the hon. member for King's, N.B. (Mr. Fowler), respecting the hon. member for Yale-Cariboo (Mr. Duncan Ross). The second resolution does not touch that

at all, whereas the first resolution set it out and demanded an inquiry. The first resolution did not propose any censure on my hon. friend from King's and Albert. The second resolution did distinctly propose censure upon that hon. member. If these distinctions do not suffice I could name many others, were it not for fear of wearying the House, which would show that these two resolutions were absolutely distinct. Therefore, as I understood, Mr. Speaker, at the time—and as the decision undoubtedly was—the real point which induced him to come to that conclusion was that the same subject could not be debated twice in the same session of parliament. This undoubtedly is the same subject, and even if the point which I now make is not the real point upon which His Honour decided, nevertheless, there is the other remaining that the resolution now proposed is quite as similar to that before proposed by the Prime Minister as was the second resolution proposed by the hon. member for Labelle to the resolution which he proposed in the first instance. In my opinion there is a much closer resemblance between the resolution now proposed and the resolution moved by the Prime Minister than there was between the second resolution moved by the hon. member for Labelle and that which he moved at a subsequent time.

Mr. FIELDING. I respectfully submit three points in answer to the observations made by the hon. member for East Grey (Mr. Sproule) and the hon. leader of the opposition (Mr. R. L. Borden). First, I say if there be no direct rule against this procedure the course which has been taken is so obviously sensible and reasonable that we should be only too happy to make a precedent. Of course if we had any direct rule against it it would be a different thing. But, if there be no rule against such a course and if the hon. gentleman (Mr. Sproule) has not been able to find a precedent which would weigh against such a course——

Mr. SPROULE. I thought I quoted two precedents, one in which the English parliament was obliged to prorogue and open a new session before they could deal with the same subject twice in the same session.

Mr. FIELDING. The second point I venture to submit is that there is a substantial difference between the former address and the present address and it is only because there is a substantial difference that the matter comes before us at all.

Mr. R. L. BORDEN. Will the Minister of Finance show me in what respect there is a greater difference between these two resolutions and the two resolutions I quoted.

Mr. FIELDING. The difference is a substantial and material one. It is not merely dealing with the same subject but it is dealing with the same subject in a substantially different way. The difference is regarded as being substantial by excellent authorities, although I must say that I am not absolutely clear that the change is as necessary as they believe it to be. It is a legal point.

Mr. R. L. BORDEN. Then it must be almost exactly the same.

Mr. FIELDING. No, but it is a question of legal interpretation as to which doubts have arisen. I claim that there is a substantial and material difference and it is because of that very change that we bring the matter before the House. The third point is that it has not been dealt with finally by this House and that before it was taken up in the other chamber this House, of its motion, recalled the address in order that it might be given further consideration. My hon. friend will see that the records of this House so declare. The matter was not finally disposed of, the House had the right to recall the address and it has recalled it for the purpose of further consideration.

Mr. SPROULE. I think it was on the notice paper in the Senate and that it was discussed.

Mr. BERGERON. The discussion appears in the 'Hansard' of the Senate.

Mr. FIELDING. It was not dealt with by the Senate, but the matter was withdrawn from consideration in the Senate in order that this House might correct an omission. That was a very proper procedure.

Mr. R. L. BORDEN. I would most respectfully submit that the recalling from the Senate cannot put it in any better position than it was in one hour after we passed it. It is in the same position.

Mr. FIELDING. I think so.

Mr. R. L. BORDEN. The question is whether one hour after we pass a resolution another resolution of practically the same character can be moved during the same session. I would submit that it could not be.

Mr. FIELDING. I would submit in answer to that that if that point is raised it should have been raised when the motion was made to reconsider. The question is resolved that we shall reconsider this matter and send a message to the Senate requesting the Senate to send the address down here that it might be considered further. The question has been decided that it shall be considered further and we are now only in the committee stage dealing with it in detail.

Mr. R. L. BORDEN. My hon. friend admits that it puts it in the same position one hour after we pass the resolution, there-

fore he cannot rely upon that obligation in the light of the admission he has made.

Mr. FIELDING. Suppose the House, an hour after had discovered that there had been an omission and had decided to reconsider it, it would have been perfectly in order and it is perfectly in order now.

Mr. LENNOX. The hon. Minister of Finance said a moment ago that the time to have taken up this question was when the motion was made to send the message to the Senate. I called attention to it at the time the hon. gentleman made his motion to send a message to the Senate, and I recived a reply from the hon. gentleman that the question would be considered later on.

Mr. FIELDING. Not that particular question but that the address would be brought up for consideration later on.

Mr. LENNOX. The motion was merely a request to the Senate to return the message.

Mr. ARMAND LAVERGNE. If I understand the decision of Your Honour, on the motion of my hon. friend from Labelle (Mr. Bourassa) the other day it was that a subject could not be discussed twice in the same session even if there were substantial changes. The second motion of my hon. friend was substantially different from the first. It censured the hon. member for King's and Albert (Mr. Fowler) while the first one called for an investigation. Your Honour's decision was that the same subject, even though in a substantially different form, could not be discussed twice in the same session. Therefore, I think the point of order is well taken this morning.

Mr. BERGERON. In answer to my hon. friend the leader of the House (Mr. Fielding) who says that the address was brought back immediately it was received in the Senate, I may say that it was brought back by force. There was a vote taken upon a point of order which was raised. The Speaker of the Senate mentioned that he was creating a precedent.

Mr. FIELDING. It is here.

Mr. BERGERON. It is here by force, which shows that the hon. gentleman was making a mistake when he said that it was not discussed in the Senate.

Mr. FIELDING. I said that the Senate did not dispose of it and I do not think that has been questioned.

Mr. BERGERON. The question came up on a point of order and it was in the Senate to be discussed.

Mr. FIELDING. It was in the Senate.

Mr. BERGERON. Has the right hon. Prime Minister (Sir Wilfrid Laurier) been advised of this proposed change ? If he has gone to the imperial authorities with the resolution that was adopted first, if he has presented that resolution and if you pass another resolution it will put matters in a most difficult position.

Mr. FIELDING. I can relieve any anxiety in my hon. friend's mind in that respect because the Prime Minister has no authority to take any resolution. The address has not been adopted by this parliament and he would have no right to present it to the imperial authorities.

Mr. BERGERON. If my hon. friend is very anxious to prorogue parliament to-morrow or the day after I would advise him not to do this because I have reason to believe that it will provoke a very long discussion, if not here, somewhere else.

Mr. FIELDING. Not to do what ?

Mr. BERGERON. Not to try to pass this resolution now.

Mr. FIELDING. Oh, well !

Mr. SPEAKER. It seems to me——

Mr. R. L. BORDEN. Before you give your ruling, Mr. Speaker, I call attention to the language of your decision of the 3rd of April with regard to the motion to which I have just alluded. After citing Mr. Bourassa's motion, your Honour gives your decision as follows :

> The Chair rules that this motion is out of order because the subject matter to which it refers has already been dealt with, discussed and decided upon by the House. In the course of the debate reference has also been made to the fact that, according to the rule, the words complained of, having not been taken down at the time they were uttered, they could not now be taken as a basis for a motion of censure.

There seems to be two branches of the ruling, the first of which is very pertinent to the question under consideration. The Chair ruled that Mr. Bourassa's motion was out of order because the subject matter to which it referred had already been dealt with, discussed, and decided upon by the House. That seems absolutely to be the point in the present case.

Mr. NORTHRUP. Is not the principle underlying the question before us, that this House having once decided on a certain course and expressed its judgment, that expression has to continue during that session? The reason for that is obvious. If this House can commit itself to one policy, and if immediately afterwards it can recommit itself to an entirely different policy, surely all you would have to do during a session, if the parties were at all evenly divided, would be to sway to and fro, and this House could commit itself half a dozen times to one view and another. Suppose, when this measure comes back to the House, the House should on further discussion, come to an entirely different conclu-

sion, would it not be a great absurdity to have this House on record as having requested His Majesty solemnly to take a certain course, and then a week or two later to solemnly urge His Majesty not to take that course.

Mr. FIELDING. If that were the rule, then we could reconsider anything. If we pass a resolution and an error is later discovered, say through an omission by the clerk, we never could reconsider it.

Mr. NORTHRUP. The House is supposed to know what it intended to do, and right or wrong the House did it, and the House is committed to that. That is absolutely different from the correction of a clerical error.

Mr. SPEAKER. It seems to me that the House determined this question the day before yesterday when Mr. Fielding moved, and it was agreed to :

That the address to His Most Excellent Majesty the King which was adopted by this House on the 25th March last, transmitted to the Senate, and at the request of this House returned for further consideration, be taken into consideration to-morrow.

So far as the record shows, on that day the House determined unanimously that today it would take this matter into consideration, and it is now up for consideration. It seems to me that the question now raised should have been raised when the hon. gentleman (Mr. Fielding) made that motion, and the motion having been adopted the question is now in order for consideration by the House. I may say further that when the motion was made by the hon. gentleman (Mr. Fielding) the point was raised by the hon. member for North Toronto, as to whether the address should stand as passed originally, or, should be added to or amended and the addition or amendment attached to the original address. It was suggested at the moment that perhaps that would be an awkward form in which to send an address to his Majesty the King, and, as I understand, it was decided to bring the address back for the purpose of incorporating the amendment in the address. I think that whole matter of consideration was disposed of by the House when the motion of the hon. gentleman (Mr. Fielding) was adopted on Tuesday last.

Mr. SPROULE. The point I desired to have your ruling on, Mr. Speaker, was, whether, the House having once expressed its judgment on a subject matter, the same subject could be taken up a second time that session.

Mr. FIELDING. I submit that the House can always reconsider its own action.

Mr. R. L. BORDEN. That seems extraordinary.

Mr. SPEAKER. If the records show, as it seems to me they do show, in this case, that the House has decided to reconsider a matter, the House can do so.

Mr. R. L. BORDEN. The House decided to consider but not to reconsider.

Mr. FIELDING. I do not know that it is necessary for me to add any explanation as regards this matter.

Mr. BERGERON. What is the real change.

Mr. FIELDING. In the address provision is made for the payment to the provinces, instead of the annual grant per head of population as now allowed, an annual payment hereafter to be at the same rate of 80 cents per head, but upon the population of each province as ascertained from time to time by the last decennial census. The words in parenthesis are proposed to be incorporated in subsection B, and these words are :

Or in the case of the provinces of Manitoba, Saskatchewan and Alberta, respectively, by the last quinquennial census or statutory estimate.

The explanation of it is, that while as respects the Dominion generally provision is made for a decennial census, in view of the rapid growth of the western country the legislation with respect to the constitution of these provinces provided for the taking of a census every five years as the basis of its calculation for subsidy. There was a further provision that in the interim, between the two five years terms, there should be an official estimate made of the probable population of these provinces, and, that upon that official estimate the subsidy estimate should be made. While in respect of the older provinces you only make your calculations once in ten years, as respects these western provinces you practically make them every two and a half years. There is a saving clause in the address in the form of subsection D which reads :

D. Nothing herein contained shall in any way supersede or affect the terms special to any particular province upon which such province became part of the Dominion of Canada or the right of any province to payment of any special grant heretofore made by the parliament of Canada to any province for any special purpose in such grant expressed.

It was thought when that section was framed, that that saving clause would protect the special provision which exists in the constitution of Manitoba and of Alberta, and of Saskatchewan, with respect to the period at which the census should be taken, and I think excellent lawyers would even now say that that would be a fair interpretation of the Act. However, a doubt has arisen in the minds of gentlemen whose opinions are entitled to respect, and as the matter has to be arranged by imperial statute it is not well there should be room for any doubt. And, not because we believe the doubt is a very grave one, but for abun-

dance of certainty, to make assurance doubly sure, we have thought it well to recall the address and ask that these words be inserted so that the right of the province of Manitoba, the province of Saskatchewan, and the province of Alberta to have a computation of their population as provided in their own constitution, shall be preserved and continued under the terms of this address.

Mr. SPROULE. As we are reconsidering these resolutions, I think the first one is defective as well as the others. This resolution says that it is expedient to amend the scale of payment authorized under section 118 of the British North America Act. Now, that section refers only to the first four provinces that came into confederation, and cannot in my judgment refer to the provinces that came in since, which came in under special and different terms. The resolution goes on to say that instead of the amounts now paid, the sums hereafter payable yearly by Canada to the several provinces for the support of their governments and legislatures, shall be according to population, and it sets out, in (A) where the population of the province is under 150,000. Now, the resolution does not state upon what basis the population in each of the provinces shall be ascertained. In my judgment it ought to do so, if we are going to apply it to all of them. If we apply it only to the four provinces that originally came into confederation, this provision does not apply to them, because the population of every one of them is over 150,000. If it applies to any province whose population is under 150,000, it must apply to Prince Edward Island as well as to the western provinces ; and, if so, I submit that it should set out how the population shall be ascertained, whether by a decennial census, a quinquennial or any other. With regard to resolution B, I called attention before to this point, as to how it was possible to take a decennial census or even a quinquennial census as the basis of population, when there was a provision that in three of the provinces there should be a census every two and a half years. I drew attention to that, because I thought the matter ought to be made so plain, that every one who examined the principles on which this distribution was made, whether a lawyer or not, would understand them. It appears now that there were just grounds for the contention I set up, although at the time, it was waved away as if unworthy of consideration. Coming to resolution D, there is another question on which I think we ought to have more explanation. What distinction do you draw between 'terms special' and 'special grant' ? I think we ought to have set out, in the first place, what provinces come in under terms special, and what those terms special were ; secondly, what special grants were made that would apply to any of the provinces in the future, and whether they are to be in any way supplanted or supplemented by the provisions of this redistribution. I think we ought to know these things, so that there will be no grounds for misunderstanding or difference of opinion in the future.

Mr. FIELDING. This matter is technically at large, and I quite admit the right of any hon. gentleman to discuss the whole question if he wishes. I do not think, however, that is a practical way of dealing with it or that any practical purpose is to be served by going over the whole question of the provincial subsidies. I think I am justified in taking the view that we are to consider the provision we are now making. However, I will answer my hon. friend in brief, that I understand terms special to be the terms given to a province at the time of the union for any special reason, and that these and any special grants given afterwards shall be preserved to that province, and shall not be taken away by these resolutions. As to what they are, we went over all that before, and I do not think it will be profitable to go over the whole question again.

Mr. SPROULE. What observation has the minister to make as to the basis on which the population shall be ascertained under resolution 'A' ? There is none set out.

Mr. FIELDING. It will have to be the latest official census, of course.

Mr. R. L. BORDEN. Why would it have to be if the statute does not say so ?

Mr. FIELDING. For all purposes, in every matter where the population of Canada is concerned, I would think the last official census as a matter of course, as a matter of law, would be the prevailing rule.

Mr. R. L. BORDEN. The official census has nothing at all to do with it unless the statute says that it shall.

Mr. ARMAND LAVERGNE. In the first place, I want to put aside the reproach that will be made to me to-morrow by the party press of Quebec that I am against an increase of the subsidies.

Some hon. MEMBERS. Oh.

Mr. ARMAND LAVERGNE. We know what the party press of Quebec does. I was one of those who spoke before on an increase of the subsidy for the province of Quebec, and the views I then expressed were condemned by the government. I think the policy of Mr. Mercier in 1887 has been dropped by some of the members of the government. Now, these resolutions were adopted by the Prime Ministers of the different provinces when they were in Ottawa. To-day the Prime Minister of the province of Quebec is in Europe and these resolutions are amended in the most uncalled

for way. We are making a direct exception for the provinces of the Northwest. I have no objection to increasing the subsidies for the Northwest provinces, but why should those provinces be not treated in the same way as the older provinces in the east ? The Northwest provinces have been established and fed by the old provinces and their subsidies are to be increased every five years, while those of the old provinces are to be increased only every ten years. Why this exception ? It seems to me that if the subsidies of the provinces are going to be increased, every province of the Dominion should be treated in the same way.

It seems to be the policy of this government that on every question that interests the Dominion there is a general law for the Dominion and also a special law for the western provinces. I claim that this is not fair to the older provinces, and that this resolution instead of discriminating between the provinces of the east and of the west should treat all equally. Exceptions are made in the cases of Manitoba, Saskatchewan and Alberta, but what of British Columbia ? British Columbia has been complaining about the manner in which her subsidies are treated and no exception has been made. The Hon. Mr. Gouin, Prime Minister of Quebec, who started the campaign in favour of increased subsidies, was here when the resolutions were adopted by the government to be submitted to parliament; and to-day these resolutions are altered in a most shocking manner, but the Prime Minister of Quebec is away and does not know, I am sure, that this change has taken place in the legislation. I claim that it is the duty of the ministers from Quebec, of the hon. the Postmaster General (Mr. Lemieux), for instance, who was laughing a moment ago, to see that the older provinces of the Dominion are treated in the same way as the new provinces and that there should not be two laws in this country, one for the new provinces and one for the older provinces. If there is to be an increase in the subsidy, let it be just, let it be the same for every province according to population and according to the census taken every ten years. The Minister of Finance has said that in the western provinces it would be according to the official census of the probable population. Can there be an official census of the probable population? I cannot understand that. But there could be an official census of the population of every province of Canada and that is the census taken every ten years by this government. I claim it is only justice to the old provinces as well as justice to the newer provinces that they should all be treated in the same way by this government, and, therefore, I purpose voting against the resolution notwithstanding the fact that I have always been in favour of increased subsidies to the provinces.

Hon. GEORGE E. FOSTER (North Toronto). I would like to call the attention of the government to the wording of this address. It looks as if the schoolmaster must have been abroad when the resolution was being drafted. At least we ought to send an address to the British Crown in good English—or let us translate it and put it in good French, but whichever language is used, let it be good English or good French. Take the first sentence :

> We, . . . humbly approach Your Majesty for the purpose of representing that it is expedient to amend the scale of payments . . . by providing that—

That part of the sentence reads all right, but subsection (a) reads :

> A. Instead of the amounts now paid, the sums hereafter payable yearly by Canada to the several provinces for the support of their governments and legislatures, to be——

Then subsection (b) reads :

> B. Instead of an annual grant per head of population now allowed, the annual payment hereafter to be at the same rate of eighty cents per head——

Then in subsection (c) we have :

> C. An additional allowance to the extent of one hundred thousand dollars annually for ten years to the province of British Columbia.

And there you stop, you have no verb at all. It is the strangest kind of English I ever saw. Has there been a change of policy as regards the general construction of the English language, an advanced policy ? I think it is simply disgraceful to have such drafting.

Mr. FIELDING. This has been confirmed by the Interprovincial Conference, including the many eminent judges of English who were then present.

Mr. FOSTER. Did the conference draw this up ?

Mr. FIELDING. The resolutions of the conference are interpreted and incorporated in this resolution.

Mr. FOSTER. It is the fault of the interpreters.

Mr. FIELDING. If they get the money they will not quarrel about the English.

Mr. FOSTER. I believe of course that the Interprovincial Conference put it in good English but it has not been continued. It is really absurd.

Hon. A. B. AYLESWORTH (Minister of Justice). Of course the point is of the finest. If the word 'to' is struck out it becomes good English.

Mr. FOSTER. But you have still no verb for British Columbia.

Mr. AYLESWORTH. The manner in which it has got into this condition is manifest enough. These are the Quebec

resolutions as penned at the time of the Quebec Conference among the premiers who were jotting down what was to be done. This language was then used and these very words have been adopted in the body of the address which it is proposed to present. If the word 'to' is omitted from clause (A) and clause (B) and the words 'be paid' are inserted after the word 'allowance' in clause (C) you have exactly the same idea expressed in a manner to which even the traditional schoolmaster could not take exception.

Mr. FOSTER. I think even the commonsense schoolmaster ought to try to write good English. It is the fault of the Justice Department of course.

Mr. AYLESWORTH. Might I be permitted to say one word with reference to the point that has been discussed by the hon. member for Grey (Mr. Sproule). He has referred to the language in clause (D). That was inserted in the address upon its previous consideration in this House, to make it clear that nothing in this address was proposed to affect special terms upon which any particular province became part of the Dominion. There were special terms, as has been pointed out to the province of Manitoba, in respect to the special manner in which the population of that province was to be computed for the purpose of its annual subsidy. There were, in the next place, special terms for Prince Edward Island, when that province was admitted to the federation, in that the 80 cents per head of population subsidy payable to that province was subject to be increased but never subject to be diminished. The population of that province has, in fact, not remained at the maximum and as a consequence, by reason of the special terms upon which the province of Prince Edward Island was admitted into confederation, the annual grant payable to that province is to-day being computed upon a maximum population several thousands greater than the actual population of the island as shown at the last decennial census. That is exactly the kind of terms special to that particular province which these resolutions were not intended to affect.

Mr. LEFURGEY. Is that the provision which is protected by the new clause (D) ?

Mr. AYLESWORTH. That is not being protected by the new clause, it is not referred to in clause (B).

Mr. LEFURGEY. By the amendment in the resolution as discussed before the House.

Mr. AYLESWORTH. That was included in clause (D) which was inserted when the address was before the House before; clause (D) provides that nothing in this address is to affect the terms special to any province. There were terms special to Manitoba in that Manitoba was to have a quinquennial census and was to have an estimate of the population between the decennial and the quinquennial and between the quinquennial and the decennial census. There was, therefore, special provision as to the way in which the population of Manitoba was to be computed for the payment of this 80 cents. Then there came the special provision with reference to Prince Edward Island, which was one of the terms of the bargain upon which Prince Edward Island came in, that the basis of population for the purpose of computation as to this 80 cents per head, for that province could go up but never could go down.

Alberta and Saskatchewan were constituted provinces of the Dominion two years ago, and the same terms which were made special to Manitoba were inserted in the Autonomy Bills or statutes constituting those provinces. Accordingly it was provided in clause (D), which was inserted here, that nothing which we were doing in this address was to be understood as in any way affecting those special terms which were contemporaneous with the admission of these particular provinces into the confederation. And further that if there had been, as we know there have in the case of some of the provinces, special provisions in the way of better terms—such for instance as were given on more than one occasion to the maritime provinces of Nova Scotia and New Brunswick—those special grants should not be interfered with by the basis on which the 80 cents per head was to be calculated.

Mr. SPROULE. At different times we increased the grants to each of the provinces. We did so in 1884, I remember distinctly. In all such cases, will these be regarded as special grants?

Mr. AYLESWORTH. The idea of these resolutions is simply that we are not touching any of those special grants or superseding them in any way whatever, but we are providing a different method of computing the population on which the 80 cents per head is payable, and are substituting for the lump sum mentioned in section 118 of the British North America Act the new figures contained in clause 1 of the resolution and are not interfering with anything else.

Mr. SPROULE. Clause 118 of the British North America Act only refers to the four original provinces and provides for the support of their respective governments and legislatures. When a new province comes in we provide a sum for the same purposes, but it does not come under that clause in the British North America Act. Are these to be regarded as special terms?

Mr. AYLESWORTH. Section 118 of the British North America Act has reference to the sums payable yearly by Canada to the several provinces.

Mr. SPROULE. There were only four then.

Mr. AYLESWORTH. It mentions the four provinces which then constituted Canada, but the statute speaks during all time, and it expressly provides by section 4 that wherever in the Act the word 'Canada' is used that is to be taken to mean Canada as constituted under this Act. And Canada, as constituted under the British North America Act, means the Canada as it exists at the time any legislation is enacted. The word 'Canada' in the British North America Act is flexible, including every part of the Dominion as it may be constituted from year to year. Accordingly, as has been held in fact by the judicial committee of the Privy Council, the word 'Canada,' when used throughout the statute, is not limited to the four original federating provinces but means all the provinces of Canada which may from time to time constitute the whole Dominion, so that we have to interpret that clause now as if it had been amended by the additions of these provisions for the various provinces which have come in since the original confederation of four.

Mr. A. A. McLEAN (Queen's, P.E.I.) I would ask why it is we are giving special favours to these western provinces.

Mr. AYLESWORTH. We are not. This address is not proposing any special terms to the western provinces. Those were given in the case of Alberta and Saskatchewan two years ago and in the case of Manitoba thirty years ago, and we are here making plain what I venture to think is reasonably plain to most people, and are not affecting these special terms by anything we are now proposing.

Mr. A. A. McLEAN. You are doing it in this way. You are giving them a per capita allowance on a more favourable basis than in the case of the other provinces. Why should they have any better right to this than the older provinces? They are perhaps on a firmer footing than the older provinces, and are not in any way entitled to more favour than the other provinces, especially the maritime provinces. The latter are not in really as good a position to-day as the western provinces, and I agree with the hon. member from Montmagny (Mr. Lavergne) that the western provinces should not receive these favours granted under those resolutions.

Mr. AYLESWORTH. The hon. gentlemen must not forget that these special terms were secured to these western provinces in the statutes which brought them into confederation, and this parliament is powerless to touch these better terms.

Mr. A. A. LEFURGEY (Prince, P.E.I.) The grant of $100,000 to British Columbia was not a part of the agreement.

Mr. FIELDING. Do you say it is too much or too little?

Mr. LEFURGEY. Neither one nor the other, but I say that Prince Edward Island deserves much more consideration than she got at the conference of the premiers.

Mr. ARMAND LAVERGNE. Does the hon. minister say that Manitoba, Alberta and Saskatchewan have the right to have their subsidy increased every five years, according as their population increases?

Mr. J. J. HUGHES (King's, P.E.I.) Is this address to the King meant to carry out the intention of the conference of the provincial premiers held here last autumn, and is clause (D) meant particularly to carry out the proposals of that conference, which perhaps were not clearly expressed by the resolutions passed by it? Are these resolutions intended to make more clear the resolutions passed by that conference?

Mr. AYLESWORTH. We are exactly interpreting the intentions of the conference.

Mr. LEFURGEY. It is not very strange that these resolutions should be brought forward at this time by the hon. member for King's (Mr. Hughes) after the recent events in Prince Edward Island, and that he should have the Minister of Justice trying to smooth over the situation which caused so much turmoil and trouble in our local legislature. When the conference of provincial premiers was held, there was no clause (D) adopted to protect Prince Edward Island by providing that she would always get 80 cents per capita on the maximum of her population.

Mr. AYLESWORTH. Does the hon. gentleman suggest that there was any idea of interfering with Prince Edward Island?

Mr. LEFURGEY. I mean to say that the clause, as introduced in the conference, did not safeguard the special rights she had. Otherwise why introduce clause (D) to protect her rights?

Mr. AYLESWORTH. Clause (D) is simply carrying out the intention of every one present at that conference.

Mr. LEFURGEY. Without clause (D), Prince Edward Island was not protected. Would the Minister of Justice say that under clause (B) as address was first brought down, Prince Edward Island was protected as regards the per capita allowance on the maximum population she had at any time since she joined confederation?

Mr. AYLESWORTH. The province of Prince Edward Island was in no peril without clause (D).

Mr. A. A. McLEAN. Why then did the Prime Minister move a resolution amending it?

Mr. AYLESWORTH. So that nobody would raise these silly points.

Hon. RODOLPHE LEMIEUX (Postmaster General). I want to answer the hon. member for Montmagny (Mr. Lavergne) who also has raised the silly point mentioned by the Minister of Justice.

Mr. ARMAND LAVERGNE. That silly point brings you to your feet.

Mr. LEMIEUX. My hon. friend is always raising such points. One day it is the question of Dominion notes, another, it is the question of the postage stamps, and last summer he was endeavouring to excite the province of Quebec at large by raising an agitation over the Sunday Bill. Now that Mr. Gouin must be consulted as regards the readjustment of provincial subsidies, he is anxious lest Mr. Gouin should be denied certain rights belonging to the province. My hon. friend need not be afraid. Mr. Gouin is perfectly satisfied with the legislation that is brought before the House, and I may tell him that if he had worked for the province of Quebec as much as Mr. Gouin has, he would enjoy a higher reputation in that province than he does to-day. My hon. friend wishes to make a point as regards the quinquennial census in the western provinces. In the constitution of our country, it is clear that a quinquennial census shall be taken in those provinces, and consequently the payment of subsidies to those provinces can be made every five years. Why does not my hon. friend raise another trouble because the representation of those provinces is changed every five years? It is in the constitution; and a similar provision does not exist for the other provinces whose representation is changed only after a decennial census. My hon. friend should have raised that question at the last general election. We all know that after the last census the province of Ontario lost some of its members, but was there any agitation in that province that the rights of Ontario were being trampled upon because it lost a few members? Not at all, because such reduction was based on the constitution. The province of Quebec remained with 65 members only, although its population had increased, whereas the province of Ontario, in consequence of a proportionate decrease, had to submit to a reduction in the number of its representatives. But there was no agitation. Because the west has a quinquennial census, does the hon. gentleman think that the province of Quebec should also have a quinquennial census? The constitution is there, it is the law of the land, and my hon. friend will not be able to wave his little flag in the province of Quebec over such a petty matter.

Mr. ARMAND LAVERGNE. I rise to a point of order. The Postmaster General has put into my mouth words that I never used. It is an act of cowardice on his part.

Mr. DEPUTY SPEAKER. The hon. gentleman will have to withdraw the word 'cowardice.'

Mr. ARMAND LAVERGNE. I will not withdraw.

Mr. FIELDING. I appeal to the hon. gentleman to abide by the judgment of the Speaker. He must realize that his expression is out of order.

Mr. DEPUTY SPEAKER. The hon. gentleman will have to withdraw that word.

Mr. ARMAND LAVERGNE. I understand that when a question of order is raised I have a right to speak on that point of order. Is it not a rule of parliament that any member has a right to speak on a question of order?

Mr. DEPUTY SPEAKER. The hon. member will have to withdraw that word before he proceeds.

Mr. ARMAND LAVERGNE. I have a right to make an explanation.

Mr. DEPUTY SPEAKER. You will have to withdraw the word.

Mr. R. L. BORDEN. Has the hon. member not a right to discuss a point of order? I do not remember any parliamentary decision that the hon. gentleman is out of order.

Mr. FIELDING. The hon. gentleman can not raise a question on a point of order.

Mr. ARMAND LAVERGNE. Well, I withdraw the word, and I will say that the Postmaster General was very brave.

Mr. LEMIEUX. I am much obliged for the compliment.

Mr. W. B. NORTHRUP (East Hastings). I think we are all agreed that the resolution now before the House deserves the best attention that we can give it. We know that the House has once passed this address, presumably using its best judgment, and to-day we are reconsidering the same question. Now it is quite clear either that we expressed ourselves as we wished to do the other day, or else we failed to do so. It seems to me that nobody can contend that we did express ourselves as we wished to then and that to-day it is right that we are asked to express ourselves in a different way. We are asked to consider a request to amend the British North America Act so that it shall be a final settlement of the amounts to be paid in to the several provinces of the Dominion for their local purposes and the support of their government for legislation. We see how final and unalterable the amended Act will be; therefore we cannot give too much time and take too much pains not merely to express ourselves in a way that will carry out our opinions, but to express ourselves with such clearness that there can be no room for a difference of opinion hereafter as to what

the British North America Act does mean with respect to these amounts. Now this motion I observe only asks the imperial authorities to amend the British North America Act in one single respect. The address to His Majesty says that it is expedient to amend the scale of payments authorized under section 118 of the British North America Act, and the prayer is :

> That Your Majesty may be pleased to cause a measure to be laid before the imperial parliament at its present session, repealing the provisions of section 118 of the British North America Act.

So there cannot be much doubt that what we do will be utterly void and of no effect beyond repealing section 118 and substituting something for it. Now look at that clause. That clause does not refer to any other than the four original provinces, Quebec, Ontario, Nova Scotia and New Brunswick. It gives them a certain fixed sum per annum, and a certain per capita allowance. Now then, bearing in mind what I have suggested, all we are here asking the imperial authorities to do is to amend this clause 118 by striking it out and putting something else in its place. Suppose that power is granted and that clause 118 is stricken out, who would be affected by striking it out ? Let us assume that clause 118 is stricken out of the British North America Act and nothing else should take its place, who would be hurt ? The four original provinces only. The Minister of Justice may say that by the terms of the British North America Act all the other provinces are brought in under clause 118. I dispute that. If clause 118 is stricken out what position would the four original provinces be in ? Clearly they would forfeit the sums payable under section 118. What position would the other provinces be placed in ? They would not lose a dollar. Every other province is especially provided for in some other way. So I submit that if clause 118 was stricken out and nothing else were put in its place, only the four provinces would be affected in the slightest degree. It would not hurt the other provinces at all outside the four and that is because the payments of the other provinces are made under entirely different authority. The British North America Act provides that on a petition from the provinces and a concurrent petition from the Dominion, an order in council shall be passed by the imperial authorities bringing in the provinces, and such order in council shall have the same effect as an Ontario statute. So that British Columbia, Prince Edward Island and the other provinces, although they were brought in legally by order in council, were practically brought in by imperial statute. Then, if they are dealt with by an imperial statute which provides that they shall be paid so much money in express terms, how can any body say that the repeal of clause 118 would affect those who get nothing under clause 118 ? But, let us go a step further. I think I have shown that only the original four provinces would be affected. Then clause (D) comes in :

> Nothing herein contained shall in any way supersede or affect the terms special to any particular province.

How is that going to affect the position when clause 118 is already stricken out and nothing is put in its place ? Will not that clause be superfluous if you merely strike out 118 ? Of course, you are not taking away from those provinces anything they got outside of this section 118, and they never got anything under it. Therefore I submit that the province that obtains its annual grant under an imperial order in council, which has the force of a statute, or, as Manitoba did, under special legislation, and which is not affected at all by the repeal of section 118 will, under section D, not be affected. When we look at clause A we find that certain changes are made, that instead of the sums payable under section 118 certain other sums will be paid to the different provinces. It is perfectly clear that the original four provinces have forfeited all they got under section 118 because that has been repealed. It is perfectly clear that the other provinces are still entitled to what they have been receiving in the past. Therefore, when we come to consider clause A the practical result is that clause A takes, in so far as the original four provinces are concerned, the place of section 118 which has been repealed and therefore they will receive the sums which will be payable under clause A. But, as to the provinces outside of the four original provinces, they have lost nothing. The repeal of section 118 does not affect them in so far as you leave them all they are drawing to-day and in addition you give them whatever they are entitled to under clause A. There is no word in clause A which would be inconsistent with any province holding all that it has to-day and getting in addition what it is entitled to under clause A. I think the House is entitled to know that what the government are preparing to do is to take from the four original provinces every dollar that they get under section 118 and give them clause A in place of it, and at the same time allowing the other provinces to retain every dollar they have to-day and giving them clause A in addition and the sums payable under it. That is a tremendously important question. There is really a vast difference between that policy and the one which has hitherto prevailed. Surely, in a matter of this kind, when we are asking the imperial authorities to intervene by legislation, it is highly desirable that such legislation should be final. It should be made sure that we are not through ignorance or negligence taking from one province to give another, but rather doing justice to all. The hon. Minis-

ter of Justice states that section 118 has been practically extended so that to-day it includes all of the nine provinces. That is perfectly true, but as he also said : Canada' is a flexible term and we cannot say that section 118 covers all the provinces because it could not be worked out in that way. All the provinces will get what they are entitled to under special agreements and any part that they may be entitled to under the British North America Act in so far as that Act is to apply. Of course, it applies. I shall not discuss that but it would be inconsistent to say that the subsidies which they received under the bargain made when they came into confederation will be taken away by the repeal of a clause under which they took nothing.

There is another point as to the question of population which, with all due respect to the government, is not so simple as the hon. leader of the House would suggest. The sums payable under clause A are to be paid according to population. I would like to ask, is any man prepared to say with certainty what the word 'population' means under this clause ? We take a decennial census. It may be held that the population would be that which was shown in the last decennial census. But, there are parts of the country in which a quinquennial census is taken. I think it might be argued that this is the census referred to. Then, certain parts of the country may take an annual census. How would any judge decide whether this is to be a decennial or a quinquennial or an annual census ? Would not the practical result be that if matters continue as they are, if a decennial census is taken in the east and a quinquennial census is taken in the west and is not taken in the east, the west is in a vastly better position than the east ? The very fact of this amendment to clause D shows that the government understand and recognize that and I submit, that, taking clause A as it stands and clause D, it shows that the government are well aware of the effect of a quinquennial census and that therefore they provided in clause D that the quinquennial census shall apply. Why did they not apply it to clause A ? Why distinguish one and not the other ? They recognize the fact that there are three kinds of censuses. Suppose a court were to decide that the population is to be taken according to the last census and if in the east our last census was the decennial census which had been taken eight or nine years before the provinces in the east would be getting their allowance—and the province of Prince Edward Island perhaps needs the allowance more than any other province—on a census eight or nine years old, whereas, in the west, where they are going ahead by leaps and bounds, where the population is increasing rapidly, their census will be taken quinquennially and the allowance, at the utmost, will be on a census only four or five years old. I do not think it is necessary to find fault with the fact that one part of the country is getting more than another, but I think this is a matter in regard to which we should understand what we are doing. Do not let us put one part of the country in a better position than another unless we understand what we are doing ; so that we will not have to come back and apologize to one part of the country and say that owing to an unfortunate blunder you are not as well treated as you would have been if the government had looked after your interests as carefully as they have looked after the interests of another part of the country.

In the consideration of this question I submit, that, as it was conceded by the hon. leader of the House that we have a right to consider every part of the resolution, we should look at every part of it and particularly at the part in which it is proposed to give $100,000 a year for ten years to British Columbia. I do not know how it strikes the other members of the House, but it does strike me as rather extraordinary and it is rather an abrogation of our duties and of the duties of the government that a conference should be held of the local premiers and their resolutions should be binding upon this House. The local premiers are elected for a certain purpose and we are elected for a certain purpose, but while I quite agree that the meeting of the local premiers was a most proper procedure and that their recommendations should be treated with the utmost respect by the government of the day, I hold that when we come to deal with public moneys the government are wholly and entirely responsible. It will not do for the government to say that the local premiers agreed upon this matter because they were not elected to deal with these matters while we were elected to deal with them. So I think the government must bear the responsibility apart altogether from what the local premiers have done in giving British Columbia $100,000 a year. Again and again during the present session, and not later than yesterday, the government has confessed its belief in the principle of arbitration. It is recognized in the civilized world that in dealing with disputes between people and nations, instead of the old brute way of settling them by force of arms, arbitration is the most successful way to settle these difficulties.

Then the premiers of the different provinces met and when British Columbia asked to have her rights settled by arbitration, why is it that the Dominion refused? Only yesterday this government was ready to leave certain disputes with Ontario to arbitration; why does not this government submit the case of British Columbia to arbitration before we settle for all time by imperial legislation the grant she is entitled to get. If British Columbia is not entitled to $100,000, she should not be paid $100,000; if British Columbia is entitled to double that

amount it is an injustice to deprive her of it. What man in this House has the necessary information to stand before an intelligent body of men and to say that he knows of his own knowledge from an examination of the facts on their merits that British Columbia is entitled to $100,000 a year or to $200,000 a year, or to any other fixed sum? Is it not monstrous that we should be asked by this government to vote such a proposal without a single word of information in regard to it from the leader of the House down to the humblest member on the government benches? Considering that this resolution has been so unfortunate so far; considering that it is not clear on its face as worded at present, would it not be better to let the resolution stand until the government has time to see that it is properly worded so that there will be no possibility of misunderstanding and no necessity to resort to the courts, at enormous expense, to find out what parliament means. During the interval between now and next session let a proper investigation be made by arbitration so that we may know what British Columbia is properly entitled to. To a great and growing and rich country like Canada a few thousand dollars may be of small importance, but it is of the utmost importance for us to know that a province of our country, a province which deserves our sympathy and which deserves justice at our hands, does not feel that she is unjustly treated. I would rather see British Columbia given half a million dollars, even though that were more than she is entitled to, than to give her $100,000 and have the people of that great province believe that the representatives of the Dominion in this parliament were so indifferent to her rights as to refuse her an adequate opportunity even to present her case. I do not say that British Columbia is entitled to one dollar more than $100,000. I frankly admit that I have not the information in my possession to say whether she is or not. But I protest against being called on to vote that British Columbia is only entitled to $100,000, when for all I know she may be entitled to three times that. In making the frank admission that I have no information to guide me, I believe that 99 out of every 100 members of this House could confess the same, and, therefore, I submit that before fixing the compensation for Brtish Columbia we should give that province an opportunity to be heard and to present her case so that we may know the real truth.

At one o'clock, House took recess.

House resumed at three o'clock.

Mr. H. BOURASSA (Labelle). Mr. Speaker, the question before the House is not only a very important one but comes to us in a most extraordinary form, with changes which should call for more attention from the House than the government seems disposed to give to them. Before entering upon the merits of the question. I may say that I was absent this morning when there was a little exchange of words between two of my good friends, the hon. Postmaster General (Mr. Lemieux) and the hon. member for Montmagny (Mr. Armand Lavergne). The Postmaster General is a kind hearted gentleman, and is by nature and by education a broad-minded man ; but I have noticed that every time he feels bound by his duty of office to discuss any question which requires from him as from the rest of the government an abandonment of Liberal principles, he shows a bitterness which is entirely foreign to his kind nature. This is not the first time, nor do I suppose it will be the last, for the Postmaster General to accuse either my friend or myself of trying to arouse racial prejudices when we enter our protest against some measure of the government which we think detrimental to the province of Quebec. Now, Sir, here is a question upon which the parliament of Canada is called to vary the conditions that have been made with the various provinces of Canada either by the British North America Act or by the terms governing the entrance of any of these provinces into the Dominion of Canada. Either my hon. friend from Montmagny or myself would be untrue to our duty as representatives of the people if we did not call the attention of parliament and the attention of the country to what we deem to be an injustice not only to the province of Quebec, but to the other provinces which formed the basis of confederation ; and it ill becomes either the Postmaster General or any one else to try to raise these racial prejudices by giving to our protest and our argument a basis which is entirely unfounded, and which fortunately is losing its strength every day. I would advise my good friend the Postmaster General not to follow the bad example of the Minister of Justice, who tried the same thing in a by-election in the province of Ontario.

Mr. LEMIEUX. Will my hon. friend allow me ? I do not wish to reopen the debate, even if I were entitled to do so ; but as my hon. friend was not here this morning, he should not impute motives to me.

Mr. BOURASSA. I am not imputing motives to the hon. gentleman ; but I am taking the attitude of the Postmaster General, as evidenced not only this morning but on previous occasions. I know what happened this morning, and I know moreover the argument which has been used for the last eight years in the province of Quebec against me—not very often I must say by the Postmaster General, but by some of his colleagues and some of his

friends. Every time we have tried to discuss public issues or the policy of the government, we have been met with the accusation of being racial firebrands and of interfering with the policy and the power of the Prime Minister, the only French-Canadian Prime Minister of this country we have ever had or will ever have. These gentlemen for the years past have had no other argument in the province of Quebec than a racial argument. Every time we have discussed questions of public policy, they have tried, not in the province of Quebec, but in the parliament of Canada and in the province of Ontario, and in their press, to raise against us the racial prejudices of the English-speaking community, while carrying on their little game of raising racial prejudices in the province of Quebec for the benefit of the government. Now, Sir, that game is exploded. During the last two years I have discussed public issues much more in the province of Ontario than I have in my own province, and I am happy to say that I have been confirmed in my opinion that the great bulk of the people of Ontario are willing to listen to arguments on any question of public policy, with courtesy and respect to the various nationalities in this country.

Now, Sir, what is the question before the House? The government, after having had this resolution carried in this House, perhaps too hastily—and I am ready to take my share of responsibility for having allowed it to pass without perhaps having looked sufficiently into the merits of the case—are now coming back to us and asking us to change the terms under which three of the provinces of this Dominion are asked to share in the benefits granted by the parliament of Canada. These terms are to be changed, so that for all time to come the provinces of Alberta, Saskatchewan and Manitoba will be entitled to an increase of subsidy every five years, whilst the other provinces of the Dominion will be entitled to an increase only every ten years. The Postmaster General this morning tried to assimilate this to the case of the representation of the various provinces. He has accused my hon. friend from Montmagny of not having protested against the law by which this parliament has given to the provinces of Alberta and Saskatchewan an increased representation based on the census of 1906. But the Postmaster General should not forget so quickly the dispositions of that law. By section 6 of the Saskatchewan Act, as well as by the Alberta Act, although it is provided that these provinces shall be entitled to an increased representation after the census of 1906, it is positively declared that 'the representation of the said provinces shall thereafter be readjusted from time to time according to the provisions of section 51 of the British North America Act, 1867.' That is, the exception that was made in favour of Alberta and Saskatchewan is confined entirely to the five years from 1906 to 1911, and after 1911 these provinces will be exactly on the same footing as the other provinces of Canada; whilst by the resolution which is re-introduced to-day—strange to say, after the precedent that has been laid down in this House with regard to past debates during the same session—it is provided that for all time to come not only the provinces of Alberta and Saskatchewan, but also the province of Manitoba, which has heretofore received no special favour with regard to the provincial subsidy will be entitled to an increased subsidy every five years.

Mr. AYLESWORTH. Is my hon. friend under the impression that this is a new provision now being introduced for the first time?

Mr. BOURASSA. I am saying it is a new position, so far as the province of Manitoba is concerned.

Mr. AYLESWORTH. That is not so.

Some hon. MEMBERS. No.

Mr. AYLESWORTH. It is in the revised statutes.

Mr. BOURASSA. Does the hon. minister mean so far as the census is concerned, or the increased subsidy?

Mr. AYLESWORTH. As far as the increased subsidy is concerned, it is already on the statute-book and has been——

Mr. BOURASSA. By what section?

Mr. AYLESWORTH. By the Subsidy Act.

Mr. BOURASSA. Anyhow, it is provided by the Alberta and Saskatchewan Acts, so far as the subsidy is concerned, by section 18, subsection 6, that the subsidy of 80 cents per head will be based on the following:

> On an estimated population of 250,000 at 80 cents per head, $200,000, subject to be increased as hereafter mentioned, that is to say:—a census of the said province shall be taken in every fifth year reckoning from the general census of 1901, and an approximate estimate of the population shall be made at equal intervals of time between each quinquennial and decennial census; and whenever the population by any such census or estimate, exceeds 250,000 which shall be the minimum on which the said allowance shall be calculated, the amount of the said allowance shall be increased accordingly, and so on, until the population has reached 800,000 souls.

So that by the constitution, the quinquennial increase to Alberta and Saskatchewan, at the time of their entering confederation as provinces, was limited to the period previous to the time when they should have reached a population of 800,000. By the present resolution it is

provided that the increase will be based on the population of each province as ascertained from time to time by the last decennial census, or, in the case of the new provinces—Manitoba, Saskatchewan and Alberta—by the last quinquennial census or statutory estimate, until such population exceeds 2,500,000 people, and at the rate of 60 cents per head for so much of said population as may exceed 2,500,000.

So that, instead of limiting the 80 cents per head rate until the population reaches 800,000 people, you extend its operation until the population amounts to 2,500,000 people, and as far as the 60-cent subsidy is concerned, it is extended for all time to come. More than that—and here is a point to which I wish to call the attention of the Minister of Justice—anything we may have done in the past was a matter of the free will of the parliament of Canada. The parliament of Canada could, for good reason, modify any conditions thus made; but now you are asking the imperial government to lay an iron rule upon us so that we shall not be able to change those terms, and you are creating by this legislation a barrier against the free will of the people of Canada in all time to come. You come in the last days of the session to carry such an important measure, to change the condition upon which those provinces have entered confederation, and to change the condition under which they will remain——

Mr. AYLESWORTH. That barrier was upon the parliament of Canada before, because the imperial statute of 1871 provides that a constitution once granted to a province can never afterwards be changed by this parliament.

Mr. BOURASSA. Exactly; the constitution which we granted to Alberta and Saskatchewan bound the Dominion of Canada, as far as this subsidy is concerned, only for such at time as the population of Saskatchewan and Alberta did not reach the figure of 800,000 people; whilst now the Minister of Justice is asking the parliament of Great Britain to bind us for all time to come and to provide for that exceptional favour for Alberta and Saskatchewan for all time. That is exactly the point I want to lay before the House, and I thank the Minister of Justice for giving me his authority in support of it.

But there is more than that. In this resolution it is stated that:

> D. Nothing herein contained shall in any way supersede or affect the terms special to any particular province upon which such province became part of the Dominion of Canada or the right of any province to payment of any special grant heretofore made by the parliament of Canada to any province for any special purpose in such grant expressed.

I am not a lawyer, but if I read this disposition of the resolution concurrently with section 118 of the British North America Act, that is the section as proposed to be amended by this resolution, what will be the result, at least according to the ordinary common sense reading of these documents? It will be that the provinces of Alberta and Saskatchewan will be entitled to the subsidy based upon section 118 as amended by this resolution, with the proposed increase every fifth year, and besides that they will remain entitled to the subsidy which is provided for them by section 18 of the Saskatchewan Act and of the Alberta Act, so that not only will you create an exceptional favour for the provinces of Alberta and Saskatchewan, but you are giving them a double subsidy, one based upon the population of these provinces, as ascertained through your quinquennial censuses, and the other provided by section D, by which you are maintaining the subsidy accorded to them by the statutes of 1905. It may be that my interpretation of the context is not correct, but I do not think it is proper for the government of Canada to come in the dying days of the session and ask an expression of the will of parliament, ask for the adoption of a petition to go before the parliament of Great Britain for sanction and embodiment in the Imperial statute, without having first made perfectly clear that we are not giving such exceptional favours to those provinces without recognizing the rights of other provinces. The Postmaster General may talk about provincialism, may talk about appealing to the sentiments of one province or another—I am not raising my protest against this resolution upon the feelings of one province or another, I am raising it upon the principles of justice and equity which should remain as the basic principles of our constitution. If you betray the good faith of parliament, if you betray the good faith of the people of Canada and you afterwards get the sanction of the imperial parliament to embody a disposition, the operation of which you do not yourself now conceive, you are doing more to bring about a bad result, more to develop feelings of animosity betwen the various provinces of Canada, than we are doing by entering our protest. We are now entering our protest, not because you are creating any position unfavourable to the province of Quebec; we are entering our protest because in a hasty way, without having considered the principle and the bearing of your action, you are asking the parliament of Great Britain to sanction a disposition which, when fully understood by the whole people of Canda, will do more to bring about bad feeling between the various provinces than any racial campaign could do. It has been well stated by one of the most prophetic statesmen of Great Britain that whenever you touch the question of money you touch one of the basic principles of

the development of the British constitution. Edmund Burke once stated that questions of money have done more to bring about changes in the constitution of Great Britain and in the revolutions which have agitated the United Kingdom of Great Britain and Ireland, than any questions of theory or of ethics, because the right to control the public money as well as to see that public money is properly appropriated and equitably distributed between the various individuals and the various constituent parts of the British people, is one of the basic principles for which the British people have fought throughout their history. There is something more. You are now asking the British parliament to declare, in so many words, that we must have a quinquennial census in this country. What is the provision of our Act relating to census ? You have section 11 which says there must be a census every tenth year from 1911 for the whole of Canada, and you have section 12 providing for a special census for the provinces of Manitoba, Saskatchewan and Alberta every ten years from 1916. There is no question of a quinquennial census at all. There is a general decennial census for the whole of Canada and an exceptional decennial census for the provinces of Manitoba, Alberta and Saskatchewan. But now you are asking the imperial parliament to declare that there must be a quinquennial census for the provinces of Alberta, Saskatchewan and Manitoba.

Mr. HAGGART. Do I understand the hon. gentleman to say that the quinquennial census, under the statute, is only to be taken every ten years ?

Mr. BOURASSA. There is no quinquennial census but two decennial censuses.

Mr. HAGGART. How do you interpret the clause ?

Mr. BOURASSA. At present it comes to the same thing from a practical point of view. Does the hon. gentleman not see the difference between two independent censuses, one being a decennial census every ten years from 1911 for the whole of Canada, and the other a decennial census every ten years from 1916 for three provinces only ? They are two independent clauses which may be amended; but by this proposition you are providing by an Imperial Act for a quinquennial census for the provinces of Manitoba, Alberta and Saskatchewan, and you are taking from the parliament of Canada the right to declare at some future period that these provinces shall be put on the same basis with regard to the censuses as the other provinces. Your are providing for a quinquennial census for each of those provinces.

Mr. BERGERON. For ever.

Mr. BOURASSA. Yes, for ever. Surely that is a question which we may discuss without being accused of racial demagogy. Surely the results involved are sufficiently considerable to call for calm and judicial consideration on the part of the Minister of Justice (Mr. Aylesworth) and the Postmaster General (Mr. Lemieux). Surely we have the right, not only as the representatives of one province—and whether it be English or French what does that matter ?—to ask that this change should be looked into carefully before we adopt it, especially before it is made a part of our constitution by the imperial parliament in such a way that we shall be deprived for all time to come, from amending it except by passing through the same stages as we are now asked to pass through. I would ask my hon. friend the Postmaster General (Mr. Lemieux) to bear in mind one of the most important truisms in the political history of the world. I would ask him to remember that while it may be easy to get the parliament or the people to consent to a change in its constitution, it is very difficult once that change is made, to reverse it. I know that in the history of Great Britain and Canada, at first sight, without going by the book as my hon. friend the Postmaster General (Mr. Lemieux) is wont to say, this book which he opens whenever he has to make a speech—without going through all the books, which my hon. friend like myself has read, but which he has read with his superior ability as a lawyer and greater experience of the varied political questions and principles, I would ask him if it is not one of the great lessons to be drawn from the history of parliamentary institutions in the British possessions that once you have granted special favours to a large part of any community, even if afterwards you find out that in so doing you committed an injustice and were unfair to the rest of the people, and perhaps the majority of the people, you cannot retrace your steps and remedy that injustice because, owing to the varying causes which influence public opinion and have weight with governments, it is almost impossible to withdraw from one province any special favour, once you have granted it. It is before you have satisfied the appetite, before you have granted special favours, that it is important you should weigh carefully and consider thoroughly the importance of your act. I do not say this in disparagement of the legitimate requirements of the new provinces of Canada. As any other Canadian, I am interested in the development of the western provinces, but it is not in the best interest of those provinces or of the Canadian people at large to lay the roots of disagreement and a sense of injustice in the minds and hearts of the other parts of the Dominion. The Dominion as a whole, like the British empire, is based upon compromise and adjustment among conflicting rights and claims. No doubt my hon. friends from the new provinces are convinced that they are entitled to this special favour ; but after all they must understand that the parliament of Canada cannot be animated only by the feeling

of pleasing these provinces this year and the next but rather by the feeling of dealing equitably and justly with all the provinces.

It does not seem to me that these new provinces have met ill-treatment at our hands. When we passed the Alberta and Saskatchewan statutes we provided that they should be given $50,000 annually for the support of their respective governments and legislatures; and we provided also for an annual grant, to no defined purpose, based on the population. I do not wish to impute motives, I do not wish to say that there was a deep and sinister motive in the framing of this article; but is not that disposition really strange, when it is remembered that the other provinces under section 118 of the British North America Act, were given, for the one purpose, both a fixed sum and an annual subsidy. That double grant is now to be abolished, and an annual subsidy given in its stead? Both those amounts were, in so many words, in that section 118, devoted to the support of the provincial governments and legislatures in the older provinces; while in the case of Alberta, Saskatchewan and Manitoba, they were kept entirely separate. The $50,000 was devoted to the support of their respective governments and legislatures, but the annaul subsidy given as a free grant from the parliament of Canada. So that interpreting the resolutions now introduced with the application of section (D), this annual subsidy, instead of being repealed and replaced by a new subsidy, will remain as one of the special terms under which those provinces entered confederation and they will be further entitled to the same subsidy as the other provinces. Those are points which require a little consideration and discussion by the legal minds of this House before they are passed upon as the expression of the free and intelligent will of the legislators and people of Canada. How many members of this House knew, before this legislation was introduced, that it provided for a double subsidy to the western provinces? It may be that some of our friends from Alberta and Saskatchewan will say, 'So much the better for us.' But I repeat, and I insist, that it will be a bad thing for those two provinces if the idea obtains among the rest of the people of Canada that they have taken advantage of some discrepancies in the text of the resolution to get the better of the rest of the people. Not being animated by any hostile feeling, I would strongly advise the Postmaster General to be assured of that fact,—animated as I am by a desire that harmony, justice and equity should prevail among the various races and provinces of this country, I would urge this government to pause and to study the consequences of this legislation forced upon us in the dying days of the session. What harm will be done by waiting until next year?

You have, moreover, the case of British Columbia. It may be that $100,000 is sufficient for British Columbia, it may be that it is not enough, it may be that it is too much. It may be said: But the members of the different provinces have agreed to this. I have not before me the result of the conferences, but I do not remember that the Premier of British Columbia has accepted the sum of $100,000 for ten years as a full and equitable settlement of the claim of his province. But even though the Prime Ministers have agreed to that, are we going to abdicate our rights and duties as the sovereign parliament of this country, having been charged by the imperial authorities with the responsibility of doing justice throughout the length and breadth of the land, and that, because the various provincial premiers have closeted themselves together and have dictated their terms?

Sir, I want the various provinces to get what they are entitled to. As was stated by my hon. friend from Montmagny (Mr. Armand Lavergne), long before the Prime Minister of Canada, long before the Postmaster General, ever touched that question, I raised it myself in the city of Montreal and in the city of Quebec. I stated then most positively that if it were desired to meet the wishes and views of the fathers of confederation, we should put the provincial legislatures and governments upon a footing where they would be able to live, instead of giving them merely famine subsidies. We should not keep them on such a basis that they will be unable to perform their constitutional functions, or fulfil their duties to the people of their respective provinces. It has been said time and again: The people of the provinces are the same ratepayers as the people of the Dominion. True, Sir, but by our constitution, and this is a basic principle of any federal constitution, while the aggregate population of all the provinces constitute the aggregate population of the Dominion, it is also true that the corporate aggregation of the people of a province constitute a constitutional person so to speak, and that constitutional person must have all that he requires to live and carry on his business. But I repeat, although I am in favour of an increased subsidy and advocated it in the province of Quebec when the Prime Minister was opposed to it and refused the request of the Premier of Quebec, I remain where I was upon this question as well as upon some other questions. I say that although I am in favour of an increased subsidy, although I would have preferred to see it given in another form, although I would have preferred, instead of giving a fixed sum to each province, to see the federal government help the provinces in a different way, as for example, in the construction of railways and highways for coloni-

zation, in helping the fishing interest of the east and the mining interest of the west; although instead of giving them lump sums which the provincial governments will spend without having earned them, I would have preferred a reasonable subsidy based upon the principles of our constitution, such for instance, as assuming the expenditure for the administration of criminal law, the expenditure for the maintenance of jails, lunatic asylums and so forth; although I would have preferred to see a more logical and more equitable distribution of the expenditures between the federal and provincial governments, at the same time I have to acknowledge that public opinion is not prepared for that yet, and therefore we must adopt the next best means and accept the policy of increased subsidies. But I repeat, we must go upon lines of reason, upon lines of equity. When we are asked to grant a special favour, as is mentioned in sections C and D of this resolution, when it is a question of giving a special favour to British Columbia, we must inform ourselves as to the needs and requirements of British Columbia, as to her equitable rights, we must ask if she is entitled to that sum. If she is entitled to it, I am ready to grant it; if she is entitled to more than that I am ready to grant it. But I say that we should be informed before deciding in an arbitrary way that the province of British Columbia shall receive $1,000,000, without knowing if that is sufficient, without knowing whether it is too much, or whether it is equitable. With regard to Alberta, Manitoba and Saskatchewan, I repeat that I am ready to give them all that they are entitled to, but I am not ready to vote for a measure the result of which may be to give to two at least of those provinces twice as much as the parliament of Canada intended to give them, and twice as much as the premiers of the other provinces intended to give them when they passed these resolutions.

Now on the one hand we are asked to ratify the grant that the provincial premiers have asked for; on the other hand, when it is pointed out that although we may be adding to the subsidy which the premiers decided upon, we cannot wait, we have no time to ascertain the will and views of those premiers. You must either grant what they have asked for, or, if you wish to exercise your own judgment, you must exercise it completely after informing yourself as to what the legal consequences of this resolution will be, and its financial results. Now in closing I wish to submit to your judgment, Mr. Speaker, a question that seems to have been entirely forgotten. Of course it may be said that I should have raised it at first, but as I was not quite sure what the decision would be, I thought it better first to present my views. Here is an address which, if voted, will have the result of increasing the indebtedness of the people of Canada, and will also have the result of increasing the annual sums to be raised from the taxation of the people of Canada. I would like to ask the Minister of Finance if the assent of His Excellency was obtained before he introduced this resolution?

Mr. FIELDING. Yes, obtained in the customary way.

Mr. BOURASSA. I would also like to point out that this resolution cannot pass the House until it has been considered in Committee of the Whole. It was ruled some years ago, and has not been controverted since, that resolutions affecting the indebtedness or taxation of the people of Canada must be considered in Committee of the Whole before they pass the House. Here is the decision of Mr. Speaker Cockburn on this point. On a similar motion, but different from this one in that it did not call for any appropriation of money, the Speaker has first decided that section 54 of the British North America Act applied, but later on he corrected his decision and stated this :

> I observe that it is entered on the journal of the 9th March, that upon objection taken by the hon. member for Bothwell, the motion of the hon. member for Quebec county, was declared out of order, for the reason there alleged. I desire to correct that entry. The motion was out of order, in my opinion, not because it proposed an appropriation of public money, within the meaning of the 54th section of the British North America Act, and should have been preceded by message, but because it involved an increase of the public debt, and should, therefore, have been first considered in Committee of the Whole.

To show that the motion was similar to this in that respect I will read it. It was moved by Mr. Dorion, seconded by Mr. Fournier :

> That an humble address be presented to Her Majesty, representing that an equitable and satisfactory division of the surplus debt of the late province of Canada, between the provinces of Quebec and Ontario, is not likely to be effected in the manner provided by the British North America Act, 1867, and that the difficulties which beset the question have been greatly aggravated by the award rendered by the arbitrators appointed by the Dominion government and by the government of Ontario, in the absence of any arbitrator for the province of Quebec, which is regarded by the government and the people of Quebec as illegal and unjust, and praying that Her Majesty be pleased to recommend the passing of an Act by the imperial parliament, so amending the British North America Act as to authorize the parliament of Canada to deal by legislative enactment with all questions connected with the said surplus debt.

Thereupon an objection was raised and the Speaker ruled the motion out of order because of section 54 of the British North America Act, and later on, as I have read, he declared that it was not that section

which applied but the rule which required the resolution to be carried through the Committee of the Whole House.

Mr. FIELDING. I may say to my hon. friend that I entirely agree with his contention on this point. I stated to the clerk that the motion must be expressed in that way. It has not been done, but if the hon. gentleman gives his assent to it at once we will go into committee on the resolution.

Mr. SPEAKER. The point is quite clear under rule 77 :

If any motion be made in the House for any public aid or charge upon the people, the consideration and debate thereof may not be presently entered upon, but shall be adjourned till such further day as the House thinks fit to appoint; and then it shall be referred to a Committee of the Whole House before any resolution or vote of the House do pass thereupon.

Mr. FIELDING. If the House will permit, the motion can be made now, the House will go into committee and we will still go on with the discussion.

Mr. R. L. BORDEN. Did we not get it through before without first going into committee on it ? I was not present at the time.

Mr. FIELDING. There is a question whether the procedure was quite correct.

Mr. R. L. BORDEN. There does not seem to have been anything correct about the whole resolution.

Mr. BOURASSA. I was discussing the point of order in my argument. May I ask if His Excellency's consent was obtained when the first resolution was introduced ?

Mr. FIELDING. It was not formally conveyed to the House.

Mr. BOURASSA. I want to have all that information in order to show the House and the country how this question has been brought before the parliament and people of Canada. We see that the government have forgotten the most elementary rule of parliamentary procedure in carrying out this proposal, and that they have not considered the important constitutional problems which are raised by these resolutions as well as the financial results of them. When we see that they have not considered the most elementary forms connected with the resolution, what guarantee have we that they know what the results will be of the conflict between section 18 of the Saskatchewan and Alberta Acts and section 118 of the British North America Act as they propose to amend it ? What assurance have we that they have considered the results that will accrue from the fact that they are asking the British parliament to declare that we must have a quinquennial census in the west whilst the rest of the Act does not provide for it ? By this amendment you are simply changing the Census Act and you are practically bringing about changes in some of our most important and basic constitutional laws. I repeat that this resolution has been thought over, that this resolution has been introduced only with regard to the various political results it will have, that the government have not thought of their constitutional duty, they have not thought of the duty they owe to Canada, they have not thought even of what they owe to the various provinces because they have laid down in this resolution, the basis and germ of more trouble between the various provinces than has been created by any of those campaigns which the hon. Postmaster General (Mr. Lemieux) is pleased to call racial campaigns, but which I will carry on as long as I have a voice in this parliament and as long as I have an audience in the Dominion of Canada, whether in Toronto, Quebec or elsewhere, that will listen to me.

Mr. SPROULE. In the event of this going through what guarantee has the minister that British Columbia will consent to it because British Columbia is not a consenting party ?

Mr. FIELDING. We have none.

Mr. SPROULE. Then does he think it is right that we should, without the consent of one of the important provinces of confederation, go on and pass a constitution which binds it for all time to come ?

Mr. FIELDING. That is a question.

Mr. R. L. BORDEN. Before you leave the chair, Mr. Speaker, I would like to refer to what the hon. Minister of Justice (Mr. Aylesworth) has observed in regard to a question by one of the members from Prince Edward Island. I cannot think that the insertion of clause D in these resolutions was for the purpose of avoiding silly questions, because I observe that the hon. gentleman treats it quite seriously in a letter which has been published in the press and which has been attributed to him bearing date the 30th March, 1907. The letter is addressed to Hon. Lomer Gouin, premier of the province of Quebec, and is as follows:

Dear Sir,—I have your letter of yesterday with reference to the position of Prince Edward Island in regard to the amount of the Dominion subsidy in the event of its population further decreasing.

I had assumed that it could not have been the intention of the Interprovincial Conference, at the meeting last October, to take away from Prince Edward Island or from any other province, any special terms which had been conceded to such province on its entering confederation and in this view had drawn an additional paragraph to the address which it is proposed to present to the King on the subject. This address was passed by the Commons here on Monday last, and sent to the Senate.

My hon. friend the Minister of Justice does not there speak of it as a paragraph

introduced for the purpose of avoiding silly questions, but he deals with it seriously and he declares that having gathered that as the intention of the conference he has prepared an additional paragraph for the purpose of carrying out that intention. He was only doing in that way what had been done by a previous resolution which is to be found at page 5464 of the unrevised 'Hansard,' being a resolution which was passed in 1902 at some meeting of the provincial premiers. By section C of the resolutions passed at that conference special provision was made, as it is made in the resolutions submitted to the House, for the purpose of safeguarding the rights of British Columbia, Manitoba and Prince Edward Island. I observe also that during this session, in response to a question by the hon. member for Prince, P.E.I., the right hon. Prime Minister (Sir Wilfrid Laurier) declared that :

> The question of my hon. friend——

That is the question with which paragraph D is concerned——

> —is engaging the attention of the Minister of Justice and my hon. friend will have an answer when the address to His Majesty, of which notice has been given, is brought up for discussion in the House.

Under the circumstances I do not think that the answer of the Minister of Justice to the member for Prince was a very courteous answer. The question was one that was fairly put and should have received a fair answer.

So far as the terms accorded to the province of British Columbia are concerned, there is a great deal in what my hon. friend from Labelle (Mr. Bourassa) has said. Either this matter is being dealt with by this House, not upon its own responsibility alone, but upon the responsibility of the resolutions of the provincial premiers, or, we are dealing with this matter as a matter which is confided to us by the terms of the constitution and which we may pass whether we have the sanction of a resolution of the provincial premiers or not. The Prime Minister seems to have taken the position at the conference of the provincial premiers, that whatever they were prepared to agree to he would be prepared to carry out by a resolution in this House and by an address to His Majesty for imperial legislation. If that be the position which the right hon. gentleman takes, I would point out that the attitude of the government is not a very safe one, in so far as they are relying upon a resolution passed at a gathering of provincial premiers. One province of this Dominion has not concurred ; the premier of that province withdrew from the conference because he did not think the conclusions arrived at was fair to his province. He had asked that special terms be conceded to his province—and it was admitted that some special terms (in the absencee of an agreement between himself and the other provincial premiers or between himself and the premier of this Dominion) should be submitted to a tribunal of impartial persons and he states he would be prepared to abide by the award and judgment of these persons. The conference did not comply with his view, and the result was that the other provinces of the Dominion practically settled the special terms which should be awarded to the province of British Columbia, and they did that in the absence of the Prime Minister of that province. It does not seem to me to be a very safe principle to base legislation in this House solely upon a resolution of that kind. If you hold that you may ask this House to adopt additional subsidies to some of the provinces, which are not acceptable to other provinces, what result will you have in the end. You will have this result: That the resolution of a bare majority of the provinces will in the future be regarded as a safe test upon which this House shall act in asking for an amendment to the constitution. The time may come when the present great provinces of the west, with perhaps other provinces to be constituted hereafter in the west, may seek to impose upon the eastern provinces some amendments to the British North America Act which may not be regarded as in the interest of the eastern provinces. If you are to base imperial legislation upon the action of eight provinces out of nine, then why should you not base imperial legislation upon the action of five provinces out of nine ? May it not be that at some future time three or four provinces of Canada, whether in the east or in the west, will have this precedent raised up against them as one which has been acted upon by the parliament of this country and one which it is safe to follow. I do not believe that the precedent which the government proposes to establish now is a safe one. I was not present in the House when this subject was discussed on a former occasion. It comes before us again after having been once debated and considered. I do not desire to go into the merits of the question, but I do say that the proposals of the government seem to have been characterized by a most extraordinary series of accidents; I do not wish to use a harsher word. In the first place, I do not know whether any assent of the Crown was expressed when the proposal was first submitted to the House.

Mr. FIELDING. It was not.

Mr. R. L. BORDEN. Thus, in the first instance, you neglected one of the safeguards which is expressly imposed by the British North America Act. In the next place, it was passed through the House without being referred to Committee of the Whole or considered in Committee of the Whole, and finally it went through in

such a form as not to carry out, according to the judgment of the government, the very proposals to which they had assented at that conference. And so we have been obliged to send to the Senate and solemnly ask them to return this address to us in order that we may do properly now what we did not do properly in the first place. And after it does come back to us, we propose once more to repeat the mistake, and but for the intervention of my hon. friend from Labelle, to put this motion through the House without that safeguard of the constitution which requires us to go into Committee of the Whole upon measures involving financial aid. I think there is a very good reason to attach some importance to the remark of my hon. friend (Mr. Bourassa) when he says that if these matters of form which are before our eyes in the constitution have not been observed, we may be fairly justified in presuming that the merits of this measure have not been very fully considered by the government.

Let us look at the amended motion for a moment. Section A provides for an amount to be paid by Canada to the several provinces for the support of their government and legislatures according to population. There is not one word in that as there is in British North America Act as to how the population is to be ascertained. There is not one word in that section as there is in section B to show how that population is to be ascertained. The Minister of Finance says that without any express provision it must be ascertained, as a matter of course, from the census. I do not know how that can be argued. If this provision, the absence of which I have remarked upon, was necessary in section 118 of the British North America Act and in paragraph B of this resolution, why is it not necessary in paragraph A of the resolution? That is the question which the Minister of Finance has not answered to my satisfaction. The same reasons which made that provision necessary in section 118 of the British North America Act; the same necessity which has caused its insertion in paragraph B of this address, should have caused its insertion in paragraph A. Without it I do not know on what basis you are to estimate the population as set forth in paragraph A. Then there is a curious phrasing in section B of the address about which I have a good deal of doubt:

> B. Instead of an annual grant per head of population now allowed, the annual payment hereafter to be at the same rate of eighty cents per head, but on the population of each province, as ascertained from time to time by the last decennial census; (or, in the case of the provinces of Manitoba, Saskatchewan and Alberta, respectively, by the last quinquennial census or statutory estimate), until such population exceeds 2,500,000, and at the rate of sixty cents per head for so much of said population as may exceed 2,500,000.

My hon. friend from Hamilton (Mr. Barker) has called my attention to the very curious phrasing of that paragraph. Apparently the meaning to be derived from it is that whereas the other six provinces of Canada are to have their population ascertained by the last decennial census, in the case of Manitoba, Saskatchewan and Alberta, the estimate is to be made upon the last quinquennial and not upon the last decennial census. So that in the case of six of the provinces you are to estimate always upon the decennial census, and in the case of the other provinces you are to estimate always upon the quinquennial census. So that, after all, we do not very greatly alter the position of these three provinces. If the construction I am now pointing out be the correct one, I would have thought the proper phrasing would have been, 'and in the case of the provinces of Alberta, Saskatchewan and Manitoba respectively, by the last decennial census, or by the last quinquennial census or statutory estimate as the case may be.' That would have made it perfectly plain, but that is not what the resolution says. It seems to provide that, as far as six of the provinces are concerned, you are to proceed always by the result of the last decennial census, and, so far as the other three provinces are concerned, you are to proceed always by the result of the last quinquennial census. The provisions of the Census Act with regard to that, section 12 of chapter 68 of the revised statutes of 1906, are as follows:

> A census of the population and agriculture of the provinces of Manitoba, Saskatchewan and Alberta shall be taken by the office, under the direction of the minister, according to special forms and instructions to be approved by the minister, on a date in the month of June, in the year one thousand nine hundred and sixteen, to be fixed by the Governor in Council, and every tenth year thereafter.

Then section 14 says:

> Each general census, commencing with the year one thousand nine hundred and eleven, shall be so taken as to ascertain with the utmost possible accuracy, for the various territorial dominions of Canada——

——certain data which I need not quote, because they do not concern the point I am discussing. Then, the Alberta Act—and the Saskatchewan is the same in this respect—in section 18 provides:

> A census of the said province shall be taken in every fifth year, reckoning from the general census of one thousand nine hundred and one, and an approximate estimate of the population shall be made at equal intervals of time between each quinquennial and decennial census.

The quinquennial census is taken at intervals of ten years, and the decennial census is taken at intervals of ten years. The expression 'quinquennial census' and the expression 'decennial census' seem to have been taken

from the constitutional Acts of Alberta and Saskatchewan to which I have just referred; and, looking at the language of section B in the light of the statutory provisions to which I have called attention, it is open to a good deal of doubt whether you have simply provided in both cases that there shall be an interval of ten years, but that the interval in the case of the six provinces shall be between the decennial censuses and in the case of the other two provinces between the quinquennial censuses. If that be the case, it was hardly worth our while to send to the Senate for the purpose of having this address returned to us. However, when we go into Committee of the Whole House, we shall have an opportunity to discuss that. I thought it my duty to bring it now to the attention of the government, so that some amendment might be made if the government are inclined to attach any importance to what I have suggested. I suppose it would be necessary again to refer to the Governor General to get his assent to the amended resolution if any amendment were proposed.

Mr. BERGERON. I do not wish to repeat what I said before, because after the speech of the hon. member for Labelle and after what has fallen from the hon. leader of the opposition, there is very little to say either as to the form or the principle of the measure. I am opposed to it on principle. In the first place, I believe it is very unsafe to do anything in the way of changing the constitution of this country. Secondly, I do not believe it was in the mind of the fathers of confederation that there would be any change in regard to the local legislatures. As has been said by the hon. leader of the opposition, we are giving a great deal more money to the local legislatures than was intended by those who framed the constitution of Canada, who knew what they were doing. They were great men. I do not suppose I am insulting any member of this House when I say that those men were probably higher minded men than we are to-day. In reading the debates of confederation one cannot fail to be convinced that they were broad in every sense of the word—men who were strongly opposed to each other on certain questions, but who came together and framed the basis of what I believe is to be a great country. The idea of the fathers of confederation was that the local legislatures would be carried on in an economical way, and that if they required to increase their revenues they would have recourse to direct taxation. But politics in these provinces has taken another course. The Liberal party in the province of Quebec has made direct taxation such a bugbear that they have got the people to believe that they can carry on their affairs without paying for them. That is why the conference of provincial premiers was held at Quebec in 1887. The present leader of this House was present at that conference, with the other provincial premiers. I do not know that they were very anxious to obtain what they were asking for. I know that Quebec was; but Ontario did not seem to be very anxious. That was twenty years ago. The leader of this House has been here for eleven years, holding the purse strings of this Dominion, and he has never shown any anxiety to frame this law or to accede to the resolutions of the conference of 1887. But something happened last summer in the province of Quebec. The present government of Quebec came into power because it talked against taxation, and by trying to induce the people to believe that the Liberals would rule the province without making them pay the expense. They found that they could not do that. and rather than resort to the honest method of taxation, which was done by their predecessors, they have been imposing some indirect taxes and have been able to carry on the affairs of the province only by selling its assets. Then seeing the end of all this, the premier of Quebec came here and took the Prime Minister of Canada by the throat and said: Without the support of the Liberals of Quebec you cannot carry on the affairs of the Dominion or maintain your government for twenty-four hours, and unless you accede to our demand, we will not stand by you any more. The government here acceded to that demand, although they did it reluctantly. That is why this measure has been brought before this House, in such a blundering way. As the leader of the opposition said, when it came first, it was entirely illegal. It ignored the British North America Act; the Governor General was completely ignored; it did not pass before the Committee of the House of Commons where it should have come.

It was sent to the Senate and it was only returned to this House by a vote in the Senate, the Speaker declaring that he had created a precedent by sending it to this House. Even when it came back to this House the leader had to acknowledge he did not know. Whether it was really brought before this House yesterday or not, is a point worthy of consideration. If, yesterday, the question was really brought before the House as Mr. Speaker has declared in rendering his decision this morning that yesterday the House agreed to it unanimously, I say it was out of order because the leader of the House (Mr. Fielding) did not say that he had the assent of His Excellency the Governor General in bringing this question before parliament. It was only this morning that my hon. friend declared before the House that he had obtained the consent of His Excellency. Thus if this question was accepted unanimously by the House yesterday that does not amount to anything since the question was then be-

fore the House in an irregular manner. What do we find in this resolution? We find that we are going to give large sums of money to the local governments. As has been remarked here, clause (D) provides that we shall give them all the moneys which are mentioned in this resolution above all that they receive to-day.

Mr. J. J. HUGHES. I do not think that is correct.

Mr. BERGERON. The local legislatures which we created only two years ago will have very large amounts of money.

Mr. J. J. HUGHES. We are not giving all the money mentioned here over and above what they are receiving to-day.

Mr. BERGERON. Certainly if my hon. friend reads clause D he will find it says:

D. Nothing herein contained shall in any way supersede or affect the terms special to any particular province upon which such province became part of the Dominion of Canada or the right of any province to payment of any special grant heretofore made by the parliament of Canada to any province for any special purpose in such grant expressed.

We are giving that above everything they receive to-day. That is why the Prime Minister of Quebec declared in the legislature last session that they were going to have a revenue of $140,000 more than usual. That is to say the province of Quebec to-day receives, under clause 118 of the British North America Act, $70,000. It declares here that the province of Quebec, if its population is over 1,500,000 will have $240,000; it will have $240,000 besides the $70,000 it now receives. It shows that this has been done in a hurry, that the resolutions have been prepared without care. We have the proof of it already, but there is more than that. Why should we load all the local governments with so much money? Why make the local politicians believe that they are to look to Ottawa for funds to carry on the affairs of their respective provinces? Why should we make little lords of them? They are to-day increasing their indemnities right along. If you read the debates on confederation you will find it is entirely against the spirit of the fathers of confederation that the local legislatures should be anything else but large municipal councils, yet to-day they are parliaments; they call themselves parliaments, they have all the regal appliances we have here in Ottawa whether we have them here properly or not, they are becoming very costly and the people are asking themselves what will be the end of it.

Mr. CONMEE. My hon. friend must not lose sight of provincial rights.

Mr. BERGERON. No, I am going to promenade on the Pigeon river very soon.

Mr. J. J. HUGHES. Clause A provides:

Instead of the amounts now paid, the sums hereafter payable yearly by Canada to the several provinces for the support of their governments and legislatures, to be according to population, and as follows:

Mr. BERGERON. I mean to say it shows the blundering way in which these resolutions were prepared. There is no doubt that there is a conflict between clause A and clause D.

Mr. E. B. DEVLIN. The other is for a special purpose.

Mr. BERGERON. It is not at all clear. The province, particularly Quebec, will find means of showing that clause D is in their favour. I was saying a moment ago when interrupted that we are giving too much money to the provinces and making them forget how and why they exist as local legislatures. Sir, it is not good for these legislatures to have too much money. They ill-use that money. What do we see in Quebec? We have had a government composed of six or seven men. Why, four men could carry on the affairs of the province very well; there are always one or two travelling in Europe at the expense of the province.

Mr. HENDERSON. The same here.

Mr. BERGERON. Oh, yes, but this government is not in question here at all. The more money these governments have the more they spend and if you make them believe that they can come here and by threats obtain from the government whatever they want there will be no end to these demands.

Let me place on 'Hansard' for the information and edification of this House, something which occurred in connection with the last session of the local legislature of Quebec. I am very sorry to have to do so but it is a duty we must perform before granting over $3,000,000 of the money of the people of this country, because after all whether you give that to the local legislatures or any one else, you are taking the money from the pockets of the taxpayers of this country. We here know where the money which we spend goes. We are here, the representatives of the people to ask questions and to criticise expenditures, but when you give it to a legislature over which you have no control you must consider seriously before taking such a step. I may be told that the local legislatures are elected by the people of the country and can be changed at any time the people wish. I know that, but I also know that in 1897 there was a local election in the province of Quebec, shortly after the Dominion elections, and the people of that province voted as they had done for the federal legislature; and in 1900, after the dissolution of this House, when the local legislature had still a year and a half to go on, they dissolved three weeks after the Dominion general

election and again they carried the province on the same lines as the Dominion election had been won on three weeks before. The very same thing happened in 1904, they had the same thing in view.

Mr. E. B. DEVLIN. Does the hon. gentleman complain that the provinces are getting too much money under these terms ?

Mr. BERGERON. Yes, I said that long ago.

Mr. E. B. DEVLIN. Is it not a fact that the Conservative Premier of British Columbia has gone to England to complain that he is not receiving enough ?

Mr. BERGERON. And why not? He is a very intelligent man but he sees that others are getting a grab and he wants more than the others. You cannot stop that, that is what I am complaining of.

An accusation against the local legislature of Quebec was published in a Montreal newspaper. It was there stated that there were grafters in that House, that there were men there who sold their votes, that there were men there for sale. That article is signed and the man who wrote it and signed it dared the local government of Quebec to call him to the bar of the House, saying that if he were called he would name the men who sold themselves and would make his case as clear as possible. He was never brought before the House and now let us see what he wrote. I quote from 'Le Nationaliste.' The article is signed by Mr. Asselin, a man who calls a spade a spade. The article is as follows :

Prayer to Mr. Gouin.

The lobbies of the House are becoming a sort of market where the votes are considered, estimated—and paid for. Some members are more bold-faced than others; they speak for themselves and give out their own price. Others, more timid, ask the money for some colleagues whom they wish to set in good humour, but quite willing to keep it for themselves if circumstances permit. There are, thank God, a pretty large proportion of the members who do not deal in that kind of broker's trade, but unfortunately, unless a serious inquiry is held and exemplary punishment is meted out to offenders, the honest members will become more and more precious because they would be rare indeed.

Men who have sold their influence under Mr. Parent are still of the House, and it would be a matter of surprise if they had changed their habits in changing chief. If 'L'Avenir du Nord' is so fond of the honour of the House, if it is truly convicted that we are slandering our law-makers, it will strenuously second the request that we address to Mr. Gouin and his colleagues, to kindly call us to the bar of the House.

'LE NATIONALISTE.'

That was not acted upon and when a Conservative member in the House asked the Premier of Quebec whether he was going to take any action upon this the Premier did not answer, he did not dare to, he was afraid to do it. He was afraid to do it, and it is common talk in the province of Quebec that you can carry any measure you want in the local legislature. I object to our giving any more money to these people. They have one of the richest provinces in the Dominion and ought to be able to administer their own affairs without coming to us for more money. We will be simply giving them greater means and facilities to carry on in a larger degree such schemes as they have carried in the past. Where are these Quebec ministers to-day ? There are always some of them promenading all over the world at their country's expense. We are encouraging the commission of political crimes by this proposed action and that is the reason why I for one am opposed to this measure.

Mr. E. B. DEVLIN (Wright). I do not think that I could allow the remarkable speech made by the hon. member for Beauharnois (Mr. Bergeron) to go without entering my protest. That hon. gentleman started out by saying he was opposed to these grants on principle. He was opposed to the provinces getting increased subsidies, and then he wound up his remarks, which were not based upon any argument legal or otherwise, by an onslaught on the administration of the province of Quebec and the members of the Quebec legislature as well as the representatives from that province in this House. It is very depressing indeed that we should have to go to the province of Quebec to find gentlemen who are ready to slander the representatives of that province. I am not here to raise any racial question. That would be the last thing I would desire to do, and I regret the more deeply that the hon. member for Beauharnois (Mr. Bergeron) should have seen fit to approach the discussion of this question in the spirit he did. We are here not as members representing any particular province but as members representing the Dominion as a whole; and in the consideration of all questions affecting this Dominion, we should rise above that provincial spirit and act solely in the interests of the Dominion as a whole, of which the different provinces form part. It is to be regretted that some of the provinces should get a little more by this distribution than any other province; but in the building up of a nation, in the welding of the different provinces together as a united Dominion, we should bury our own little provincial differences and be ready to make some sacrifices for the development of this great nation. The hon. member for Beauharnois (Mr. Bergeron) spoke of mal-administration in the province of Quebec. We have perhaps the richest province in the Dominion, one certainly which has the most glorious history, and to-day we have the best administration there we ever enjoyed. Never before in the history of that province has

the Conservative party been so poorly represented in that legislature as at present. The people, weary of the mal-administration of that party, swept it out of office and deemed it unworthy of representation in the legislature. The hon. gentleman (Mr. Bergeron) complains of members of the Quebec legislature going on trips abroad, business trips. Does he not remember that when the Conservatives were in power, their ministers went abroad to contract loans which were useless and extravagant, on which they paid exorbitant rates of interest, and which the people condemned in the most emphatic manner? I think that the hon. gentleman would have done better had he remained silent. I agree with the hon. member for Labelle (Mr. Bourassa) that if the province of Quebec should get more in the way of subsidy, so much the better. I would be glad to see her get a larger subsidy, but I agree with the Postmaster General (Mr. Lemieux) that rather than lose all chance of an increased subsidy, we should support these resolutions, and we should do this in order that the province of Quebec and the other provinces may have their subsidies increased. It is in the interests of the other provinces, that our newly created western provinces should develop as rapidly as possible. It is in the interests of the great St. Lawrence route that these provinces should increase their products and thus increase the trade and commerce which find an outlet by that route. There is not a man in the province of Quebec who is not earnest in his desire to see those western provinces prosper; and if we can help them on either by this money or in any other way, we are prepared to do it. The growth of the western provinces will help the growth of Quebec. We are not afraid of losing our population, we have magnificent farm lands, we have room for immigration and we are getting immigrants, and therefore need not fear the growth of the western provinces. We want all the products of that country to pass down through the ports of the province of Quebec. Therefore it is in the interests of our province to help on this western country in every possible way. I shall support this measure because I believe it to be in the interests of the province from which I come as well as all the provinces of this Dominion. I believe it will lessen the burden of debt on the people of the province of Quebec. I believe it will help us in the administration of justice and in all the departments of local government, and I trust that this House will not hesitate a moment in passing this resolution by a very large majority.

Motion agreed to, and House went into committee.

Mr. SPROULE. How are you going to convert an address into a resolution?

Mr. FIELDING. My hon. friend's point is too fine and I do not think he is serious in pressing it.

Mr. DEPUTY SPEAKER. I have inserted the word 'resolved': 'Resolved that the following address be presented.'

Mr. R. L. BORDEN. You have done well, but where is your authority?

Mr. SPROULE. No matter what observations I happen to make I seem to be most unfortunate in making them, and I am told that they are not worthy of any consideration.

Mr. FIELDING. I never said that.

Mr. SPROULE. That was the reply I met with when I raised the question that these resolutions could not be worked out in accord with the Saskatchewan and Alberta Acts which provide for a two and a half year census, whereas these resolutions on our part provide for a decennial census. I would like to ask if there is any difference between a resolution of this House and an address to His Majesty, in our parliamentary procedure. If it is a matter of no importance, and if we can change the one to the other at will, then what does our parliamentary procedure mean? Is there any virtue in it? I have always thought it was for the purpose of throwing safeguards around our action.

Mr. FIELDING. Of course what my hon. friend states is the obvious intentions. It appeared in the usual form on the notice, because the word 'resolution' is used. I do not think my hon. friend should raise the point he does. This being a money matter, it is held, that it should be considered in Committee of the Whole. There was a doubt at a former stage as to whether this was strictly speaking a money matter, and to remove the doubt it was thought best to treat it as such.

Mr. SPROULE. When the provincial resolutions were considered with regard to confederation the same question was raised, the decision was that it was a money matter.

Mr. FIELDING. When the Prime Minister brought the resolution on at an earlier stage that appears to have escaped his attention. But nobody raised any objection. The proceeding took that form, but if the point had been raised he would have been obliged to proceed in the present form undoubtedly. It is not a direct appropriation of money. It is an address to His Majesty asking the imperial authority to do certain things. There is a shade of difference between it and the ordinary form of an appropriation. But in this case it is well that we should proceed so that to put it beyond question.

Mr. LENNOX. There is a shade of difference, and it was decided against the con-

tention of the hon. gentleman in 1871. The House of Commons held at that time that inasmuch as we could not possibly repeal it ourselves, as it was an Act necessarily final, there was greater reason for regarding it as a money appropriation ; and also because the imposition upon the country was greater than was occasioned in an ordinary Bill involving taxation.

Mr. ARMAND LAVERGNE. Since the resolution was yesterday brought before the House illegally, as there was no royal assent, it seems now that we can raise again the point that this resolution is out of order involving an increase of taxation. This morning the Speaker did not give his decision that this address could not be discussed again to-day, because the point of order was not raised yesterday. But as the resolution was illegally before the House yesterday, I claim the point of order can be raised now, and that having been discussed already by parliament, it cannot be discussed again.

Mr. FIELDING. It is not correct to say that the resolution was illegally before the House. The consent of His Excellency is not obtained when the motion is first put upon the order paper, it is obtained when we proceed to take action in the House of Commons.

Mr. DEPUTY SPEAKER. This is not the time to raise a point of order. This resolution has been referred to the commiittee and we have to deal with it. The question of procedure should have been raised when the Speaker was in the chair.

Mr. ARMAND LAVERGNE. I thought the point of order could be raised at any time.

Mr. DEPUTY SPEAKER. My decision is that as this resolution has been referred to us by the House, we have to consider it as it is.

Mr. ARMAND LAVERGNE. Then I shall have to consider it as it is. I feel rather nervous in trying to do so, because I may be accused of raising racial prejudices if I speak of this resolution, although it is a question of figures from first to last. Whenever an independent opinion is expressed in this House it appears to be considered as an appeal to racial prejudice. This resolution is to take the place of the British North America Act, section 118. Now I understand that the first part of section 118 provides that the following sum should be paid yearly by Canada to the several provinces for the support of their governments and legislatures, namely : Ontario, $80,000; Quebec, $70,000; Nova Scotia, $60,000 ; New Brunswick, $50,000, or a total of $260,000. That is to be replaced by section A of this resolution, and section 18 of the Alberta and Saskatchewan Act. I would ask the Minister of Justice if I am right in supposing that the first part of section 118 is to be replaced by section A of the present resolution. Of course the Minister of Justice won't answer me, because I do not think he understands it himself. I have asked a fair question and cannot get any answer, so I will endeavour to put him right. I succeeded last year, on the Sunday Bill, in putting him right, and I can succeed again. Last year my amendment on the Sunday Bill, although defeated in this House, was accepted by the Senate and accepted by the Minister of Justice when it came back to this House.

An hon. MEMBER. Why did you not support it ?

Mr. ARMAND LAVERGNE. I did support it after it was improved. But if my contention is correct that the provinces of Alberta and Saskatchewan will receive 80 cents per head until they have 800,000 of a population, and that the subsidy can he increased every year under section 18 of the Alberta and Saskatchewan Act, then the subsidy will be increased by 60 cents per head until the population of each province is 2,500,000. Now one thing I can't understand is what section B of this resolution means :

> Nothing herein contained shall in any way supersede or affect the terms special to any particular province upon which such province became part of the Dominion of Canada, or the right of any province to payment of any special grant heretofore made by the parliament of Canada to any province for any special purpose in such grant expressed.

I do not understand what that section means, unless it is that apart from the 80 cents per head, these provinces receive this subsidy of 60 cents per head which is granted by section 18 of the Alberta and Saskatchewan Act ; therefore they will be receiving a double subsidy. I claim this is an injustice to the older provinces. These subsidies will be paid by the older provinces as well as by the new provinces. I claim that every province in the Dominion should be treated in the same manner. My hon. friend the Postmaster General may say that this is a postage stamp policy. If it is the policy of the postage stamp, I have nothing to be ashamed of on account of the policy of the postage stamp, I have that the dual languages should appear on the official records of this country. I claim that the dual races which are sharing this Dominion should appear united upon the records of this parliament and especially on the postage stamps going all over the world so that people of the world will see that French and English Canadians are united and claim their union everywhere. The hon. Postmaster General (Mr. Lemieux) claims that it should not be so. I do not know what he will claim in the province of Quebec. He will say that I am agitating my little flag. I am agitating my little flag, I admit. In the Spanish circus when

they put a little flag before a certain animal he gets wild. I do not want to be disrespectful and I do not want to compare this parliament to a circus which comparison comes to my mind. But, there is this difference between my little flag and the flag of the hon. Postmaster General (Mr. Lemieux). He has a big flag that floats to the breeze of his breezy speeches. My flag is the little flag that I am agitating in Quebec, in the Dominion parliament and in Ontario. But the big flag of the Postmaster General is one colour in Quebec and another colour in Ontario. This loyal little flag of mine is a Canadian flag, while I do not know what the big flag of my hon. friend is. I do not know whether it is the tri-colour red, blue or white. It is a very French flag in the province of Quebec and a very British flag in the province of Ontario. We have heard the hon. gentleman agitating his big flag in the county of Quebec and telling the people that they should vote for Laurier because he is a French Canadian. To-day in this House he knows how to appeal to racial prejudices because we claim in this parliament what we claim in Quebec and Ontario. We have an opinion which the hon. Postmaster General does not share and that is that the English-speaking maority of this country is broad and just enough to give us what the constitution gives us and what we rightly claim according to that constitution. We have heard my hon. friend, if not my hon. friend especially, we have heard the party press, which supports my hon. friend and in which he writes beautiful articles, state that the English majority was too narrow, too fanatic to give us all the constitution gives us. That is the kind of argument that is used against us in the province of Quebec. I claim that if there are racial appeals made in this House they are not made by my hon. friend from Labelle and they are not made by myself. Therefore, having always been, as I said this morning, in favour of an increase of subsidy, I will go on agitating my little flag for this increase in the endeavour to secure a just and fair sum for every province and I shall continue to maintain that there should be no discrimination. Then, I will leave the Postmaster General to get up and belch fire like a volcano against myself. I do not care; when we read his speeches they are only frozen lava and dead ashes. He can get up and say: I will make racial appeals; I do not care. I always thought that the Postmaster General was a very broad-minded man but I find that his chief characteristic is love for his portfolio.

Mr. SPROULE. I would like the Minister of Justice (Mr. Aylesworth) to tell us whether clause A in the resolution will be substituted for section 18 of the Saskatchewan Act, clauses A and B which provide as follows:

The following amounts shall be allowed as an annual subsidy to the province of Saskatchewan, and shall be paid by the government of of Canada, by half-yearly instalments in advance, to the said province, that is to say:

(a) For the support of the government and legislature, $50,000.

Now, in the Alberta Act it says:

(a) For the support of the government and legislature, $50,000.

And

(b) On an estimated population of two hundred and fifty thousand at eighty cents per head, $200,000, subject to be increased as hereinafter mentioned, that is to say: a census of the said province shall be taken in every fifth year reckoning from the general census of one thousand nine hundred and one, and an approximate estimate of the population shall be made at equal intervals of time between each quinquennial and decennial census.

That is each two and a half years will have the advantage of it.

—and whenever the population, by any such census or estimate, exceeds two hundred and fifty thousand, which shall be the minimum on which the said allowance shall be calculated, the amount of the said allowance shall be increased accordingy.

In this case would A, B, C, D, E and F be substituted for A and B of section 18 of the Act or would what is set out in these resolutions be in addition to them?

Mr. AYLESWORTH. I want to premise, in reference to the question that the hon. gentleman has asked, or any other question which may be at a later stage of the sitting asked of me, that I do not consider my opinion on these matters as of any more value than that of any other member of this House. The language is here speaking for itself. It is not my language; it is the language which has been adopted at the meeting of the provincial premiers and it has been incorporated in this address. I simply have to speak of the matter in the way in which I understand it. I understand that the proposed address in clause A is dealing with the lump sum grants which in the constitution as it now stands do not depend upon population. In the British North America Act there was, by section 118, a certain lump sum grant provided for, irespective of population and at the same time there was an annual grant of eighty cents a head provided for. Now, clause (A) deals with the lump sum grant.

Mr. SPROULE. But it is increased by population.

Mr. AYLESWORTH. Now is adopted the principle of a sliding scale depending on population, but until now these grants other than 80 cents a head annually, were simply lump sum grants that did not vary according to population.

Mr. SPROULE. That was to certain provinces, but not to all.

Mr. AYLESWORTH. But any special terms any province had by the bargain under which it entered confederation, it retained from that date to the present time. But the original four federating provinces were given for the support of their government and legislatures an annual grant of a different amount in the case of each one of the four provinces, which amount was independent entirely of the fluctuations of their population.

Mr. R. L. BORDEN. I do not think my hon. friend the Minister of Justice appreciates what my hon. friend (Mr. Sproule) means. Reference is made to the scale of payments authorized under section 118 of the British North America Act. That provided only for four provinces: Prince Edward Island and British Columbia were provided for under orders in council; Manitoba was provided for under the Manitoba Act, Alberta and Saskatchewan are provided for by the respective constitutions of those provinces. But my hon. friend (Mr. Sproule) desires to know whether the intention is, as undoubtedly it must be, to substitute this resolution, not only for section 118 of the British North America Act, but for the provision made in the two orders in council and in the three other Acts to which I have alluded. If my hon. friend (Mr. Sproule) is right, and it seems to me that he is, it would appear to me that some modification should be made in the opening paragraph of the address. Because, you are making a substitution not only in respect of section 118, but in respect also to the two orders in council and the three Acts to which I have referred.

Mr. AYLESWORTH. If that be the question of the hon. member for East Grey, I suppose the short answer is, yes. The intention of these provisions in clauses A, B, C and D, taken together, is to be a substitute for not merely the lump sum payments, but also the 80 cents per head payment for each and all of the nine provinces. Now, with regard to the wording of the resolution, it would seem to me that the language as framed is perfectly plain. What is the basic authority for these payments, not only in the case of the provinces originally federating, but also in the case of the subsequently admitted provinces? Why, it is the legislation of the imperial parliament, as expressed in section 118 which deals not merely with the four provinces expressly mentioned, but which deals by implication with any new province that was afterwards to be constituted and admitted into the Dominion. It authorizes and requires certain annual payments to be made by the Dominion of Canada as it might be from year to year. That being the authority upon which the Dominion has the right to make these payments, it seems to me that it is proper to base this address upon that authority and to say, that the scale of payments authorized under that section is the one we are asking the imperial parliament to amend.

Mr. BERGERON. Does my hon. friend contend that 80 cents a head must be paid on the population of any province that may be created hereafter?

Mr. AYLESWORTH. I did not say anything of the sort. That would depend on the constitution which was given to that province when it was created.

Mr. BERGERON. The 80 cents a head only applied to the four original provinces?

Mr. AYLESWORTH. Certainly until Manitoba was admitted; and then by provisions of the Manitoba Act based upon section 118 of the British North America Act, it applied to Manitoba, and so when the other provinces came in.

Mr. R. L. BORDEN. The difficulty is that section 118 does not make any provision as to terms for these provinces; section 146 makes provision so far as British Columbia and Prince Edward Island are concerned.

Mr. AYLESWORTH. For the way in which they are to come in.

Mr. R. L. BORDEN. And for the terms.

Mr. AYLESWORTH. Those were fixed by order in council.

Mr. R. L. BORDEN. So far as these two provinces are concerned the terms do not depend on section 118, but upon orders in council based upon section 146. So far as the other provinces are concerned, it would depend upon the Manitoba Act, the Alberta Act, and the Saskatchewan Act, and that is what I think was in the mind of my hon. friend (Mr. Sproule) and it was also in my own mind.

Mr. BARKER. Section B reads:

> B. Instead of an annual grant per head of population now allowed, the annual payment hereafter to be at the same rate of eighty cents per head, but on the population of each province, as ascertained from time to time by the last decennial census; (or, in the case of the provinces of Manitoba, Saskatchewan and Alberta, respectively, by the last quinquennial census or statutory estimate), until such population exceeds 2,500,000, and at the rate of sixty cents per head for so much of said population as may exceed 2,500,000.

Is it not at least prudent to take care that you are not leaving these special terms open under section 140?

Mr. AYLESWORTH. That is the very purpose of clause D which preserves to any particular province any terms which are special to that province, upon which it entered confederation. I referred this forenoon to the special terms which as a matter

of contract Prince Edward Island stipulated for and received, as to the number of its population upon which its 80 cents per head annual grant should be based. That is somehting covered by the first part of clause D. Now, there is in the same way, something to be covered by the second half of clause D, viz.: The right of any province to retain the payment of some special grant which heretofore has been made by the parliament of Canada to that province for some special purpose. An instance of it is a special grant which was made to New Brunswick in 1873 of $150,000 a year as compensation for loss of the export duty on logs under the treaty of Washington of 1871. In the same way Prince Edward Island in 1901 was allowed an annual grant of $35,000 for the failure to provide regular communication winter and summer with the island. These special grants are to be preserved by this rider, clause D.

Mr. BERGERON. Since it has been decided to amend the British North America Act, would it not be better to replace section 118 by a new section ?

Mr. AYLESWORTH. That is the office of the imperial parliament.

Mr. BERGERON. Then why do you put in section D ?

Mr. AYLESWORTH. In order that our request to the imperial parliament may be clear and unmistakeable, and that that body may know what we mean.

Mr. LEFURGEY. When we were discussing this matter before, the hon. member for Queen's (Mr. A. A. McLean) asked the Minister of Justice why this clause D was being introduced, and the hon. minister replied in very unparliamentary language and in a very undignified way, that it was to prevent silly people asking questions.

Mr. AYLESWORTH. Oh, no—to prevent such silly questions.

Mr. LEFURGEY. The hon. Minister of Justice now seems to attach a great deal of importance to this clause. I want to say that such remarks from the Minister of Justice do not do him any credit, as we have only to point to the fact of this Bill being referred back to this House to show the necessity of a revision. Clause D was put in to protect certain interests, and among those interests are those of Prince Edward Island under the constitution. I want to go back a little in order to clear up the situation. The hon. member for King's (Mr. J. J. Hughes) asked the Minister of Justice :

Is the address meant to carry out the intention of the conference of premiers, and is clause D meant particularly to carry out the proposals of that conference which perhaps were not very clearly expressed by the resolutions passed by it ? Are these resolutions meant to make more clear the resolutions passed by that conference ?

The Minister of Justice replied :

We are exactly interpreting the intention of the conference.

How does the Minister of Justice know the intention of the conference?

Mr. AYLESWORTH. I was present.

Mr. LEFURGEY. If the Minister of Justice knows as much about this as he apparently knew about the insurance inquiry, I would allow him to father it all right. But I want to point out that the Premier of Prince Edward Island said that this matter was not discussed at all at that conference, and said further that the per capita allowance was regarded as a minor question. This is his language :

A great deal of misapprehension exists as to the constitution of the conference. Sir Wilfrid Laurier called together all the local premiers.

The premiers were among themselves to discuss their claims, come to a conclusion about them and then present them. When these subjects had been discussed we sent for Sir Wilfrid. As strongly as I can I want to impress upon this honourable House how this conference was constituted.

The question before the conference had nothing to do with per capita. The question was what each province was to get for a specific subsidy.

That seems to be entirely contradictory to what the Minister of Justice has put forward; and my hon. friend from King's, feeling the position in which the provincial premier and his associates put themselves in not protecting the rights of Prince Edward Island in regard to the per capita allowance, thought to draw a red herring across the trail, and fix up the situation by the help of the Minister of Justice by putting the question in the light he did this morning.

Mr. J. J. HUGHES. I had no feelings at all in the matter. I only desired to obtain the facts.

Mr. LEFURGEY. All right. I want to point out that in the conference of 1902, this was thought to be a matter of sufficient importance to justify an exception being made with regard to Prince Edward Island, British Columbia and Manitoba, as follows :

(c) The population as ascertained by the last decennial census to govern except as to British Columbia, Manitoba and Prince Edward Island, and as to these provinces the population to be taken to be that upon which under the respective statutes and terms of union in that behalf the annual payments now made to them respectively by the Dominion are fixed until the actual population is by the census ascertained to be greater and thereafter the actual population so ascertained to govern.

At the conference held a year ago this exception was left out of the resolutions. So that, as a matter of fact, we had a perfect right to find out whether Prince Edward Island was protected or not. To give a little more of the history of this case and to show how many more silly people there were under the castigation of the Minister of Justice, on March 14, I put a question on the order paper as follows :

Under the proposed arrangements at the recent conference between the representatives of the provincial governments and the Dominion government, relating to increased subsidies and other matters, does Prince Edward Island receive eighty cents per head of her maximum population since she entered confederation, and does she so receive eighty cents per head on this population until her population increases? If not, how or on what basis is the eighty cents per head to be paid?

There were several sittings of the House after that on which questions were brought up and on each occasion the Prime Minister asked that the question be allowed to stand, as the Department of Justice were looking into it. It did not look as if it were a silly question at that time. Not until March 21, did I get an answer to that question, and this is what the Right Hon. Sir Wilfrid Laurier said :

The question of my hon. friend (Mr. A. Martin) is engaging the attention of the Minister of Justice, and my hon. friend will have an answer when the address to His Majesty, of which notice has been given, is brought up for discussion in this House.

Of course, I could not have in mind what the Minister of Justice suggested to the Prime Minister as a means to remedy the address, and so I put an amendment on the order paper, on March 21, with the view of procuring protection for Prince Edward Island under the terms under which it came into confederation, as follows :

In the case of Prince Edward Island, the population to be taken to be that upon which under the law, in that behalf, the annual payments now made by the Dominion are fixed until the actual population is by any census ascertained to be greater, and thereafter any increase of population so ascertained, to govern.

As the hon. Minister of Justice and myself apparently had the same happy thought that some amendment ought to be introduced, and as we had our amendments on the order paper at the same time, I dropped this amendment, as I was assured the per capita allowance was amply protected under clause D. I am very pleased, of course, that the situation is so cleared up in the mind of the Minister of Justice, and that we are to get our full per capita allowance in accordance with the terms under which we entered confederation; and I can only say in closing that I trust that the hon. minister when he is again civilly questioned on the floor of the House, will at least give a civil answer.

Mr. SPROULE. I want to refer to the question as to Saskatchewan, because it seems to me that this will not work out very well. Under the present law that province would have eighty cents per head for its government and legislature when it had a population of 250,000, but subject to the increase as provided in the Act. According to the Alberta Act, when her population is 400,000 she gets $320,000, whereas under this Act she will get only $180,000.

Mr. AYLESWORTH. I cannot understand my hon. friend's figures, if she gets the lump sum plus the 80 cents per head.

Mr. SPROULE. In one case for the government and legislature it is not a lump sum but it is for the same purposes, it is for government and legislature.

Mr. AYLESWORTH. Both the payments are for the support of government and legislature.

Mr. SPROULE. But they are said to be for two different purposes. I asked if this resolution would substitute the payments here given in clauses A. and B. for those provided by section 18 of the Autonomy Acts and I understood the Minister of Justice to say yes. I say that Saskatchewan will not be paid as much under this as she is now paid under her own constitution. When we come to consider larger populations she loses more and more, because when her population is 400,000 but not up to 800,000 she gets only $190,000 whereas under her own constitution she would get a great deal more than that. If, on the other hand, this is given in addition to the present payment, she will be getting something which I do not think was ever contemplated. The Minister of Justice says that this is what was decided on by the Governor in Council and he is not responsible, but to whom do we look for enlightenment as to the meaning of an enactment ? We look to the Minister of Justice. Under this the western provinces cannot tell what they are going to receive until they go into the courts for a decision. In enacting laws we should make them so plain that reference to the courts will not be necessary to ascertain the meaning of our enactment. We should at least know what we are enacting when framing a law.

Mr. AYLESWORTH. My hon. friend will understand that in saying what I did as to the value of any opinion I might express on the meaning of what is before us, I was saying what every one who practises in the courts hears from the judges themselves on every occasion when the suggestion is made to refer to what was said in parliament for the purpose of interpreting a statute. The individual opinion expressed by

a member while a statute is under discussion, even although that member may be the very one whose hand has framed the language, is something that is not even allowed to be referred to, as indicating what the intention of parliament was. The courts simply take the words as they stand and by the words they judge the meaning, because the meaning or the intention that may have been in the mind of one member may be entirely different from that in the mind of another and what any particular member may think these words mean, or what he may say in the House was his intention or idea of their meaning is no guide as to the meaning which afterwards should be assigned to them by the court interpreting them.

Mr. SPROULE. I am asking what the cabinet intended them to mean.

Mr. AYLESWORTH. I have tried to say all I can say in reference to my expression of my opinion of the language used. I think that necessary in order that hon. gentlemen may not attach more weight to my words than they would to the words of any other member who might have uttered those words.

With regard to the effect of this legislation on the province, say of Saskatchewan. Saskatchewan at the present time is entitled, under its constitutional Act, to the annual payment of $50,000, together with 80 cents per head on an estimated population of 250,000. The recent census of the province has shown that the population at present exceeds 250,000 and accordingly the Saskatchewan Act provides that whenever the population exceeds 250,000, then the amount of this 80 cents a head allowance is to be increased accordingly until the population reaches 800,000. Accordingly Saskatchewan is being paid at the present time 80 cents a head on its actual population which happens to be over 250,000 but not 800,000 and this is to be arrived at every two and a half years, every five years by actual count and every intermediate two and a half years by estimate according to the rate of progress. That 80 cents a head is one sum, not a lump sum, a fluctuating sum and under the present law Saskatchewan would receive that 80 cents a head whatever it would come to, together with the lump sum of $50,000, those payments being for the support of their government and legislature. Under the new system they will, in lieu of that, instead of the amount now paid, receive the amounts set out in clause A of the resolution. On a population of 287,000, which is approximately the present population, they receive $180,000 lump sum together with 80 cents a head on the actual population, because that actual population is under 2,500,000. In other words they get the same 80 cents allowance that they get to-day, but they get a lump sum of $180,000 instead of $50,000 as they get under their constitutional Act of three years ago.

Mr. SPROULE. That was the question I asked, and I understood the minister to say they got this in lieu of the other because if they get it in addition to the other, the situation would be quite different.

Mr. AYLESWORTH. They get the new in lieu of the old.

Mr. SPROULE. Then they do not get the old at all under their constitutional Acts ?

Mr. AYLESWORTH. They get the old until the new takes its place ; they never get both the new and the old at the same time.

Mr. SPROULE. You now provide that that subsidy should be increased every two and a half years, but there is nothing in this except that it shall be increased every ten years, because there is no provision to say in what manner you shall estimate the population. A moment ago the Minister of Finance said that of course it means the regular census, the decennial census. The province, to me, seems to be up against the situation that instead of getting the increase every two and a half years it will get it only every ten years.

Mr. BERGERON. I believe I was right when I said a few moments ago that the Prime Minister had been taken by the throat by the local legislatures. If I understood the Minister of Justice this has been prepared altogether by the local premiers, prepared by the conference and not by himself or his department. It came from the various premiers, who prepared it themselves, and gave it to the Prime Minister of Canada to try and put it through this House. Some provinces are taking better care of themselves than others. It seems to me it would be a better method to strike out clause 118 of the British North America Act and replace it by another clause. My hon. friend says that that would be done by the imperial parliament. Are we going to leave to the imperial parliament the framing of our constitution? If so we are not as jealous of our prerogatives as our fathers were. They would not have left it to the imperial parliament forty years ago. If we leave it to the imperial parliament we cannot tell what they will do, they may say whatever they please. Will the minister say what we may expect to have in exchange for section 118 of the British North America Act ? The answer given by the Minister of Justice was not clear, and we do not know any more now than we did when the resolutions were submitted to the House. It may mean a great deal of money we are giving and may mean less to some of the provinces but it is not clear at all.

Mr. AYLESWORTH. The language in this address, word for word, from the be-

ginning of paragraph A to the end of paragraph B, is the resolution passed by the Quebec conference in 1887 and which was adopted verbatim by the conference which met in October last.

Mr. A. A. McLEAN. Then the Minister of Justice is accountable for all the bungling that has taken place in the address ?

Mr. AYLESWORTH. I do not think there is any.

Mr. A. A. McLEAN. I asked the hon. minister a civil question this forenoon, and he gave me an insolent answer. It seems to me that regard for the dignity of his position should have led him to control his natural propensity and give the answer that one might expect in an assembly of this kind.

Mr. AYLESWORTH. If any offence was taken at the language I used I am very sorry for it. It was spoken in a moment of irritation because I thought I was being plied with questions which quite deserved the retort I made.

Mr. FOSTER. You are making it worse.

Mr. BARKER. I would like to suggest to the Minister of Justice (Mr. Aylesworth) to insert in the first paragraph after the figures '1867' the words 'or by or under any terms or conditions upon which any other provinces were admitted to the union.' Then, in amending the scale of the four original provinces he will amend the scale of those which came in afterwards and substitute the provisions in this motion.

Mr. AYLESWORTH. I cannot see any necessity for this. It seems to me entirely clear. But if the hon. gentleman has any doubt about it, I see no objection to the amendment.

Mr. NORTHRUP. As there seems to be a difference of opinion about the construction of this clause, does the hon. minister consider that these payments we are now making to Saskatchewan and Alberta are made under or by virtue of section 118 of the British North America Act ?

Mr. AYLESWORTH. I think that that clause is the basic foundation upon which the right to make these payments rests, because that is the authority from the imperial to the Canadian parliament to pass the legislation which was passed when Alberta and Saskatchewan became provinces.

Mr. BARKER. I would like to explain why I moved my amendment. I understand that the Minister of Justice sees no objection to it but does not consider it necessary. A number of gentlemen, on this side at any rate, are very doubtful whether by amending the scale of payments authorized under section 118 of the British North America Act you at the same time amend the scale of payments for the provinces which came in afterwards. The object of my amendment is to make it quite clear that these payments you are now inserting do amend the scale of payments of all the provinces and not alone of the original four, to which some of us think section 118 of the British North America Act alone applies.

Mr. AYLESWORTH. I have no objection to the insertion of the words, but it seem to me the meaning is abundantly clear when section A starts out with the very words 'instead of the amounts now paid, the sums hereafter payable to the several provinces.'

Mr. R. L. BORDEN. I would think they would be limited to payments under section 118 as that is the only section which has been mentioned up to that time. I would also suggest that the word 'payable' be used instead of the word 'paid.'

Mr. AYLESWORTH. I am not in any way wedded to this language. It is not mine.

Section, as amended, agreed to.

Section B agreed to.

On section C,

Mr. A. MARTIN. In comparing section 118 of the British North America Act with the section intended to replace it, I see that a new departure is made. Section 118 says :

> The following sums shall be paid yearly by Canada to the several provinces for the support of their governments and legislatures :
>
> | | |
> |---|---|
> | Ontario | $80,000 |
> | Quebec | 70,000 |
> | Nova Scotia | 60,000 |
> | New Brunswick | 50,000 |

Quebec gets within $10,000 of Ontario, Nova Scotia gets within $10,000 of Quebec and New Brunswick gets within $10,000 of Nova Scotia. When Manitoba was admitted later she also received $50,00; when British Columbia came in she was given $35,000; when Prince Edward Island came in she was admitted with $30,000. Now I want to point out that the difference between these figures is not large. The difference between the lowest and the highest is only $50,000, but in the new scale the difference between the lowest and the highest is $140,000. I think that is not fair, especially to the smaller provinces.

Let me also point out that in the conference of 1902 a resolution was offered by the premier of Ontario, the Hon. Mr. Ross, which I think was much fairer than this arrangement. For my part I do not see why a province should get $100,000 when its population is at a certain figure and $50,000 more when it has a few thousand more of a population. It does not cost any more to govern a province which has only a few thousand more people in it. The first thing

you have to do is to establish the machinery of government, after that a few thousand people more or less does not signify. Evidently the fathers of confederation had that in mind. But under this new scheme you follow the principle of payment by population. Now it does not require any more money to govern Prince Edward Island with a population of 150,000 than it does with a population of 100,000. In this division you leap at once from $100,000 to $150,000 and you make a difference of $50,000 on an addition of 50,000 people. But when you go a little further, and when this population is 400,000 and not exceeding 800,000 you only make a leap of $10,000. Now I say that is very unfair to the smaller provinces; it is so unfair that in the conference of 1902 the unfairness was recognized by Premier Ross. He proposed in that case that:

> To provinces with a population of less than 1,000,000 an annual subsidy of $200,000 should be paid in addition to the subsidy in the preceding paragraph mentioned for the maintenance of civil government and legislation, and that in the case of provinces where the population is 1,000,000 or over, an annual allowance of $300,000 for similar purposes should be paid.

I think that would be an arrangement fairer to the smaller provinces. I heard the Minister of Finance expanding on this question a few nights ago, but he did not satisfy my mind. He knows very well that it does not cost a province $50,000 more, nor anything like it, to govern a few more people. In the case that is before us, supposing there was a difference in the population of 149,000, then the province would only get $100,000 if there was a thousand people more it would get $50,000 additional. But here is another thing I consider most unfair, and that is when you come to paying 80 cents per head. The British North America Act provides that the provinces of Quebec and Ontario shall receive 80 cents per head of the population of 1861. You are going to change that, and there are only three provinces in the Dominion which will benefit by the change, but they will benefit very largely. It seems to me that this House does not properly realize the immense amounts that are at issue. For instance, the province of Ontario, at the 80 cents per head, even with the population it has to-day, will get an increased subsidy of $629,437 a year. What does that mean? That represents a capital, at 3 per cent, of over $20,000,000; that is to say, that under this new arrangement the great province of Ontario, whose finances are in such a healthy condition, which has such a large annual surplus, is getting this immense increase by which you augment the debt of the country by $20,000,000. Quebec the same. Quebec gets $429,000 under this new arrangement, which would represent a capital, at 3 per cent, of $14,000,000. Nova Scotia gets $147,000 a year; under this arrangement this represents a capital of $4,920,000. New Brunswick will get no more than she is getting now. British Columbia will get no more with the exception of the $100,000 given her as a special subsidy. Prince Edward Island will get no more; Alberta will get a little more; Saskatchewan will get no more. Now all these sums that I have mentioned represent an additional burden that you are imposing upon the Dominion of Canada of about $40,000,000 a year, and to do that you have to upset the British North America Act. That is the present burden, but what will it be when these payments have gone up for a number of years? What will it be in twenty years, or in ten years? In ten years the payments to Quebec will represent a capital of $40,000,000, and the payment to Ontario a capital of $80,000,000, and in fifteen years a capital of $100,000,000. In fifteen years the population of Ontario, Quebec, Saskatchewan and Alberta will be so increased that they will get three times as much as they are getting to-day. And to-day, under the present arrangement, you are paying annually a sum which capitalized at 3 per cent represents $40,000,000. You are adding so many millions to the debt of this country, while my province does not receive a dollar. New Brunswick does not receive a dollar. The province of Nova Scotia, from which the hon. Minister of Finance comes, gets a trifle; British Columbia gets nothing; Manitoba gets nothing, and then they divide between a few of the other provinces. But what I stood up to say was something else. I stood up, Mr. Chairman, to move an amendment to subsection (c) of the resolution proposed. Subsection (c) says:

> An additional allowance to the extent of $100,000 annually for ten years to the province of British Columbia.

I have heard it stated in this House that there was no basis before the House for paying this $100,000 extra to British Columbia. I have heard it stated and I dare say it is true that we are not very certain whether it is enough, whether British Columbia will be placed in a sufficiently good position by getting this $100,000, or whether they are getting too much. But, there is one thing that we have to be guided by. British Columbia came before that conference and laid certain statements before it. I propose to read some of the statements that were placed before the conference by British Columbia and I think I shall prove, Mr. Speaker, that every claim that was made by British Columbia for an increase applies equally to the province of Prince Edward Island. As the resolution that I propose to move is on those lines I think I will go over some of the reasons which British Columbia gave why this subsidy should be paid to British Columbia, and I will ask this House to decide whether or not the claim

put forth by British Columbia does not apply equally to my own province. If it applies equally to my province I think there is sufficient justice in this House to say that the province which I have the honour to represent should be placed on an equal footing with the province of British Columbia. The document which I hold in my hand is signed by Mr. McBride, the Premier of British Columbia. It was laid before the premiers of the provinces and no doubt largely on the strength of this document this $100,000 was voted as a special grant to British Columbia. I want to see whether or not the arguments which were used by Mr. McBride are equally applicable to the province of Prince Edward Island. We have a statement of the proceedings of the conference which opened on the 10th October, 1906. The statement of British Columbia's claims will be found commencing at page 7 of the return which has been laid on the table of the House:

> This contention is strictly in line with what is promised in the resolution of the Quebec conference of 1902, to the effect that at the time of the passing of the British North America Act, 'it was impossible to forsee the development of the Dominion,' and to provide in an unalterable and fixed way for the requirements of the various local governments for all time to come, except that the conditions are so peculiar and exceptional in the case of British Columbia as to demand exceptional consideration in the revision of the financial terms now deemed necessary.

Then follow the reasons which Premier McBride advanced. The first of these reasons is:

> The cost of administration, owing to the physical character of the country.

The very same reason can be put forth with equal force from my province. Physically it is situated in as exceptional a position as British Columbia and, while in regard to the administration of justice there may be something to be said in favour of British Columbia, the condition of British Columbia is otherwise the same as that of Prince Edward Island. Its isolation puts it in a much more unfavourable position with respect to the rest of the Dominion than does that of British Columbia. So much for the first claim. Then, comes claim No. 2:

> The distance from the commercial, industrial and administrative centres of eastern Canada.

What does that mean? British Columbia claims that it is situated far away from the commercial centre of Canada. Is not that a claim that can be put forth by Prince Edward Island? Is not Prince Edward Island in the same position as British Columbia in that respect? British Columbia is, on the west, far from the commercial centre of Canada and has to put up with heavy freight rates to and from the commercial centre. Is there any one in this House, who, knowing the disabilities under which Prince Edward Island labours in regard to communication, barred out as it is for three or four months in the year from the rest of Canada, and considering that you have given $100,000 a year to British Columbia, would refuse to extend the same consideration to Prince Edward Island? Prince Edward Island is cut off much more seriously and effectively from the commercial centre of Canada than even British Columbia is. I do not say that British Columbia is getting too much. I do not say whether British Columbia is getting enough or not, but I do say that when you pay $100,000 to British Columbia you have just as much right to pay $100,000 to Prince Edward Island. Now, we will take up No. 3:

> The non-industrial character of the province, as compared with eastern Canada, whereby a large percentage of goods are imported and consumed, increasing the contributions to the federal treasury in the way of taxes in a ratio of three to one.

There is no province in Canada to which that argument applies more than to my own province. There is no province which has fewer manufactures or that has to depend on other portions of the country for the goods which it consumes than Prince Edward Island. We have no manufactures there simply because we are cut off from the rest of the Dominion by water. The Dominion government has failed to give us that communication with the mainland which they promised us and there is a barrier against establishing manufactures in Prince Edward Island. The barrier is the want of communication with the rest of Canada and argument No. 3, on which I presume, the $100,000 was granted to British Columbia, applies with threefold force to Prince Edward Island. I am not saying that British Columbia should not have received this $100,000 but if they have received it my province has a right to receive as much. If they had gone into the case or if it had been referred to arbitration as of independent men who would take all it was proposed to refer it to arbitration the circumstances into consideration, I think that my province would at least get as much as British Columbia.

An hon. MEMBER. Did the Premier of Prince Edward Island ask for it?

Mr. A. MARTIN. The premier is opposed to me in politics and when they came up here they were wined and dined and I do not believe they knew what they were doing. I believe they took advantage of the impecuniosity of the poorer provinces. The province of Nova Scotia is not the poorest altogether; she has large revenues from coal royalties to keep her afloat, but this system is a drying up system and in 30 years the maritime provinces will be the worse for it. And the Minister of Finance, because he has got a good position here he trys to sugar the pill and swallow it, but

I am sure if he were not a minister he would be up in arms crying for secession as he did a few years ago. This new subsidy is not doing justice to Nova Scotia, it is not doing justice to New Brunswick, it is not doing justice to Prince Edward Island. Their limited territory, compared with the unlimited territory of Quebec and Ontario, confines their population, while the possibilites of increasing the population of Quebec and Ontario are unlimited, and so in a few years they may draw immense subsidies which we cannot to-day compute.

At six o'clock, committee took recess.

After Recess.

Committee resumed at eight o'clock.

Mr. A. MARTIN. In discussing this address before recess, I pointed out that the basis of settlement for the different provinces provided by section 118 of the British North America Act is by these resolutions very materially changed. I showed that the sums provided for the support of the governments and legislatures of the different provinces, were not very far apart. I showed that Ontario had received $80,000 a year, Quebec, $70,000, Nova Scotia, $65,000 and New Brunswick, $50,000. I pointed out that Manitoba was admitted with $50,000 a year, British Columbia with $35,000 a year and Prince Edward Island with $30,000 a year. I pointed out that the differences between these figures were not very large. The difference between Nova Scotia and Quebec was only $5,000 a year, and the difference between British Columbia and Prince Edward Island only $5,000 a year. The old basis had no regard for population. Section 118 of the British North America Act does not mention population. But this address provides that the subsidies shall be according to population. We say that is very unfair, because while the difference under the old scale between Nova Scotia and Quebec was only $5,000, the difference between Nova Scotia and Quebec under the proposed scale is $30,000; and between Prince Edward Island and British Columbia the difference under the old scale was $5,000, while under the proposed scale it will be $40,000 or $50,000. Under these resolutions if one province has 50,000 more population than another, it gets $50,000 more subsidy. Indeed, if it has a hundred or even ten more people after a certain figure is reached, it will have $50,000 a year added to its income. I would like the Minister of Finance to justify that. We are told that the premiers of the provinces agreed to this. Well, if the premier of my province agreed to it, I am going to quote a resolution which he got passed by the legislature at its last session only a few days ago, stating that every claim the province had against the Dominion was to be renewed, and that the settlement that was made by this address was not binding on the province. The Minister of Finance assumes that this is going to settle every claim of the provinces for the next twenty years. Well, the resolution which the premier of my province got passed by the legislature mentions the following claims against the Dominion government:

Damages for non-fulfilment of the terms of union;

Interruption of telegraph communication this winter;

Our share of the fishery award;

A refund of freight paid on hay;

Cost and expenditure in connection with criminal prosecutions;

Proportion of railway subsidies and railway construction;

Reaffirmation of address to Governor General re winter communication and tunnel;

Six representatives in the House of Commons.

So this is the end of it all. This is to be a final settlement for the next twenty years, and yet this is what is done by one of the premiers who the Minister of Finance says agreed to these terms. He says that he does not abide by this arrangement—that there are claims against the Dominion government which were not taken up by the conference at all, one of them being the question of representation. The main point and the worst point is the first section, which turns upside down the constitution of Canada as laid down in section 118 of the British North America Act, which says that the provinces of Ontario and Quebec are to receive a subsidy of 80 cents a head on the basis of the population of 1861.

But the Minister of Justice comes up here and says that they could not help themselves in regard to giving Alberta and Saskatchewan the basis that has been accorded to them. Why? Because it was in a local Act. The Minister of Justice in the argument which he propounded here practically said that they could not do anything else but give those provinces what they were giving them because there was a statute which was still in force as regards those provinces by which they could draw their allowance of 80 cents under existing legislation. Does the Minister of Justice know that he is not only trampling on local and Dominion Acts, but trampling on the constitution, and if he can trample on the constitution in order to change this, is it not equally easy for him to trample on a Dominion statute? He says that must be so because this is a Dominion statute, while on the other hand here is the constitution of Canada, section 118, which he tramples under foot. When my colleague (Mr. A. A. McLean) pressed that the resolution be amended so as to do some little justice to Prince Edward Island and asked why it was put there, the minister said because some silly

person like my friend would likely ask that question. I do not think that is a very dignified attitude on the part of the Minister of Justice. I think the minister, in view of all the blunders in legislation he has made since he entered this House, should be the last man to say that another man is simple-minded because, notwithstanding the great reputation which I believe he had in the province from which he came, I do not think there has ever been a Minister of Justice who has committed the number of blunders that he has during the time he has been here, blunders in regard to this very address, and I think it comes with very bad grace from him to refer in this way to my colleague who, by the way, is able to take care of himself and has a crow to pick with him and who I am sure will show the Minister of Justice that he cannot throw slurs on gentlemen on this side of the House without retaliation.

As I said, the gravamen of what I have against this resolution is it commits this Dominion to very large expenditures. The expenditures involved, even according to the population which we now have, will amount to $3,000,000 or $4,000,000. What capital does that represent? At 3 per cent $2,000,000 or $3,000,000 annually will represent a capital of $40,000,000 or $50,000,000 which this arrangement is going to saddle on Canada, and who is going to get it? One or two provinces only will get the bulk of it. My province is going to get very little, New Brunswick is going to get very little, Manitoba is going to get very little; it is going to be divided among the larger provinces. Capitalized on the basis of the present population, this charge amounts to about $40,000,000; in ten years it will amount to about $80,000,000 owing to the increased population, and in fifteen years it will amount to about $100,000,000. That is the burden you are placing on the shoulders of the people of this country, a burden which will increase yearly until it reaches the enormous figures I have mentioned. We should hesitate before we do this. The Minister of Finance and the Minister of Customs place high duties on the goods consumed by the people of this country, the highest we have ever had, in order to raise a large revenue, then you say that you have too much money and are going to distribute it among the provinces and you have to admit that you are distributing it very unfairly indeed, because some provinces receive too much and others receive none at all.

I want to move an amendment to this subsection 3. I shall not move the same amendments that were proposed on the previous occasion and which I had the pleasure of seeing supported by practically every member on this side of the House and by some hon. members on the other side. Those amendments were defeated and they were defeated, I believe, because this question is brought up in this House at the end of the session when we have not sufficient time to consider it. It is an important question which will decide the financial position of different provinces in the Dominion for twenty years, and it should not be brought up in the last few days of the session, it should be discussed with great deliberation. The consequence was that when these amendments were proposed, amendments which were fair and which I have reason to think every person who pays any attention to the position of the provinces would support, they were defeated, all owing to this lack of opportunity for consideration. Since they did not carry I propose to move this amendment to clause C:

That clause C be struck out and the following be substituted in lieu thereof:

C. An additional allowance to the extent of $100,000 annually for ten years to the provinces of British Columbia and Prince Edward Island.

Mr. A. A. McLEAN. In the discussion which has taken place in this parliament when changes to the British North America Act were under consideration heretofore, it was conceded by this House that no changes should be made without the concurrence of the legislatures of all the provinces interested in the change, and that a resolution of the legislature of the province interested, together with a resolution of this parliament, should be the basis upon which the imperial parliament should be asked to make a change in the constitution. This has not been done in this case. We have the Premier of British Columbia going to Downing Street to-day protesting against the passage of this address and the passage of legislation in the imperial parliament in the line of this address. We have the resolution unanimously passed by the legislature of Prince Edward Island in which it is stated that Prince Edward Island has claims against the government of Canada and that those claims should be taken into consideration before this legislation passes. The resolutions which are the basis of this address were before the conference in Ottawa in 1906 (in November last), and it was resolved at that conference that any claim of any province should be presented or submitted by members in writing to the government for additional consideration or recognition.

This was done by the Premiers of Ontario and British Columbia, but for some reason unexplained, the representative of Prince Edward Island in that conference did not put in any claim before it. To-day however seeing that they made a blunder, the legislature of Prince Edward Island have presented to the government of Canada a resolution passed at its last meeting setting forth their claim. This resolution was passed unanimously in the legislature of Prince Edward Island. This legislation is changing the constitution of the

provinces, and I think that when the constitution is to be changed, that change should have the unanimous consent of every legislature in Canada. Under those circumstances, I think it is premature for this parliament to take this matter up at this stage of the session. The government have not given it the consideration to which it is entitled. Before asking the imperial parliament to enact this law, we should have the consent of all the provinces. This parliament ought not to pass a resolution when any province protests against it. Will the imperial parliament, in the face of the protests of British Columbia and Prince Edward Island, pass this legislation? Before we should ask the imperial parliament to do so, this government should have the consent of all the provinces to it. The hon. the Minister of Justice (Mr. Aylesworth) looks upon this matter very lightly. When it was brought up some time ago with reference to the per capita tax to which the province of Prince Edward Island was entitled, under the resolutions of 1873, when it became part of the Dominion, he treated the matter very cavalierly. He drew up this address to His Majesty without reference to any of the grants made the different provinces and to the per capita tax to which Prince Edward Island, under special legislation was entitled, and he comes to-day and tells this House that it was not necessary to put in the address this clause with reference to these special grants; but for some reason unexplained he did at the instance of some member of the government or of parliament, insert the clause amending the address. What are the facts with reference to it? This matter came up before the legislature of Prince Edward Island, and the premier of that province wrote a letter to Mr. Gouin, First Minister of the province of Quebec, and that hon. gentleman communicated with the Minister of Justice, and the Minister of Justice on the 30th of March last, wrote a letter to Mr. Gouin in which he said:

> Dear Sir,—I have your letter of yesterday with reference to the position of Prince Edward Island in regard to the amount of the Dominion subsidy in the event of its population further decreasing.
>
> I had assumed that it could not have been the intention of the interprovincial conference, at the meeting of last October, to take away from Prince Edward Island, or any other province, any special terms which had been conceded to such province on its entering confederation, and in this view had drawn an additional paragraph to the address which it is proposed to present to the King on the subject. This address was passed by the Commons here on Monday last and sent to the Senate.
>
> The clause I added provides that nothing contained in the resolutions shall in any way supersede or effect the terms special to any particular province upon which such province became part of the Dominion, or the right of any province to payment of any special grant heretofore made by parliament for any special purpose in such grant expressed.
>
> In these circumstances, I am very pleased to have your letter saying that this was the understanding last October with regard to Prince Edward Island.
>
> I am, yours faithfully,
> (Sgd.) A. B. AYLESWORTH.

Under the circumstances I am very pleased to have that letter declaring that this was the understanding of last October with regard to Prince Edward Island. What does this show? It shows that the Minister of Justice did not know, when he drew the address originally, what the understanding was, but got his information from the Premier of Quebec. In this letter the hon. minister admits that the position he took in this House was not the position he should have taken, and it would have been better if he had acted calmly and admitted he had made a mistake in drawing the address. I beg therefore to support this amendment.

Amendment negatived.

On section D,

> Nothing herein contained shall in any way supersede or affect the terms special to any particular province upon which such province became part of the Dominion of Canada or the right of any province to payment of any special grant heretofore made by the parliament of Canada to any province for any special purpose in such grant expressed.

Mr. SPROULE. Under that section, provision is made to give to the new provinces a certain amount in lieu of their public lands. Does that come under the special provision?

Mr. AYLESWORTH. I would think so.

Mr. SPROULE. There is another provision in lieu of debt, I suppose that would come under the special provision also?

Mr. AYLESWORTH. I think so.

Mr. BARKER. In accord with the amendment proposed to the first paragraph, I propose that after the figures '1867' in the prayer of the address, be inserted the words 'and the other terms and conditions' so that it will read: Section 118 of the British North America Act of 1867 and the other terms and conditions aforesaid:

Mr. AYLESWORTH. My hon. friend sees the practical difficulty of that proposition. He is asking the imperial parliament to repeal provisions of the Dominion of Canada statutes.

Mr. BARKER. No, I am asking the imperial parliament to do precisely what the resolution proposes as to the British North America Act, that is, to repeal the provisions of the orders in council admitting other provinces on special terms as to allowances, just the same as the address proposes to repeal section 118. The provi-

sions as to allowances when a particular province entered the union, are to be repealed, according to the minister's own opinion. He thinks they are repealed as the address now stands, but as we have added to the first paragraph a reference to provisions which became law with regard to provinces which came in by order in council, a like reference should be made in the clause we are now discussing.

Mr. AYLESWORTH. I think what my hon. friend has just said, and the circumstance that he feels it necessary to make his amendment in the request of the address to His Majesty, demonstrates the fact that there was no necessity for the amendment which was proposed and adopted in the preamble of this resolution. The practical situation is, as I have pointed out, that with regard to the provinces of British Columbia and Prince Edward Island, the terms upon which they came into the confederation was fixed by imperial orders in council, and it is certainly an anomalous thing to request any amendment by the imperial parliament to orders in council. The amendment to orders in council would be by His Majesty himself promulgating a new order in council varying the terms of the former. But with regard to the provinces which were created by legislation of this parliament, Manitoba, Alberta, and Saskatchewan, there is no imperial legislation to amend. It certainly would be a very peculiar situation if this parliament were to ask the imperial parliament to amend statutes passed by this parliament.

Mr. BARKER. At all events we should have proper words to request the imperial parliament to repeal such orders in council as relates to the allowances to the provinces which entered the union after the British North America Act was passed.

Amendment (Mr. Barker) negatived.

Resolution reported, and read the first and second time.

Mr. FIELDING moved :

That a message be sent to the Senate, informing their honours that this House has passed an address to His Most Excellent Majesty the King, humbly representing that it is expedient to amend the scale of payments authorized under section 118 of the Act of the parliament of the United Kingdom of Great Britain and Ireland, commonly called the British North America Act, 1867, or by or under any terms or conditions upon which any other provinces were admitted to the union, to be made to the several provinces of the Dominion for the support of their governments and legislatures, and praying that His Majesty will be graciously pleased to cause a measure to be laid before the imperial parliament at its present session, to repeal the provisions of the above section of the British North America Act, 1867, aforesaid, and requesting their honours to unite with this House in the said address, by filling up the blanks therein with the words 'Senate and.'

Mr. SPROULE. The minister is sending up an address while we have only just passed the resolution.

Mr. FIELDING. I thought that we had considered it rather fully.

Mr. SPROULE. We have passed a resolution of this House upon which to base an address to His Majesty. Is it an address or is it a resolution ?

Mr. FIELDING. The resolution is that an address be presented to His Majesty in the terms set forth. That is the resolution that has been adopted by Committee of the Whole, and has now been adopted by the House. I think the proceeding is all right.

Mr. HAGGART. The resolution should only embody the money part of it, and be confined to that.

Mr. FOSTER. I must object to this. As a matter of fact we have not passed the address. We went into committee on the resolution, a resolution referring to money charges, and nothing else. Now we have got out and passed the resolution that should be embodied in the address but we have not passed the address.

Mr. FIELDING. I cannot see the point of my hon. friend's objection at all. We have in committee discussed the resolution that an address be presented to His Majesty. We have reported that, have concurred in it and this House has agreed to the resolution as reported that an address be presented to His Majesty and the words are set forth.

Mr. FOSTER. Suppose that is true that we passed a resolution, that an address be presented, the resolution is not the address. That authorized the address to be prepared and passed by the House. Now then, as we have passed the resolution that is all right. Of course, the resolution was not in proper form. That address should never have been called a resolution. The resolution which you can bring in has reference to a grant of moneys or putting a charge on the public and those parts which refer to the grants to the provinces and in which moneys are concerned are what are embodied in the resolution. When we pass the resolution the address is very different. It embodies the resolution but it embodies more than the resolution. You do not pass a resolution that the imperial parliament shall do so and so. The address states the whole matter and embodies the resolution in reference to the money part of it, but to say that the resolution is the address is to say what is not the fact.

Mr. FIELDING. If we had passed a resolution that did not include the address but merely included some reference to money matters my hon. friend's criticism

would be well founded. But, every word of the address is in the resolution. It includes all the money matters—indeed, there is nothing but money matters from beginning to end—which were debated in committee, which were reported to the House and the House has concurred in the resolution that an humble address be presented to His Majesty. I cannot see any difference.

Mr. FOSTER. I think the minister reads whatever he wants to read into the thing. Now he says that we passed a resolution that certain words forming the address should be made into an address. I cannot accept that at all. I take the order paper as my guide. The order paper is the official paper of this House, and must rule. The government notice of motion is :

April 23—Mr. Fielding—Proposed address——

There is nothing said about a resolution. But the Finance Minister found that they had bungled things, that he and his Minister of Justice had forgotten altogether that there was such a rule as 77, and when it came to the impasse this resolution was to be gone with to the committee. There was no resolution prepared, and so, by a free and easy method of doing things which no parliament ought to countenance, the address was called a resolution. Called so by whom? It is not on the order paper at all. Simply called so because the Minister of Finance had got into a hole and he wanted a thing called a resolution which he declared was an address. So that we have been talking of something which is an absolute fiction. The whole thing is bungled and wrong from beginning to end. They commenced without having the authority of the Governor in Council, they forgot all about rule 77, and when they find that out instead of preparing a proper resolution and bringing it before the House they bring what they call an address before the House, then they call it a resolution and then we find that what they call a resolution becomes an address full-fledged. The minister says that we have passed the address in the committee, but what we passed was a resolution.

Mr. SPEAKER. The resolution which is placed in my hands as having been passed reads :

Resolved, that an humble address be presented to the King's Most Excellent Majesty.

Mr. R. L. BORDEN. Might I inquire where the blank is which the Minister of Finance wants to fill in? There is no blank in the address on the order paper as it has been submitted to me.

Mr. SPEAKER. Blank ?

Mr. R. L. BORDEN. Yes, the minister called attention to the omission and said that there was some blank which should be filled in. I am anxious to know where the blank is.

Mr. SPEAKER. I have not that motion.

Mr. FIELDING. Yes, that is correct.

Mr. R. L. BORDEN. I think if your honour will look at the papers in your hand you will find that it is there.

Mr. FIELDING. That is correct. The blank is for the insertion of the words 'Senate and Commons of Canada.'

Mr. FOSTER. There is no blank.

Mr. R. L. BORDEN. Will it assist the Minister of Finance if I should move that there should be a blank.

Mr. SPEAKER. The resolution which was reported from the committee to the House reads as follows :

Resolved, that an humble address be presented to the King's Most Excellent Majesty.

The report of the committee was brought to the House and upon that being done I asked the House: When shall the said resolution be considered? It was determined to consider it now. Thereupon the resolution was read the first time and, upon motion, was read the second time and agreed to. The resolution, then having been agreed to, and it embodying in itself all the terms of the address—the entire address—the address was therefore passed by the House by adopting the report of the committee. It then reached the stage when this motion was moved by Mr. Fielding, seconded by Mr. Fisher :

That the message be sent to the Senate informing their honours that this House has passed an address——

It seems to me that what the House did was to pass the address because in adopting the report of the committee which comprised the entire address they passed the address. The motion is in order and it reads as follows :

That a message be sent to the Senate, informing their honours that this House has passed an address to His Most Excellent Majesty the King, humbly representing that it is expedient to amend the scale of payments authorized under section 118 of the Act of the parliament of the United Kingdom of Great Britain and Ireland, commonly called the British North America Act, 1867, or by or under any terms or conditions upon which any other provinces were admitted to the union by Canada to the several provinces of the Dominion for the support of their governments and legislatures, and praying that His Majesty will be graciously pleased to cause a measure to be laid before the imperial parliament at its present session, to repeal the provisions of the above section of the British North America Act, 1867, aforesaid, and requesting their honours to unite with this House in the said address, by filling up the blanks therein with the words 'Senate and.'

Mr. FIELDING. The statement of my hon. friend the leader of the opposition that in the paper as it is printed there is no blank is correct. In the original draft of the address there was a blank for the insertion of 'the Senate and Commons.' In the printing the blank has been filled in. It is improper, and I am glad he has called attention to it. I ask now that a blank be left after the word 'the.'

Mr. R. L. BORDEN. You had better go back to the motion that there should be a blank.

Mr. FIELDING. I think my hon. friend is aware that there was no mistake on the part of the Minister of Finance, but that the error was made in the clerical work of the House. In the original draft it will be found to read '——— and the Commons of Canada.' It simply means that in the typesetting the words have been changed. Now, I ask that the blank parts should be left to be filled in by the Senate.

Mr. R. L. BORDEN. If it is merely a clerical error I will say nothing more about it except that the proper way to have dealt with the matter would have been to pass a resolution of the House dealing with the money features.

Mr. FIELDING. It is all money.

Mr. R. L. BORDEN. At all events, not embodied in an address to His Majesty. Such an address has never been considered in Committee of the Whole so far as I am aware.

Mr. FIELDING. Yes.

Mr. R. L. BORDEN. That is not my view. I do not propose to take up any further time except to say that I am still of the opinion that paragraph A and paragraph B are not well expressed; that paragraph A is defective inasmuch as it does not provide any means of determining the population as provided in section 118 of the British North America Act for which it is a substitute, although such provision is made for another purpose in section B of this very resolution. I think paragraph B of the resolution is also defective for the reason I have mentioned in committee and I think it should read in this way:

In the case of the provinces of Manitoba, Saskatchewan and Alberta, respectively, by the last decennial census or by the last quinquennial census or statutory estimate as the case may be.

That would make it perfectly plain; at present it is not. It is open to the construction that so far as the six provinces are concerned, the basis shall be altered once in ten years at the decennial census; in respect to the other three provinces the basis shall also be altered once in ten years, but only after that which is termed a quinquennial census. It would be perfectly easy to make that quite plain; it is not plain now. I would not have thought it possible to have had quite so many accidents to any resolution as have happened in this case.

Mr. TAYLOR. I think this precedure should be perfectly regular in every respect. The Minister of Finance said the resolution was seconded by Mr. Aylesworth, but the Speaker said it was seconded by Mr. Fisher. You had better get that right.

Mr. J. D. REID. Has the Governor General given his consent?

Mr. FIELDING. I would ask my hon. friend not to put a question of that nature; he will have to accept my statement that His Excellency authorized this as also any other matter which I may convey to the House in his name.

Mr. J. D. REID. I have no doubt about that, but I want to know whether His Excellency gave his consent before the notice was put on the order paper?

Mr. FIELDING. My hon. friend will have to leave that to be settled between His Excellency and myself.

Mr. FOSTER. Are you sure you have not an authority in blank?

Motion agreed to.

REPORTS PRESENTED.

Report of the Secretary of State for the year ending 31st December, 1906.—Mr. Fielding.

List of shareholders of the Chartered Banks.—Mr. Fielding.

Bulletin No. 1, census of wage-earners by occupation.—Mr. Fisher.

INQUIRY FOR REPORT.

Mr. FOSTER. Has the report of the Minister of Militia and Defence been laid on the table?

Mr. FIELDING. I think it was laid on the table some weeks ago.

SALARIES OF POSTMASTERS.

Mr. LENNOX. As we are now probably within twenty-four hours of prorogation, I ask the Postmaster General whether or not he is in a position to lay before the House a scheme for increased remuneration to the postmasters?

Hon. RODOLPHE LEMIEUX (Postmaster General). I have decided to prepare a new scale of salaries for the rural postmasters. That scale has not yet been prepared, but the principle has been admitted, and I expect within a few weeks I will be able to give some substantial remuneration to the postmasters.

Mr. LENNOX. I understood a scheme would be submitted to the House before parliament prorogued, and I certainly think that ought to have been done.

Mr. LEMIEUX. It is not necessary to incorporate this in a statute as it can be done by a departmental regulation. I can reassure my hon. friend that the scale will give the rural postmasters a substantial remuneration for their services. If my hon. friend (Mr. Lennox) will trust me I hope it will be satisfactory.

Mr. J. D. REID. Won't they come within the jurisdiction of the Royal Commission on the Civil Service ?

Mr. LEMIEUX. No.

POSTMASTER AT CENTREVILLE.

Mr. URIAH WILSON. I would like to know whether the postmaster of Centreville in the riding of Lennox and Addington has moved back from Belleville to take charge of his office or whether it is still in charge of the deputy postmaster?

Mr. LEMIEUX. I have been so busy for the last few days that I have lost sight of the Centreville post office, but I will have an eye on that postmaster.

Mr. URIAH WILSON. The Postmaster General told us the other day that the postmaster of Centreville would have to take charge of his office or he would have him removed.

Mr. LEMIEUX. I will have two eyes on that postmaster.

SALARIES OF JUDGES—MANITOBA AND BRITISH COLUMBIA.

House went into committee to consider the following proposed resolutions :

1. Resolved, that it is expedient to provide that the salaries of the judges of the Courts of Appeal and of King's Bench of Manitoba shall be as follows : The chief justice of the Court of Appeal, $8,000; and three puisne judges of the said court, each $7,000 per annum; the chief justice of the Court of King's Bench, $7,000; and three puisne judges of the said court, each $6,000 per annum.

2. Resolved, that it is expedient to provide that the salaries of eleven judges and junior judges of the county courts of British Columbia shall be $3,000 each per annum.—Mr. Aylesworth.

Hon. A. B. AYLESWORTH (Minister of Justice). The only change which these resolutions contemplate with reference to the province of Manitoba is to make provision for three puisne judges of the Court of King's Bench, instead of two. With reference to the Court of Appeal which consists of the chief justice and three puisne judges, there is no change. This is done to satisfy what the Manitoba government, though the Attorney General, communicates it to us as a necessity. The like remarks apply to the second resolution, which increases the number of the county court judges in British Columbia from ten to eleven, this step being taken at the request of the Attorney General of that province, who has written stating that the services of an additional judge are required in the county court of Vancouver, where the work has become too heavy for one judge. To these explanations let me add a word. It is also represented by the Attorney General and by several of the judges of the Court of Appeal and the Court of King's Bench in Manitoba that an additional county judge is urgently needed for the work of the eastern judicial district of that province, that is, the city of Winnipeg and its vicinity, the work of the court being at present considerably in arrear and so increasing that it is utterly impossible for one judge to cope with it. I am therefore proposing, with the consent of the committee, to add a further resolution, as follows :

That it is expedient to provide that the salaries of seven judges of the county courts of Manitoba shall be each $2,500 per annum for the first three years of service, and, after three years of service, each $3,000 per annum.

There are at present six county judges in Manitoba, and this is to increase the number to seven at the salary at present being paid.

Mr. FOSTER. I think my hon. friend will have to give notice of that resolution. It is entirely new matter.

Mr. AYLESWORTH. It is entirely new, and if any hon. member of the House objects, it can be dropped for the present session. It is something requested by the present government of Manitoba.

Mr. TAYLOR. I presume that when these resolutions pass, a Bill will be brought in founded upon them ; and when the Bill comes to be read the third time, I purpose moving an amendment, seconded by Mr. Daniel :

That Bill (No.) be not now read a third time, but that it be referred back to the Committee of the Whole, with instructions to amend the same by adding the following words to section thereof :

Provided that as to any judge who fails to deliver judgment in any case which has been tried before him within three months from the date of trial, the salary of such judge shall, after the expiry of said three months, cease, and that payment thereof shall not be resumed until such time as judgment in the said cause is actually delivered.

I may say that I brought this matter before the House one or two sessions ago in reference to Mr. Justice Magee, who has tried cases all through the province of Ontario for two or three years, and in most of the cases has failed as yet to deliver any judgment. Solicitors from several

towns have written to me since I brought the matter up first, and I have promised that I would bring the matter to the attention of the hon. Minister of Justice this session, either in Committee of Supply or when any Bill respecting the judges came before the House. One letter from a prominent lawyer says :

You can understand the diffidence that we lawyers have in making an attack upon the Hon. Mr. Justice Magee. Remember we have to practise before him. Judges are human, and are not apt to forget affronts or anything of that kind. But the fact is that Mr. Justice Magee is a failure, and what the government ought to do is to pension him or put him in some job where he will not be a detriment to the public service as he is now.

Another lawyer writes to me :

With reference to the delay in delivering judgments by the Hon. Mr. Justice Magee, permit me to say that the other day I heard on the very highest authority of a case that was argued before him by Mr. Justice Clute prior to his appointment to the bench, 10th February, 1905, has not been decided yet. Hence, the learned judge has had this particular case under consideration for considerably upwards of two years. Do you consider that to be 'administration of justice' ? Surely not. There is no doubt about the truth of the above statement, for I have unquestionable authority for making it.

Another writes to this effect :

By next Wednesday it will be exactly eight months since the Hon. Mr. Justice Magee was here as presiding judge at the assizes in October, 1905. The learned judge reserved judgment in two of the cases tried before him, and he has had them reserved ever since. Apparently the interested parties are no nearer to getting a deliverance or decision than they were sixteen months ago. What about suggesting that the government make some provision for the learned judge by way of retirement? Please look at the Act respecting the judiciary and see what it says with regard to 'permanent infirmity.' Delay in delivering a judgment is surely an infirmity and a serious one at that. I do not know how the learned judge came to be appointed, but certainly the appointment has been a most unfortunate one.

These are the opinions of prominent lawyers in the province of Ontario. I have several others, but I think I have read sufficient to bring the matter to the attention of the hon. Minister of Justice. In view of these statements, I think the amendment I suggest should be added to the Bill, so that judges will understand that they must give judgment within three months after they try a case. If three months is insufficient time, in the opinion of the Minister of Justice or the other legal members of the House, I am willing to extend it another month or even to six months. But when a judge draws his salary for doing justice, and then leaves litigants to wait so long for judgment as is shown in these cases, I think it is an outrage, and the suggestions of these lawyers should be accepted by the government, and this judge retired. I think it would be a good thing for all the judges of the country if they knew that if they did not deliver judgment within three months after the hearing of the case, their salaries would cease until they did deliver judgment. Therefore, I have drawn this amendment and purpose moving it on the third reading of the Bill.

Mr. AYLESWORTH. As my hon. friend has mentioned his intentions at this stage of the consideration of this resolution, perhaps I might, without impropriety, say what occurs to me to say now with reference to the matter he has discussed. I assume from the remarks of the hon. gentleman that he has not in mind any present judges of the province of Manitoba as being in any respect amenable to the criticism he has pronounced with reference to the judge whose name has been mentioned in the province of Ontario.

Mr. TAYLOR. My amendment reads so that it will cover not only Ontario but any province.

Mr. AYLESWORTH. I did not misunderstand my hon. friend, but I premised that much as what I supposed was but just to the gentlemen who occupy the position of judges in the courts of Manitoba and British Columbia.

Mr. TAYLOR. I have heard nothing in reference to them.

Mr. AYLESWORTH. With reference to the particular judge in Ontario whose name has been mentioned, I had some personal experience before coming into this House as the gentleman was appointed to the bench some time before I became a member and I have been in that way personally aware, as well as in the way of common report, of the difficulties to which my hon. friend has alluded. They have been also the subject of correspondence, not of an official character but of a friendly nature, between myself and the justice in question who happens to be a man with whom I was for many years before he ascended the bench personally and intimately acquainted, and I think it is no more than right that I should say this on his behalf or with reference to this matter to which public attention has been in that way called, that I am sure the delay to which my hon. friend refers in the delivering of judgments is not in any sense the result of indolence or lack of industry on the part of the learned judge, but that, if it is to be attributed to any one thing more than to another, it is due to his exceeding conscientiousness and exceeding care. It may be what some people would call a defect of mental constitution to be over cautious, to be over careful and to be over anxious that any judicial pronouncement should be absolutely correct and unimpeachable, but if the result to which attention has been

called to-night is attributable to any defect in the mental constitution of the gentleman in question, it is to characteristics of the nature I have tried to describe. I think also that while I do not question the entire accuracy of the statements to which the hon. gentleman has referred in, I think, three letters, the substance of which he has given to the House, that it cannot be correct to say that the same condition of things exists as to the greater number of the cases which have been, since that learned judge was appointed to the bench, tried before him. I think some such phrase fell, possibly unwittingly, from the lips of my hon. friend to-night. There are no doubt several cases, I do not know how many there may be, possibly a number which is considerable, still standing for decision by Mr. Justice Magee, but I have been assured that several, I think I might go further and say many or even most of the cases tried before him in which judgment was not given at the time of trial, have by this time been disposed of, and that not many now remain in the unfortunate position which has been described by my hon. friend.

Mr. FOSTER. Has any addition been made to the number of the judges comprised in the resolution with reference to Manitoba ?

Mr. AYLESWORTH. There has been one additional judge appointed to the Court of King's Bench, none to the Court of Appeal. The resolution is but a repetition of the present statute except that the word 'three' where it occurs last in the first resolution, that is three puisné judges of the said court, to wit, the court of King's Bench, is substituted for the word 'two'. The court at present consists of one chief justice and two puisné judges. The legislature of Manitoba has constituted that court now as consisting of one chief justice and three puisné judges, and this resolution changes the word 'two' as applied to the court of King's Bench to 'three'.

Mr. FOSTER. With reference to the matter that has just been discussed in part, has there not been some trouble in reference to delay in trying cases owing to their not being set down for trial. During the last year or so I have seen some very strong strictures in some of the newspapers in reference to the delays that have occurred, not in giving judgment after the trial has been completed but in setting down cases for trial. That has occurred in different cases, but a notable instance occurred in Manitoba where a contested election case commencing shortly after the late election, has gone on until, within the last day or two, I see that it has been settled by the dismissal of the suit. But I saw some very strong strictures in a paper from Manitoba and also in a Toronto paper upon this form of delay. That is as much to be regretted as delay in giving judgment after the cases have been brought to trial and the trial has been completed. Is it not a fact that we are gradually giving to our judges too much extra work on commissions and the like of that which takes them from their judicial duties ? Does the minister think that this is for the best in the administration of justice ? It seems almost incredible that you would have a trial completed and that two years afterwards the litigants had not had a judgment from the court. I suppose that almost any litigant would rather have a wrong judgment from which he could take an appeal than be hung up for such a long time. In the other cases if judges are dilatory in setting down cases for trial—I do not know whether that matter rests entirely with them or whether the solicitors for the litigants are also to blame—I have seen these strong newspaper criticisms, and it would seem as though some of this trouble is apt to take place where you take judges off the bench from their judicial duties and put them on commissions. There are some few commissions on which judges may be appointed, which do not bring them into the arena of partisan judgment and criticism, a thing to be regretted with reference to the bench. Certainly in the province of Ontario we have had cases, in the last three or four years where it has not resulted in increased respect for the bench. At the same time, it has taken them off from their real judicial duties and has given them work of quite a different kind. It is also, I think, reprehensible that judges who are favourable to a government or were, before they became judges, partisan of a party or the government, should be in any position to look forward to extra appointments and remunerations in that respect, because it is a matter of fact that a leader of the government, especially this government, will appoint on commissions judges who have been adherents of that party before being appointed to the bench, which is not the best thing for the dignity of the judiciary.

Mr. AYLESWORTH. It is perhaps not desirable, at all events it would seem to me not opportune, that I should enter into any discussion at the present time of the general question which has been started, as to the desirability of asking judges to take part upon commissions. So far as I recall there has not been any occasion since I became Minister of Justice on which I have had practically to consider the question. There have been no commissions and no appointments of judges upon commission, at least that I recollect, which have in any way proceeded upon my recommendation.

Mr. TAYLOR. What about Sir Wm. Mulock ?

Mr. AYLESWORTH. I do not know to what my hon. friend refers.

Mr. TAYLOR. I thought that Sir Wm. Mulock was just appointed arbitrator in reference to a dispute in the west ?

Mr. AYLESWORTH. I do not know whether the newspaper reports in that respect are correct, but if they are that is not any appointment in the nature of a commission issuing from the Crown upon the recommendation of the Minister of Justice; it is something under a special statute, which would rest, I presume, upon the choice of the parties to the dispute, or the nomination of the Minister of Labour. But with reference to the other point that has just been stated by the hon. member for North Toronto (Mr. Foster), as to the practice of the present government, at all events, let me remind the committee of what at once occurs to my memory, whether it occurs to that of other members of the committee or not, that on one of the commissions, a commission of an especially political character which has been the subject of discussion recently in this House, namely the commission to investigate alleged frauds at elections for years past, and which was appointed after the investigation of a committee in this House into the West Huron election, Chief Justice Falconbridge was one of the commissioners and he certainly was never, prior to his ascent to the bench in anyway a follower of the principles of the Liberal party, a member of that party, or in any way favourable to it; but on the contrary he was a warm and well known and prominent Conservative of the province, so prominent, in fact, that he received the nomination of his party shortly before his elevation to the bench as their candidate for the constituency of Centre Toronto. Let me say that whatever the cause may be for the unfortunate and greatly to be regretted condition of things to which the hon. member for Leeds (Mr. Taylor) has called attention, it cannot be, I am safe to say is not, in the case of Mr. Justice Magee, in any way attributable to his engaging in any kind of work outside his judicial duties.

He has never, to my knowledge, taken part in any sort of work outside his judicial duties since his appointment to the bench, and he has been assiduous, faithful, industrious and earnest and in every way anxious, to the very best of his ability to carry out to the full his judicial duties. The only complaint I have ever heard of his action or services on the bench is the single one that has been mentioned to-night—a very serious one I admit—but not in any way to be attributed to any lack of willingness to work or to any lack of honest effort on his part. Regarding what has been said by the hon. gentleman from Toronto (Mr. Foster) as to delay in trials, let me say, speaking of the practice of law in Ontario—with which alone I have any familiarity—that the delay in bringing an action to trial is in no sense attributable to the judge, who has no control unless he chooses to summon the litigants before him and take them both, figuratively speaking, by the throat and say, this cause must be got ready for trial. That, however, is something which he is not in a position very well to do. He knows nothing of the reasons which may actuate the litigants. They may not have their evidence ready, they may be negotiating for a settlement and consequently are not prepared to go on; and I think that, generally speaking, the judge has plenty to do trying the cases which are ready for trial without looking through the records of the court to find out other cases and compel them to be brought before him. These matters are entirely in the hands of the litigants. If the plaintiff, upon whom the obligation naturally rests to press forward the case, delays unduly, the defendant may take charge of the litigation, under the Ontario practice, and set the cause down for trial himself. Any delay, at any rate, in bringing an ordinary civil action to trial in any court of Ontario is the fault solely of the litigants and not in any sense of the judge. The same may be said with regard to election petitions whether in Ontario or any other province. Under the Dominion Controverted Elections Act, the trial must begin within six months or the proceedings fall to the ground; and if the trial is not begun within three months, any other elector in the constituency may apply to be put in the place of the petitioner who unduly delays. The sitting member himself is not usually interested in forcing on the trial, but presumably the petitioner is; and if he neglects to bring the petition to trial in the constituency to take up the elector in the constituency to take up the case and, with the leave of the court, proceed on the original petitioner's deposit. So that any delay in that regard can scarcely be attributed to the judge.

Mr. FOSTER. How then can a case run on two years?

Mr. AYLESWORTH. It must be simply due to the neglect of the petitioner or the willingness of the sitting member to let sleeping dogs lie. I was going to add, however, that in some provinces it is the custom of the judges with regard to election petitions, inasmuch as they are matters of public interest, to have the officials of the court present to them lists of the petitions that have been filed and remain untried and summon the parties, of their own motion, before them and inquire when it would be convenient to them to proceed with the trial and require some explanation if there appears to be undue delay. That, however, is a duty which is not by statute put upon the judges; and if they take that course, it is because of their sense of public duty and responsibility for their position.

Mr. R. L. BORDEN (Carleton, Ont.) As far as allusion has been made to one of the learned judges of the High Court of Ontario, although I have no personal acquaintance

with that gentleman, I have always heard that he is a very conscientious man, of great industry and, as my hon. friend the Minister of Justice has said, any delay on his part seems rather to arise from a constitutional difficulty in coming to a conclusion, through his being very conscientious and extremely anxious to do right. Perhaps he may outgrow a difficulty of that kind. It is reported of an English judge that he declared himself to have passed through three stages in his judicial career. In the first period he was always afraid that he was not right; in the second he was always sure that he was right; in the third period he did not care a continental whether he was right or not. So that possibly the learned judge in question may gradually pass from one of the stages to the other, and in the end his judgments may come with less delay. I have had a good deal of experience of delay on the part of judges during my practice. I remember one case in Nova Scotia where a learned judge, not now upon the bench, after promising to deliver judgments for a period of about two years in two cases, which had been brought before him, finally denied most strongly that he had ever heard the cases at all, and no judgment has ever been pronounced to this day. We have had difficulties of that kind to such an extent in that province, that the legislature passed an enactment to this effect, that in every case tried before any judge, judgment must be pronounced within sixty days after the conclusion of the trial. It was understood, however, by the judges and in the profession that that might be modified by agreement of the parties and accordingly in any particular difficult case, where it was desirable there should be longer delay, the parties, at the request of the judge, always agreed to waive that provision and consent that judgment might be pronounced afterwards, if it appeared necessary that the judge should take a longer period for making up his mind. So far as the trial of election petitions is concerned, I would be disposed to concur almost altogether in what the Minister of Justice has said, with this qualification, that I think the judges, in some of the provinces at least—I cannot speak as to very many of them—are rather too much inclined upon slight evidence to extend the time for commencing the trial. The statute, if I remember it correctly, provides that the time can only be extended on affidavits setting forth grounds for the extension; and sometimes it seems to me that upon very slight grounds the judges are disposed to extend the time, and in that way great delays have taken place. Whenever some agreement exists beween the parties to the petition, an affidavit is prepared setting forth some very slight ground for delay, due to an understanding between the parties and in conjunction possibly with some arrangement about another petition; thus the time is allowed to run on, and the petition is kept alive, and delay is allowed which sometimes amounts to a public scandal. When we come to amend the election laws—as I hope we will next session—we may be able to devise amendments which will alter the practice somewhat in that regard.

Mr. TAYLOR. I would like to ask the Minister of Justice, if any calamity should befall Mr. Justice Magee, in what position would litigants in all these cases he has tried, be placed? Would the cases have to be heard over again and all these costs doubled? I understood the Minister of Justice to say that in only a few cases Justice Magee had not delivered judgment. I have here an extract from another letter received from a legal gentleman in his own locality, saying:

> Judge Magee presided at the non-jury sittings held here in June or July, 1905, and of the cases heard by him he reserved judgment in five, of none of which has anything since been heard. And I understand that our experience in this connection is similar to that of many others throughout the province.
>
> Now, while the judge is a good lawyer and one of the best fellows living, and one is reluctant to make any complaint against him, such delays are becoming utterly intolerable, and something drastic should be done to remedy such conditions. Is a judge to be permitted to ignore with impunity demands of both parliament and people?
>
> Of course, you understand that lawyers do not wish to make complaints openly in such matters. And you will not mention my name please in this connection. But it seems to me the matter should be spoken of in the House, and with some firmness.

I know myself of two cases that were tried in the fall of 1905, in a constituency close to where I reside. In both cases he reserved judgment. In one of them a woman is interested, and on account of judgment being delayed, she is practically living to-day on charity, waiting for Mr. Justice Magee to deliver his judgment. These things are unbearable. Besides, the lawyers interested in these cases have not received their fees, and will not do so until His Honour sees fit to give judgment one way or the other. They have received a retainer, but the balance of the costs are not taxed against either of the litigants. I think it is high time the Minister of Justice should deal, not only with this judge, but with any others who may be in the same position. I think three months is ample time for judges to make up their minds and deliver a judgment. That limit should either be put in this Act or in some other Act, and let the judges understand that they are paid a salary by the country, and it is their duty to try cases and render judgment within a reasonable time.

Mr. AYLESWORTH. I do not wish my hon. friend (Mr. Taylor) to be under a mis-

apprehension. I do not think the Minister of Justice has any power in the matter excepting that of expostulation, of representation. But so far as action is concerned, I am not aware of anything the Minister of Justice could do in any shape or form. The learned judge, as all others, is amenable to the jurisdiction of this House, liable to be impeached for any defect or for any misconduct which would render him unfit to be a judge. But I take it that such a proceeding ought to go forward upon the representation of the Attorney General of the province, who would be the proper authority to bring such a matter to the notice of this House, if such extreme proceedings were seriously contemplated.

Mr. TAYLOR. Then if the Minister of Justice has not power, and parliament has, it should be the duty of the government to introduce a law to regulate this matter so that the Minister of Justice can say : There is a law, and I have got to enforce it. I think the Minister of Justice should amend that law immediately.

Mr. AYLESWORTH. My hon. friend's amendment, which he has read, will probably bring that about.

Mr. TAYLOR. I will move it at the proper time.

Mr. AYLESWORTH. With regard to the amendment, I may say that I introduced this proposal to provide for the other county court judge, on the express request of the Attorney General of Manitoba, whose letter I received after this resolution was on the notice paper.

Mr. R. L. BORDEN. Is there any increase of salary ?

Mr. AYLESWORTH. The same salary as the other county court judge, but there is one more county court judge, and one high court judge. Here is the letter :

Winnipeg, April 12, 1907.

The Hon. the Minister of Justice, Ottawa, Ontario.

Sir,—I have the honour to request that an appointment be made of another county court judge for the eastern judicial district of this province, as I am satisfied that another judge is necessary for disposing of the business brought before the county courts in that district. The judges of the court and benchers of the Law Society concur in this request.

I have the honour to be, sir,

Your obedient servant,

COLIN CAMPBELL,

Attorney General.

Mr. R. L. BORDEN. I think under the circumstances I would not be disposed to press any objection. The appointment seems to be desired in the public interest, and has the sanction not only of the Attorney General of the province but of the benchers as well.

Mr. FOSTER. My objection was solely on the ground that no notice had been given of a resolution proposing an extra burden on the finances of the country. As the letter has been received since, I withdraw my objection.

Mr. AYLESWORTH. I should have stated in moving the House into committee, that His Excellency has consented to this appropriation and recommended it.

Resolution reported, read the first and second times and agreed to.

Mr. AYLESWORTH moved for leave to introduce a Bill (No. 177) to amend the Judges' Act.

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

Mr. TAYLOR. I beg to move that the following proviso be added :

Provided that as to any judge who fails to deliver judgment in any case which has been tried by or before him within three months from the date of trial the salary of such judge shall, after the expiry of said three months, cease and that payment thereof shall not be resumed until judgment in the same cause is actually delivered.

Mr. AYLESWORTH. I have no doubt that the grievance of which the hon. gentleman (Mr. Taylor) spoke a little while ago is of so serious a character that this proposal would not unnaturally commend itself to individual members of the committee ; and yet, I would hope that my hon. friend would not press his motion to a vote on this occasion. It would certainly appear as a very serious reflection upon the judges of the court of Appeal, of the court of King's bench and the county courts in Manitoba and British Columbia, because this will be, if it is carried, a provision in a Bill relating solely to these judges or a rider upon a clause in a statute respecting the salaries of these judges and be limited to these judges and these only.

Mr. TAYLOR. Oh, no ; it is general.

Mr. AYLESWORTH. I would think that as it is it would necessarily have reference to the judges mentioned in that particular section of the statute and would certainly seem to be inserted in regard to the judges of these three courts in Manitoba and the judges in the court of British Columbia.

Mr. TAYLOR. I would amend it by saying 'any judge in Canada' so as not to cast any reflection upon judges against whom I have heard no complaints.

Mr. AYLESWORTH. While I cannot say that it would not be competent for the hon. gentleman to change the wording of his resolution in the way he suggests, it is presented in the shape of a proviso to this particular piece of legislation, not in the shape of an independent section of the

Judges' Act at all, but as a proviso to this particular clause. In any event I would suggest for the consideration of my hon. friend and the committee whether the full purpose which he had at heart in bringing this matter to the attention of the House and of the country has not been served by what has already taken place without putting upon our statute-book that which would be such a radical departure from anything we have previously had.

Mr. TAYLOR. I will accept the suggestion of the hon. Minister of Justice, but if the complaints I have received this session are continued next session I will introduce a separate amendment to the Act and ask to have it pressed to a division.

Mr. R. L. BORDEN. I would say to my hon. friend (Mr. Taylor) that it is a little too drastic in its present form because if a judge had four or five judgments pending for four or five months, he would be indebted to the country to the extent of $4,000 or $5,000.

Mr. TAYLOR. This does not take his salary away. It only suspends it until he delivers judgment.

Mr. R. L. BORDEN. I know, but you suspend it three or four times.

Bill reported, read the third time, and passed.

CIVIL SERVICE ACT AMENDMENT.

Mr. FIELDING moved that order (No. 21)—Second reading of Bill (No. 156) to amend the Civil Service Act—be discharged. He said: I move for the discharge of order (No. 21), as we do not intend to proceed with the Bill this session. It contains a number of small amendments which might possibly cause delay.

Mr. FOSTER. Mr. Speaker, before that is passed I notice that in reference to the civil service there is a statement made that a commission had been appointed.

Mr. FIELDING. Would be.

Mr. FOSTER. Or would be appointed and that the names of those who would compose this commission were spoken of last night. Has the Minister of Finance thought out a plan at all? I hope if he has or if he has not that there will be full permission for all the members of the civil service who wish to appear before that commission as witnesses, or to make an application, or as a deputation, or in some way or other, so as to get their views before the commission. It may be that they might wish to be represented by counsel. If we are going to have a civil service commission which is going to do anything more than draw its pay and make a recommendation which is not to be acted upon we ought to make the investigation thorough. In order to make it thorough the members of the civil service should have free access to the commission either by deputation or by being called as witnesses or by having counsel if they wish to better represent their case than they themselves could individually. Then, I suppose the evidence will be reported in the same way that the evidence of the last Civil Service Commission was, because parliament needs to have the evidence in order to base its succeeding action upon it. What would the minister think of that?

Mr. FIELDING. I imagine that the commission would hardly undertake to hear every individual member of the civil service.

Mr. FOSTER. That would not be asked. I quite agree with the hon. gentleman that if the civil servants are anxious to be heard by deputation they should have full opportunity. We have not yet appointed the gentlemen who will act as commissioners, although I mentioned names last night, because the matter came up incidently. I would see no reason in the world why any individual member in the civil service should not be heard, if those requiring to be heard are not too numerous. If they are they might be heard by deputation. In one way or other every branch of the service ought to have full opportunity to be heard. As to counsel, we had not thought of that, I should hope that it would not be necessary.

Mr. RALPH SMITH. Would this inquiry include men in the outside service such as lighthouse keepers and men working in the government dry dock?

Mr. FIELDING. It will simply deal with the civil servants at Ottawa, but if time permitted, we would be pleased to have them extend their views to the outside service. There may be some branches of the outside service that can be dealt with easily, and if so we would be glad to have the commission do it, but the main thing is the Ottawa service and that would have the first consideration.

Mr. R. L. BORDEN. The minister did not say whether any class or branch of the service might be represented by counsel, Of course, you could not hear every civil servant, but is it the intention of the government to permit a class or branch of the service to be represented by counsel or by somebody speaking on their behalf?

Mr. FIELDING. I had not thought of that, and I confess I hope they shall not require counsel. I had supposed that a gentleman representing any class of the service and a member of the civil service himself would be able to make adequate representation before the commission. However, I would not like to rule out the view that counsel might be present although I would hope that it would not be necessary

on either side. In fact there are no sides; it is an inquiry in the public interest; everybody interested would be heard:

Mr. R. L. BORDEN. There is a good deal in what the Minister of Finance has said. I merely mentioned the matter because I have heard in some quarters an expression of opinion that counsel ought to be permitted to appear before the commission.

As to the scope of the commission, is it purely with regard to the salaries, or is it proposed it shall take a somewhat wider range and go into the whole question of civil service reform? We have done very little in this country along lines which have been successful in Great Britain and in the United States, and for my part I would be infinitely glad to see some such reform brought about in this country. I have not been troubled as no doubt hon. gentlemen opposite have been troubled in regard to matters of patronage; but looking forward to immediate changes that are likely to take place in Canada, I am a little anxious because I know how much we will be disturbed as soon as we get into power.

Some hon. MEMBERS. Hear, hear.

Mr. R. L. BORDEN. Speaking seriously, it is very desirable indeed that some move should be made along these lines. It may require to be gradual in the first instance, but as this government has been in power for ten years and has made very considerable efforts, though perhaps not with entire success, to satisfy its political friends, it ought to be in a position to do something for civil service reform. Why should we stand still in this matter, while Great Britain and the United States have made enormous strides in bringing about civil service reform? I presume my hon. friend from Nicolet (Mr. C. Devlin) knows better than I do how far I am correct in this regard because he has had experience in Great Britain. I understand that a member of parliament in Great Britain has practically nothing to say about patronage, so far as appointments to office are concerned. Nine-tenths of these appointments about which members of parliament on the government side are continually agitated in this country, are made solely upon competitive examination in Great Britain. I do not for one moment venture to say that appointment by competitive examination will always result in the best selection, but I do say it will conduce to the public interest and that it will result in better appointments than those made simply by reason of party pressure and for partisan reasons. I should be very glad indeed if this commission would take the wide scope I have suggested. I should be very glad if it would take up the question of civil service reform along the lines which have been followed in Great Britain and in the United States as well, with infinite advantage. I venture to hope that the suggestion may be accepted by the government, and if legislation is based upon it, a step will have been taken by this government of as great importance in the public interest as any taken since it has assumed office.

Mr. CHARLES DEVLIN (Nicolet). I regret that I cannot satisfy the leader of the opposition in regard to the question which he has addressed to me. I have had no experience of patronage in my career as a member of the British House of Commons. I am quite sure that if the hon. member (Mr. R. L. Borden) had been member for the city of Galway he would understand why it is that I have to give this answer. I belonged to the Irish parliamentary party, and it is a rule of the party that we should never ask for any positions or any office for our constituents.

Mr. FOSTER. Will the hon. gentleman (Mr. C. Devlin) carry out that rule now that he represents Nicolet?

Mr. CHARLES DEVLIN. I would be very glad to be in a position to carry it out, because the hon. gentleman (Mr. Foster) must himself remember the past, and I am sure he had many a day of trouble over this very same question of patronage.

Mr. R. L. BORDEN. I was not referring so much to my hon. friend's own personal experience, as to the knowledge which he must have acquired, as a member of the British House, of the system which pervailed there.

Mr. CHARLES DEVLIN. I understand perfectly well what my hon. friend (Mr. R. L. Borden) refers to, and I must say that I think it is a very general opinion that if competitive examination such as it is understood in the British service, could be carried out here, it would be a good thing for the country. I am quite sure that it would most certainly conduce to the comfort of the members of this House on both sides. I think a movement was made here some years ago to have the competitive examination, but with what success I am too recently back in Canada to be able to say.

Mr. FIELDING. The scope of the commission has not been yet clearly defined. In fact, we have not anticipated the making of any very radical changes in the Civil Service law. Of course, if in the conduct of the inquiry anything occurs that would lead to a suggestion, we would be happy to have the benefit of the advice of the commission. What we desire as the immediate subject of the inquiry (not to the exclusion of others) would be, that they would inquire into the classification of civil servants, the character of the service required from the different classes, the compensation to be allowed to them, the conditions under which they receive that

appointment, promotion, and everything of the sort. The scope would be somewhat broad. We had not in view any very radical change, however. Nevertheless the scope of the commission will have to be defined, and we will try to make it broad enough to serve most of the good purposes hon. gentlemen on both sides have in view.

Mr. A. C. MACDONELL (South Toronto). As I understood the hon. gentleman (Mr. Fiedling), this commission is going to sit at Ottawa, and to be largely concerned with the conditions of the inside service here ?

Mr. FIELDING. That would be their first duty.

Mr. A. C. MACDONELL. I also understood from the minister that this commission is to be appointed for the benefit of the service and for the improvement of the condition of the civil servants themselves. If that be so, it would seem to me only right and proper that this commission should afford ample opportunity to the various branches of the service in different parts of the country to present their case. These civil servants are paid very small salaries, and it is quite impossible to expect them to come to Ottawa at their own expense to make their representations. If justice is to be done to the service in all parts of this country, this commission ought to sit at least in certain large centres for the purpose of enabling the civil servants in those districts to appear before them and give their evidence as to the betterment of the service and to present any complaints they may have to make. It seems to me the commission ought to be more or less a perambulatory one so as to hear what is to be said and at no expense to the civil servants themselves.

Mr. FOSTER. I very strongly recommend the government to enlarge the scope of that commission so as to take in not only the question of salaries and classification, but also the basis of the civil service. That would be advantageous, particularly for two reasons. In the first place, you have proposed as one member of that commission a man who has a personal knowledge of the systems of civil service both in Great Britain and in this country, who understands both probably as well as any one here, and who from his long experience is an invaluable man on a commission of that kind. I think Mr. Courtney has already served on two commissions in relation to the civil service, certainly on one, and I do not think it would take very much more of the time of the commission nor add very much to the expense if they reported on the basis of the civil service as well as on the matter of salaries and classification. The two matters are closely conjoined and the thorough knowledge which Mr. Courtney has of both systems would render it advisable that the scope of the commission should be enlarged to that extent. I do hope that Canada will make a move forward in this direction. My hon. friend said we had not been going ahead. I am afraid that we have really been going behind, and that our civil service, in its basis and administration, is not any better than it was many years ago, and maybe is not quite so good in its essential features.

Mr. BRISTOL. I would like to ask the hon. leader of the House if it is intended that this commission shall deal with the question of increased remuneration, which I understand has been asked for by the post office clerks and the custom house clerks in various places throughout Canada?

Mr. FIELDING. The question of increased remuneration is not especially assigned to the commission. It is possible that the commission might suggest decreased remuneration in some cases; that would be entirely within their power. Their chief duty, however, will have reference to the civil service at Ottawa, so that next session we may have the benefit of their report. That will not exclude them from extending their inquiry to certain branches of the outside service, which will be desirable if time and opportunity permit them to do so.

Mr. BRISTOL. I understood that application had been made to the government by the post office clerks and the custom house clerks of various cities, and I wanted to know what action the government proposed to take in regard to that matter. I understand from the leader of the House that they do not propose to take any action unless the commission has superfluous time.

Mr. FIELDING. The ministers of the various departments might take action with regard to these outside parties without waiting for the report of the commission. I would hardly hope that the commission would have time to deal with the outside service this year ; it is rather a large order for so short a time, and perhaps some of the officials my hon. friend refers to would prefer not to wait for the commission, but to trust to the tender mercies of the Minister of Customs.

Mr. BRISTOL. They have waited some ten years for him.

Mr. COCKSHUTT. I think the commission should extend its inquiries beyond Ottawa. There is no doubt that the cost of living has increased very materially in the country, and I think there is a general demand for increased remuneration on the part of both the post office employees and the customs employees. This commission should take into consideration everything

that relates to the public service. As the minister has said, perhaps the salaries of some might be reduced. There may be some cases where value is not given, and it is as much the duty of the commission to investigate those cases as any others. But I do not see why the inquiry should be confined to the city of Ottawa. Many employees both of the Customs Department and of the Post Office Department have written to me in reference to an increase in their salaries. This whole matter should be very carefully gone into. In my humble judgment, promotion in the public service should be on the same principle as in a business establishment, that is, pay according to the value received. If that were done, there would be some material changes. A good man who is found doing his work ably and well should have more reward than a man who is doing as little as he can in the public interest. A department is not justified in losing the services of men who have proved themselves very valuable. I think there have been cases of men withdrawing from the civil service because they could do better in private concerns. I think the Minister of Customs lost one of his able men, Mr. Bain, because a private concern offered him more than he was getting in the department. It becomes a question whether the salaries of such men should not be advanced so that they will be kept in the service. It takes time, training and judgment to get a man fitted to perform these valuable duties. I quite agree with the hon. member for South Toronto that the outside service should be taken into consideration. The whole matter should be gone into carefully and a great saving can be secured for the country if the commission does its work wisely.

Motion agreed to, and order discharged.

SUBSIDIES TO RAILWAYS.

House went into committee to consider the granting of subsidies to railways.

Mr. FOSTER. Before the special votes are brought in would the minister say whether or not any of these are new? It seems to me that all of them are subsidies in lieu of other subsidies.

Mr. FIELDING. I was about to make a statement.

Mr. FOSTER. Is the subsidy in the case of any of these greater than the former subsidy? You might make a subsidy in lieu of another and yet make it greater than the first that had been granted.

Mr. FIELDING. No. We have decided not to have any new subsidies this session and so the resolutions now before the committee are in lieu, as the hon. gentleman says, of other subsidies, and in no case is there any increase in the mileage. That was my direction for their preparation and I am advised that they have been prepared accordingly, so there is really nothing new. It is simply a renewal of things disposed of at previous sessions. I have had a map prepared and put on the table, but in view of the fact that each of these is a renewal of a former vote, I did not think the House would want to examine them very closely.

Mr. FOSTER. There might be a question in reference to some of them as to whether they should have been renewed or not. They might have been proper at the time they were first passed, but circumstances might have changed. Where nothing has been done I suppose you are extending the time four or five years longer; the question is, how long you are to keep these things open.

Mr. FIELDING. This is a point upon which the government and parliament have always taken a very lenient view. That is to say where a subsidy was granted and an application was made for its renewal, in almost every case, I think, the grant once given is continued, even although the prospect of immediate construction might not be very strong. The community concerned always looks forward with great interest to having the road built, and although there is not rapid progress in the construction of the roads, if it seems likely that when built they would be of use to the community, the citizens always wish for a renewal of the subsidies with the hope that the companies will be able to construct the lines.

Mr. FOSTER. What amount is involved in this?

Mr. FIELDING. The mileage I think is 1,081 miles. On the basis of $3,200 per mile that would be a little less than $3,500,000. Of course some of these roads if constructed would probably get more than the ordinary subsidy and allowance would have to be made for that. If they should all get the double subsidy, as it is called, that would be a little under $7,000,000. Assuming all the roads to be built that would add to the expenditure of the country anywhere between $3,500,000 and $6,500,000 or nearly $7,000,000.

Mr. R. L. BORDEN. How many miles did the minister say?

Mr. FIELDING. 1,081.

Mr. R. L. BORDEN. It was made up for me at 1,128 miles.

Mr. FIELDING. One of us has made a mistake. I had it made up in the department and I was informed in the memorandum it was 1,081 miles.

Mr. URIAH WILSON. I think that while these are old subsidies that have been granted heretofore, the minister who asks

for their renewal ought to be able to go over each of them and give a reason why it should be renewed. I do not see much difference between renewing old subsidies and passing new ones. There may have been great changes since the subsidies were voted and there may be very good reasons why they should not be revoted. It is the duty of the minister, now that these are before the House, to take up each of the railways and give a reason why we should revote the subsidies.

Mr. FIELDING. The reason would be largely the general one that these votes having been originally granted because the roads were necessary for the opening and development of the country, we should not allow them to lapse because the companies have not been very successful, but should rather give them another chance. As regards any particular item, I shall be glad to give the information as to what has been done, if anything has been done, though in most cases no progress has been made. The general reason for these revotes is that the construction of these lines is desirable for the general development of the country.

Mr. URIAH WILSON. Why not take up each road as it comes and give the reasons for the subsidy ?

Mr. FIELDING. I would be simply repeating the general reason in each particular case.

Mr. URIAH WILSON. There ought to be some good reason why these roads are not being built in the particular localities where they are subsidized.

Mr. FIELDING. Suppose there were companies that failed, would you on that account punish the communities ?

Mr. URIAH WILSON. I am not in favour of subsidies anyway. If we cannot get these roads built by reputable companies on a business basis, the government ought to build and own them themselves.

Mr. FIELDING. That is a large order.

Mr. URIAH WILSON. Yes, and we have been giving a good many large orders. We are voting three times as much as we did in the old days when the Liberal party promised that, if they were elected to office, they would reduce the expenditure. But instead of reducing it, they have increased it three times. They seem to think that all they have to do is to ask for the money and not give any reason why we should vote it.

Mr. FOSTER. Does that first resolution read exactly the same as the resolution we have been passing from year to year or is there any change ?

Mr. FIELDING. The first resolutions are the same all through.

To the Central Ontario Railway for an extension of its railway from a point at or near Bancroft to a point on the Canada Atlantic Railway at or near Whitney, in lieu of the subsidy granted by chapter 57 of 1903, section 2, item 4, not exceeding 40 miles.

Mr. FIELDING. In that case there has been litigation between the company and the bondholders, in consequence of which the railway was placed in the hands of a receiver.

Mr. FOSTER. Is that the only reason for giving this subsidy ?

Mr. FIELDING. That is only an incident. If the road was desirable before, it is still desirable.

Mr. FOSTER. Both reasons may be questionable.

For a line of railway from Woodstock to the international boundary in lieu of the subsidy granted by chapter 57 of 1903, section 2, item 15, not exceeding 26 miles.

Mr. FOSTER. Which Woodstock is this?

Mr. FIELDING. Woodstock, N.B.

Mr. HAGGART. What line does it connect with in the states ?

Mr. FIELDING. It does not connect with any. It is on the line of the Canadian Pacific Railway and would connect with that line at one terminal. I do not think that at the other terminal it connects with any road.

Mr. FOSTER. What route does it take ?

Mr. CARVELL. It runs in a northwesterly direction from Woodstock to the International boundary line at a place called Bridgewater. Centreville is the principal point on the road. A company was incorporated by the New Brunswick legislature some years ago, but I think it has become extinct.

Mr. FOSTER. Then the government is granting a subsidy without there being any company to get it ?

Mr. FIELDING. There was a charter as far back as 1887.

Mr. FOSTER. But the company is extinct.

Mr. FIELDING. This subsidy is not voted to any particular company but for the line of railway.

Mr. FOWLER. I would not think there should be any objection because of there being no company. Most of the companies chartered in this way are simply chartermongers who get a charter for the sake of selling it to somebody. It is much better to vote the subsidy for the building of the line without voting it to any company.

Mr. CARVELL. This subsidy was revoted in 1903 and this is following the precedent then laid down.

Mr. HAGGART. You do not take power under the resolution to grant a charter by order in council.

Mr. FIELDING. No, that has been done in some particular cases but not in the general subsidy Act.

For a line of railway from a point on the Canadian Pacific Railway at or near Welsford or Westfield, or between the said two points, to Gagetown, in lieu of the subsidy granted by chapter 57 of 1903, section 2, item 16, not exceeding 30 miles.

Mr. HAGGART. Is there a railway company there?

Mr. FIELDING. I think there is.

Mr. FOWLER. When was that subsidy granted?

Mr. FIELDING. In 1903.

Mr. WILMOT. As far back as 1896 a subsidy was given for thirty miles on that line of railway from at or near Fredericton to Gagetown. In 1897 the subsidy was transferred from that portion of the road to the lower portion, viz., from Westfield to Gagetown. I approve of the subsidy, but I cannot understand why it was transferred from the other portion.

Mr. FIELDING. We are not making the change now.

Mr. WILMOT. The change was made in 1897.

Mr. HAGGART. Is there a chartered line?

Mr. FIELDING. They have a provincial charter.

Mr HAGGART. Why not grant the subsidy of the railway company?

Mr. FIELDING. I think the point raised by the hon. member for King's (Mr. Fowler) was well taken. It is not wise to grant these subsidies to particular companies, unless to well established companies which you are morally certain will go ahead with the work. In my own province, I have known of instances where, in good faith companies, to which subsidies were given, undertook to build and then failed, and you could not give the subsidy to any one else. Unless you are dealing with well established companies, such as the Canadian Pacific Railway or the Grand Trunk Railway or the Canadian Northern no good purpose can be served by granting a subsidy to a company. When you grant it simply for the line of railway, that leaves you free to give it to any company that may come along.

Mr. FOWLER. Although I am a protectionist on principle, I believe in free trade railway charters. That would put an end to all this charter-mongering of which we have so much. People see where there is a prospect of a railway and they get a charter. They sit on that charter until somebody else buys them out. They don't intend to build a road, and never did. They often have no financial means of building a road, sometimes it is as much as they can do to scrape enough money to get the charter through the House. They get a charter, and then a subsidy, and by means of the subsidy they sell out to somebody who is able to build the road and they make a handsome sum for themselves. I think if we had free trade in granting subsidies to railways it would be better for the country all round.

Mr. WILMOT. I think that a subsidy should be given to that portion of the line between Fredericton and St. John. It passes through a country that has stood patiently by and seen railway development all over the province of New Brunswick and all over the Dominion. It is the best portion of New Brunswick, but the farmers are much handicapped by the want of railway facilities. They are forced to place their farm products on the market when the river is open to navigation, and at a time when all kinds of products are at the lowest price, simply because they have not the railway facilities to enable them to carry forward their products when the prices are higher. I may say in this connection that the New Brunswick legislature, at their last session, voted aid to a railway coming down the River St. John, and it would include that portion. Inasmuch as the subsidy was given for another portion, it is very important that it should be revoted. Is the government going to give any new subsidies?

Mr. FIELDING. Not at present.

Mr. HAGGART. Would the minister say whether there is a change from one particular part to another?

Mr. FIELDING. In this case and the one following, we are dividing the subsidy into two parts, so that the company may complete a part, leaving the rest for a separate company. It is the same distance and between the same points.

To the Inverness Railway and Coal Company for a line of railway from Cheticamp to a point on the line already built between Broad Cove and Point Tupper, in lieu of the subsidy granted by chapter 57 of 1903, section 2, item 24, not exceeding 37 miles.

Mr. FIELDING. I wish to strike out the name of the company and let it read 'for a line of railway,' not because the company is not a very substantial one, but they have not given any assurance of their willingness to build the balance of this line. By voting it in this way we leave it open to anybody else to take hold of it.

For a line of railway from a point on the Dominion Atlantic Railway to the government pier or wharf at Canning, in lieu of the sub-

sidy granted by chapter 57 of 1903, section 2, item 25, not exceeding 1 mile.

Mr. FIELDING. That is a change. The mileage is the same, it is a branch of the same road, but the location is changed. It is a branch of the Dominion Atlantic, but shifting the branch from one point to another.

To the Nicola, Kamloops and Similkameen Coal and Railway Company for a line of railway from a point at or near Spence's bridge on the Canadian Pacific Railway, to Nicola lake, in lieu of the subsidy granted by chapter 57 of 1903, section 2, item 26, not exceeding 47 miles.

Mr. FIELDING. In that case there is an addition of two miles. The road has been built, and the actual mileage is proved to be two miles greater than was estimated.

Mr. HAGGART. Does the minister know whether any subsidies have been granted by the provincial or municipal authorities?

Mr. MACPHERSON. There is no provincial grant in this case.

Mr. FOSTER. Is this road operated by an independent company or by the Canadian Pacific Railway?

Mr. FIELDING. It was built by an independent company, but the Canadian Pacific Railway are taking it over. It is really a branch of the Canadian Pacific Railway, though it is still being operated, I understand, by the company, but the Canadian Pacific Railway will take it over this spring.

To the Edmonton, Yukon and Pacific Railway Company for a line of railway from the town of Strathcona to Edmonton and thence westerly towards the Yellowhead Pass, in lieu of the subsidy granted by chapter 57 of 1903, section 2, item 28, not exceeding 50 miles.

Mr. FIELDING. I think that is taken over by the Canadian Northern system, though the charter is in a different name. A few miles are completed.

Mr. HAGGART. It is operated, I suppose, from Strathcona into Edmonton?

Mr. FIELDING. I think they run over the Canadian Northern.

Mr. FOWLER. This seems to be rather indefinite; it says 'thence westerly towards the Yellowhead Pass.'

Mr. FIELDING. Well, it is a portion of the line to the Yellowhead Pass.

Mr. FOWLER. It does not say the line runs to the Yellowhead Pass, but towards it.

Mr. FIELDING. There is not mileage enough to take it to the Yellowhead Pass.

Mr. FOWLER. That is not the whole length of the line, it means that you are granting a subsidy to a part of the line.

Mr. FIELDING. To the road which has its objective point towards the Yellowhead Pass. Fifty miles won't take you to it.

Mr. FOWLER. This resolution should state what is the objective point of the road. Now if the road goes to the Yellowhead Pass, then it has some certain defined point, but if you only say toward the Yellowhead Pass, it is an undefined point.

Mr. FIELDING. I think the line is defined in its charter: they would be obliged to follow that.

Mr. R. L. BORDEN. Is the minister certain that these subsidies include only 1,081 miles?

Mr. FIELDING. They were made up by my officials.

Mr. R. L. BORDEN. They certainly make a total of 1,128 miles. Here are the figures as I have made them up.

Mr. FIELDING. The explanation is that the road is partially constructed and while we are voting 47 miles a part of the road is actually constructed and there are only two miles additional. I was having it made up from the monetary point of view and the official, taking the view that it was already under construction and voted, treated it as only two miles. That accounts for the difference.

Mr. R. L. BORDEN. This really covers only two miles.

Mr. FIELDING. There are really only two miles.

Mr. R. L. BORDEN. You must have deducted the entire 47 miles.

Mr. FIELDING. I have the figures somewhere but at all events that explains the major part of it.

Mr. R. L. BORDEN. Is the subsidy paid on that?

Mr. FIELDING. Yes.

Mr. HAGGART. Is the Yellow Head Pass one of the objective points of the Edmonton, Yukon and Pacific Railway?

Mr. FIELDING. I think it is going through the Yellow Head Pass, but if my hon. friend wishes, before this vote goes through, I will look up the character.

For a line of railway from Fredericton to Woodstock, in lieu of the subsidy granted by chapter 57 of 1903, section 2, item 29, not exceeding 59 miles.

Mr. FOWLER. That is granted generally and not to a company?

Mr. FIELDING. Yes.

Mr. HAGGART. From Fredericton to Woodstock the line passes along the St. John river?

Mr. FIELDING. Yes.

Mr. HAGGART. It will be virtually the line of road which is advocated by the Premier of New Brunswick, Mr. Pugsley ?

Mr. FIELDING. Yes, I think the provincial government are granting aid or contemplating doing so.

Mr. HAGGART. The Dominion government are subsidizing a line of railway along the river and they are subsidizing the Grand Trunk Pacific line to Moncton.

To the Canadian Northern Ontario Railway Company for a line of railway from Toronto, via the east side of Lake Simcoe, to a point at, near or beyond Sudbury through Parry Sound, in lieu of the subsidy granted to the James Bay Railway Company by chapter 57 of 1903, section 2, item 39, not exceeding 265 miles.

Mr. HAGGART. I think that they have built a portion of the 265 miles of the Canadian Northern railway and that they have received the subsidy ?

Mr. FIELDING. This is under construction.

Mr. HAGGART. Yes, but has not a large portion of this 265 miles been paid for ?

Mr. FIELDING. The road is under construction and a considerable amount has been paid on it. I have not the exact sum.

Mr. HAGGART. The road is nearly completed up to the Georgian bay, and of that 265 miles the greater portion must be paid for.

Mr. FIELDING. Still the grant would expire and it has to be renewed and kept alive.

Mr. FOWLER. Then you are taking a vote for the full amount ?

Mr. FIELDING. We would not pay them twice.

Mr. FOWLER. You are so generous that I did not know but what you might.

For a line of railway from Connors, at the terminus of the Témiscouata Railway, to a point on the boundary line between New Brunswick and Quebec, at the foot of Beau lake, being a revote of part of the subsidy granted by chapter 7 of 1901, section 2, item 2, not exceeding 18 miles.

Mr. HAGGART. Does this line parallel the Grand Trunk Pacific ?

Mr. FIELDING. I understand it does not.

Mr. HAGGART. It must be pretty near it.

Resolved, that the Governor in Council may grant, towards the construction and completion of a railway bridge and approaches over the Nicolet river at Nicolet, in lieu of the subsidy granted by chapter 57 of 1903, section 3, item 1, a subsidy of $15,000.

Mr. HAGGART. Why do you give more than the ordinary subsidy to the Nicolet bridge ?

Mr. FIELDING.

Mr. FOWLER. There is a new member in.

Mr. HAGGART. Did the old bridge get washed away.

Mr. CHARLES DEVLIN. They are only beginning the construction of the bridge now. It is expected that it will be completed at the end of August or the beginning of September. It is a bridge in connection with the Quebec, Montreal and Southern Railway.

Mr. HAGGART. Why is this unusual percentage given as a subsidy. What will the bridge cost ?

Mr. CHARLES DEVLIN. It is a very costly bridge.

Mr. FIELDING. It will cost about $125,000.

Mr. HAGGART. Under one of these resolutions this bridge should only receive $12,500.

Mr. FIELDING. The usual grant is 15 per cent and so they are getting less than usual.

Mr. R. L. BORDEN. Paragraph 3 simply relates to the subsidies and does not deal with the specific bridge at Nicolet, that is the answer to my hon. friend (Mr. Haggart) ?

Mr. DERBYSHIRE. That is it.

Mr. R. L. BORDEN. I am pleased to know I am right.

Mr. FIELDING. These resolutions are copied from the statute exactly as it exists.

Mr. HAGGART. What is the amount of subsidy paid upon the James Bay Railway ?

Mr. FIELDING. I am informed that it is a very expensive road and that they will probably get the full subsidy of $6,400 per mile.

Resolution reported, read the first and second time and agreed to.

Mr. FIELDING moved for leave to introduce Bill (No. 178) to authorize the granting of subsidies in aid of the construction of the lines of railway therein mentioned.

Motion agreed to and Bill read the first and second times, considered in committee, reported, read the third time and passed.

RAILWAYS AND CANALS ACT AMENDMENT.

Bill (No. 170) to amend the Department of Railways and Canals Act (Mr. Fielding) read the second time, and House went into committee thereon.

Mr. FIELDING. This Bill is prepared at the request of the department and I cannot state its purpose better than by reading a report prepared by the deputy, which is as follows :

The proposed revision of the Act arises out of the fact that it has been found necessary to revise and consolidate the existing canal rules and regulations, which, after a lapse of many years, have been found to be in a very unsatisfactory condition, and unsuitable to present-day requirements.

At the present time, there is no direct parliamentary authority for compelling owners of vessels, rafts or other things doing or causing damage to private property, directly or as the result of an accident, to pay for such damage.

The private persons affected look to the department as primarily responsible, and the usage has been to detain the offending vessel until a sufficient sum of money, or sufficient security, is lodged by its owner to secure such payment.

For example, a vessel breaks a lock-gate, causing a downward rush of water, which may flood the adjacent country, resulting in damage to lands, buildings and other private property, and though the regulations made by the Governor in Council may provide, as one of the conditions for admission of the vessel to passage through the canals, that such damage should be paid for, it is thought advisable to have definite authorization from parliament for such action.

Further, inasmuch as an offending vessel may happen to be in such position as to escape detention for violation of rules, or for causing damage, or, if detained, may be of insufficient value to cover the penalty imposed or the cost of such damages, it is thought advisable that power should be given to detain, seize and sell, if necessary, other vessels, things and goods, the property of the same owner, on any government canal property, so as to secure payment.

Further, under the approved canal rules and regulations, minimum and maximum amounts are set down as fines and penalties for violation of the rules. The actual amount, however, is determined, from time to time, by the superintending engineer or superintendent of the canal. It is thought well that these officers, in dealing with these matters, be strengthened by statutory provision, and further, that parliamentary authority be given for vesting in these officers the duty of estimating damages caused and for making release of a detained vessel dependent on the deposit of the amount of such estimate or equivalent security.

It appears that the department has no statutory authority to remove, and destroy, if necessary, sunken or grounded vessels, &c., in a canal, at the cost of the owner; the present Bill provides such authority, including power to sell to cover costs.

The department, feeling that such authority was necessary, referred the matter to the Department of Justice and the Deputy Minister of Justice advised that it was very desirable to have the regulations take the form of an Act of parliament.

Mr. HAGGART. This Act gives to the officer of the department the power of estimating the damages. There does not seem to be any appeal to a jury or any one else. his decision being final except when he does not estimate enough. It is a great power to give to an officer.

Mr. FIELDING. That estimate is made for the purpose of a deposit.

Mr. HAGGART. There is nothing here to show that it is not a final estimate of damages.

Mr. FIELDING. I think we ought to have the Act in hand for reference, and I will leave this Bill over until to-morrow morning. I move that the committee rise, report progress and ask leave to sit again.

Mr. HENDERSON. This is rather an important Bill to rush through at this stage of the session, and I would suggest that the acting Minister of Railways allow it to stand over. There is no time to give it the consideration it requires and we had better make no law than make a bad one.

Mr. FIELDING. It was represented that the Bill was urgent. If when it is brought up to-morrow it is found that there is any serious objection to it I will not ask the House to go on with it. But I think my hon. friend will find that it is a necessary measure and not likely to be objectionable.

Mr. HENDERSON. I think we had better defer it until we can have a well considered Bill.

Mr. FIELDING. It has been well considered by the Justice Department.

Mr. HENDERSON. We had another Bill to-day which was said to have been well considered by the Justice Department.

Mr. R. L. BORDEN. If the Bill gives power to an officer of the government to fix the amount of damages, I would think that would be an extreme power, provided there is no opportunity given for resort to the courts. In all these cases there should be opportunity to have the matter tried out before the courts. There is another rather extreme provision. I do not see why goods on board a vessel should be made liable for damage to the vessel. I know that in the admiralty law there are liens of that kind, but I do not see any necessity of going that far in legislation of this character. The vessel itself is surely always sufficient security for the damage done.

Mr. FIELDING. I will have these suggestions referred to the Deputy Minister of Justice. I think they have been anticipated and met by the form of the Bill, but I would rather proceed in that way than go on with the Bill now.

Progress reported.

SUPPLY.

House in Committee of Supply.

Census and statistics, $30,000.

Mr. DANIEL. I hope the minister will take the opportunity of improving the Year-book during the next year.

Experimental farms, $140,000.

Mr. FOWLER. Is it proposed to establish any new experimental farms?

Mr. FISHER. Yes, we are proposing to establish additional branch farms. I am arranging for two in the province of Alberta; I am looking for a location in the province of Saskatchewan and I have arranged with the local government of Prince Edward Island to establish one on one of the main roads close to Charlottetown.

Mr. SAM. HUGHES. Where are the farms in Alberta?

Mr. FISHER. One at Lethbridge and one at Lacombe.

Mr. FOWLER. Last session there was some criticism on the part of some of the practical farmers in this House in reference to the conditions of the barns on the Central Experimental farm, which were said to be not in proper condition for an up to date model farm. It was also said that there was mustard in the fields. There are farms in Ontario and also in Quebec far superior to the experimental farm. Has the minister done anything in reference to the improvement of the farm?

Mr. FISHER. If my hon. friend visits the farm he will find one of the best horse stables in the Dominion, built last summer. I built it so as to take the horses out of the big barn. This summer I hope to rearrange the cattle stables on the most modern principles. I saw that the cattle stable was not first-class, although it was when built. My hon. friend will find in the supplementary estimates an item for that purpose.

Mr. SAM. HUGHES. Where is the hon. minister getting the farm in Saskatchewan?

Mr. FISHER. We have not located one yet but hope to do so this summer.

Mr. FOWLER. I think that the most important work you are doing at that farm is the distribution of seeds. Good pure seeds are the most important things in our farming industry, and I trust that the hon. minister will honour all orders sent in by the different farmers throughout Canada for seeds in the most generous way possible.

Mr. MARSHALL. I wish to compliment the hon. minister on the stable he has at the farm, and I know something about stables.

Mr. FISHER. I was not far wrong in saying it was a good one. And——

Mr. MARSHALL. No, Sir, you have an up to date horse stable.

Mr. FISHER. And I intend having an up to date cattle stable before next session.

Mr. W. JACKSON. I do not think that you are giving attention on that farm to keeping our live stock up to the mark. You are doing a great deal to improve the manufacture of our cheese and butter, but you have nothing out there which I consider of any benefit at all as regards the improvement of our beef. Our beef trade is not increasing as it should. We produce as good beef in Canada as that in any part of the world, but our beef is not uniform. I hope the minister will take a note of this and see that our cattle for beef purposes are brought up to the condition in which they should be. Go to Toronto or to any of our central markets, and you find as good cattle as are under the sun, but the majority are not as good as they should be. Out at this farm you are not encouraging improvement in that line. Instead of buying the cattle you do and feeding them, you should introduce a few pure bred cattle and distribute them in localities which are not furnishing the kind of cattle they should. When our farmers visit your institution, you ought to give them an object lesson which would induce them to give up their present system of breeding inferior stock. Not fifty miles from Ottawa I went a year ago last spring, where there were over a hundred two and three year old steers, and not five out of the bunch were fit for export. If that man had instead good ordinary Shorthorn grade steers, he would have made out of that bunch $1,200 or $1,500 more than he did. I said to him: Why do you not get better stock? and he replied I cannot buy better in this locality. If the Minister of Agriculture (Mr. Fisher) would distribute a few stock animals of the right kind for beef throughout those districts, he would be doing good work. Our farmers are keen to grasp at new ideas; and by distributing in those localities a few of those stock animals, he would do more than his professors are doing to improve present conditions. I see an old cattle dealer from Montreal on the benches opposite, and I am sure he will admit that our cattle as a whole are not what they should be. I intended going further into this subject. I had prepared quite a paper on this line, but at this hour I shall not detain the House at any length. I will content myself with simply saying: Do not put your energy into the encouraging of the production of cheese to the detriment of our beef trade. The beef trade is an industry which does not require the labour that the making of cheese does, and that is of great advantage in a country where labour is scarce. We have a good cattle country; and by encouraging our farmers to produce good beef, you will be increasing their revenue by millions of dollars. The raising of beef is a cheap way of farming as it does not require the labour that the manufacture of cheese and butter does, and the fact that you are devoting most of your energy to encouraging the butter and cheese in-

dustry, as you have been doing, has been detrimental to our beef trade. This is an honest criticism. I have been all my life working in that line, and I must say that we are not producing the kind of beef this Canada of ours is able to produce if that business were properly managed; and if the hon. the minister would secure a higher grade of stock at the experimental farm, he would be giving an object lesson to our farmers which would be worth millions to this country.

Mr. FISHER. I am fully in sympathy with the view my hon. friend has expressed. No doubt around Ottawa Valley, there is not as fine a quality of beef cattle as is desirable, and we shall try and stimulate improvement in that respect as much as possible.

Mr. CHRISTIE. From present appearances, the experimental farm is giving more interest to the dairy industry than any other. My idea of a model farm is that whatever animals are kept there should be ideal stock, so that when our farmers from different parts of the country visit it they would see live stock of the very best type. I know that the county I have the honour to represent produces as good live stock as any in Canada. No one of an observing nature walking down Bank street, would have to go very far before he would find that out. I was walking down that street with a friend of mine, and on our way we saw some beef of very fine quality exposed in a shop window. We entered and asked where it was from and were told it was from the county of Ontario and that it was going out to Rideau Hall. In that same shop he showed us some beef that was grown on the experimental farm and it was not of nearly so good a quality. There ought to be ideal beef fed on this experimental farm, and the minister should pay a little more attention to getting cattle of the best beef type and thus give an object lesson to those who visit it. If you watch the trade, you will see that there is a great demand now for baby beef. Is there any reason why the best kind of baby beef should not be produced on that farm so that we could see what can be done by feeding them right from the time they are dropped? I think that is the kind of beef that commands the highest price. I think the minister ought not to pay more attention to the dairy cattle than any other animal on the farm. I think all kinds of animals, sheep, cattle, horses, ought to be ideal on that farm.

Mr. FISHER. Have you been out on that farm?

Mr. CHRISTIE. Yes. There is a very fair lot of steers out there. Now if you had some shorthorn steers put in there and attended to them so that you could make a comparison that would be of some advantage to the farmers.

Mr. FISHER. We brought in a new shorthorn bull there lately that the hon. gentleman must have admired. We had one lot of steers that we considered to be very good though perhaps not as good as come from Ontario county. Then we have two or three sets that are not so good, a medium lot and a poor lot. We are showing how much more expensive it is to put beef on poor animals than on good animals. I may say that last year we sold $4,000 worth of beef.

Mr. STAPLES. I regret that the Minister of Agriculture should leave this important matter of the experimental farm until the eleventh hour, when we have not sufficient time to discuss it. It is a singular thing that the Minister of Agriculture can find time to manage the Department of Public Works, while he leaves the Department of Agriculture until the day before prorogation. I think there is sufficient work in that department to occupy all the time of the minister. When I was out there I saw many things that I thought ought to be criticised. Since last year he has put up one building out there that is some credit to the farm; but outside of that, the buildings are no credit to the farm. Take the hoggery, for instance. When they want to clean that out they have to pitch the manure from one pen into another, and from that into still another before they can get rid of it. Now does the minister think that is the proper way to promote the agricultural interests? Then as regards the stock, I must say that they are of an inferior quality, and even the shorthorns that the minister has spoken of are no credit to this country. If you cannot get better shorthorns in this part of the country, I would suggest that the hon. minister go to South Huron and bring down a few good cattle and show the people what can be produced in the way of beef. The only good animal I saw on that farm was the shorthorn bull that he speaks of. He is a credit, but outside of that I failed to find one good animal. Then take the sheep. I would suggest to the minister that he should place them in quarantine, for they are the scabbiest lot of sheep that I ever saw. As for the hogs, they are also of an inferior quality. I think the minister should devote more attention to agriculture, instead of giving us flowery speeches on departments that belong to other ministers. Instead of taking charge of the Department of Public Works he should leave that to some other minister and devote more time to agriculture. I say that the industry of agriculture is deserving of greater attention than he is giving it. The other experimental farms are also deserving of more attention than they are getting. Again

I protest against the minister bringing down his agricultural estimates until the very close of the session and expect us to sit quiet and not criticise them. I would like to know what appropriation there is in these estimates for improving the buildings out there.

Mr. FISHER. $30,000.

Mr. STAPLES. Will the minister tell me what the new stable cost out there, the new horse stable ?

Mr. FISHER. Something over $4,000. It is built by days' work.

Mr. STAPLES. I think a building like that, if constructed by contract, could be done for much less than $4,000. How many horses will that new stable out there hold ?

Mr. FISHER. I do not remember but I think there is room for twenty-four horses.

Mr. STAPLES. How is that $30,000 going to be expended at that farm ?

Mr. FISHER. There is another vote coming later on and I will explain it then.

Towards the encouragement of the establishment of cold storage warehouses for the better preservation and handling of perishable food products, $100,000.

Mr. TAYLOR. I would like to ask the hon. minister if he has had any applications for the expenditure of this $100,000 ?

Mr. FISHER. Yes, we must have at least twenty but a good many of them will not work out.

Health of animals, $350,000.

Mr. LENNOX. I want to call the attention of the minister to a matter that comes under that item. I have, within a few days, sent forward to the department the request of Mr. John Kelly of the township of Adjala for payment for a steer that was slaughtered. He had it slaughtered under the provisions of the Animal Contagious Diseases Act, 1903. That Act, as the minister remembers, provides for the destruction of animals suffering from certain classes of contagious and infectious diseases, among others actinomycosis. That is what this animal was suffering from. I applied to the department and I have a letter back from the Deputy Minister of Agriculture in which he calls my attention to the fact that the regulations which are provided for under the Act declare that :

The disease of actinomycosis is hereby exempted from the operations of sections 3, 4, 5, 6, and 7 of the Animal Contagious Diseases Act, 1903.

Except that

No animal affected with actinomycosis shall be exported from the Dominion of Canada.

The minister has the law on his side, of course, but I submit with a good deal of confidence that it is a very unfortunate and a very bad law in that respect. Every man is bound to know the law and if he knows the statute law of this country he knows a lot. The minister has spread out on the statute that this animal is to be destroyed and then there is an order of the Governor in Council, of course provided for in the Act, that certain sections are not in operation. This man has destroyed the animal in good faith, he has sent forward certificates as to values and other matters and I submit that under these circumstances he ought to be paid. I suppose there are not a great many cases of this kind. He looked at the statute. The veterinary that he consults and who seems to have some knowledge of the statute certifies as follows :

This is to certify that I have this day examined a steer belonging to Mr. John Kelly, of the township of Adjala, and found it necessary to have him destroyed as he has been suffering from actinomycosis, and is incurable and is liable to convey the disease to other cattle.

(Sgd.) THOMAS KAIN,
Veterinary Surgeon.

I have two points in view. I want to call the minister's attention to the statute with a view of having him direct his attention to the question whether it is fair to have that kind of a statute at all or not, and also more particularly I want to appeal to the minister on behalf or this man who has in good faith, destroyed this animal under what he considered then was the provision of the law.

Mr. FISHER. The question of compensation is permissive all through. We have had, for the protection of the treasury and of the country, to make it a rule which we hold inviolate that we will not pay any compensation except where an animal has been slaughtered on the order of an officer of the department. If we were to allow men to slaughter their own animals even on the certificate of a veterinary who is a practitioner in the neighbourhood and who is probably an employee to a certain extent of the owner of the animal and then to come to us for compensation it would lead to results which would be quite impossible When I got the power from the House here a year or two ago to slaughter animals suffering from glanders I was counselled to take the greatest pains to see that no compensation should be given except on the report of an officer of the government. I think that was a right provision. I remember that the hon. member for North Toronto especially asked me to give a pledge that in no other way would compensation be given and I think that if we were to undertake to give compensation in any other way we would be open to tremendous claims on the department which would be very unjustifiable. I will look into this particular case and see what the circumstances are.

Mr. TAYLOR. I would refer the minister to a case that came up in this House a

great many years ago—the widow Kelly's cow. When the Usher of the Black Rod came to the door he could not come in unless a promise was given that the cow would be paid for. The minister promised to pay for the cow. I would suggest that the minister take that as a precedent, promise to pay for the cow and then let the estimates go on.

Mr. LENNOX. This man has acted in perfect good faith and I have a letter from him saying that he has preserved the head of the animal. I called his attention to the fact that the Act seemed to require that he should apply to a government inspector and he has therefore preserved the head of the animal.

Mr. SAM. HUGHES. What did they do with the body ?

Mr. LENNOX. I do not know, I suppose they buried it.

Mr. FISHER. I will look into that case.

Mr. R. N. WALSH. I would like to ask the hon. minister if any consideration has been given in regard to compensation for animals which are found to be diseased especially where tuberculosis exists. If the cattle are sold out of the country and they are tested and found to be defective they are simply ear-marked and allowed to go. I know that this is a very hard matter to deal with but I know it is a matter that requires a good deal of attention because these animals simply become the means of spreading disease. Farmers will buy these cattle and put them amongst their herds and I think there should be some steps taken in regard to their slaughter and in regard to compensation if the disease is going to be eradicated or stamped out.

Mr. FISHER. The hon. gentleman is quite right. It is a very complicated and difficult question. I do not think there is as much tuberculosis among the cattle of this country as among the cattle of any other country ; but to undertake to slaughter all the animals which may be found by the test to be afflicted with tuberculosis would be a pretty big contract. It was, I understand, attempted in some parts of the United States and was a failure. I am quite sure it would be ineffective here, and would have to be stopped pretty soon. The question will have my best attention, but I have not seen my way clear to anything better than the ear-marking of the cattle, and any one who buys them, buys them with his eyes open. I know some ignorant people do buy them and do not pay any attention to it, but we are trying to the best of our ability to educate them.

Mr. STAPLES. What has been your success in exterminating glanders in the western provinces ?

Mr. FISHER. There has been a marked reduction of cases.

Mr. STAPLES. How much compensation did you pay last year ?

Mr. FISHER. About $225,000 in the last fiscal year. The accounts coming in show that the amounts will be considerably decreased.

Mr. STAPLES. Where is the disease most prevalent now ?

Mr. FISHER. I think that probably Saskatchewan has suffered most.

Mr. CHRISTIE. Is the disease found in the older provinces ?

Mr. FISHER. There is not much in Ontario to-day, there is some in Quebec, and very little, if any, in the maritime provinces.

Mr. CHRISTIE. Where do we get so much glanders in Canada ; is it imported from the United States ?

Mr. FISHER. Until recent years we did not pay compensation ; the disease was very much neglected and it spread very much indeed. The provinces undertook to deal with it, but they did not do so effectively. It got so bad that we were obliged to take the matter up from a Dominion point of view. If the disease had been handled ten years ago as it is at present I do not think we would now have any in the country. The amount paid in compensation is decreasing yearly and I think that last year it was not more than sixty per cent of what it was the year before.

Exhibition—further amount required, $100,000.

Mr. CHRISTIE. Where is this amount to be expended ?

Mr. FISHER. There is an exhibition of the products of French and English colonies next year in London and we are arranging to take part in it.

Mr. STAPLES. What kind of building are you putting up at the Dublin exhibition?

Mr. FISHER. A very fine one, it will cost $120,000 or $130,000.

For the construction of an electric railway track on the Experimental Farm at Ottawa, $15,000.

Mr LENNOX. What is this for ?

Mr. FISHER. This will enable the electric cars to run to the experimental farm. The company will run the track up to the fence of the farm and they have asked us to construct a track within the farm.

Mr. LENNOX. How much track will be constructed within the farm ?

Mr. FISHER. About three-quarters of a mile or a mile. The chief expense is that we have to build a bridge across the Canadian Pacific Railway there.

Mr. SAM HUGHES. The track will cross the dam ?

Mr. FISHER. The bridge will be the most expensive part of the work.

Mr. SAM. HUGHES. It is a good idea.

Mr. STAPLES. How will the work be done ?

Mr. FISHER. We are going to construct the track by contract, and the electric company will operate it in connection with their city system. We only build the track within our own farm, and keep it in order.

Mr. LENNOX. Will you have any contract with the company by which they undertake to operate it?

Mr. FISHER. Yes, they undertake to operate it, and the tickets used on their system will be good on the farm.

Mr. LENNOX. Has the minister any estimate of what the total cost will be ?

Mr. FISHER. I got the Railway Department to make an estimate of the cost of a single track, and it is covered by this vote of $15,000, including the bridge. If we build a double track, which the electric company wish us to do, it will cost about $19,000.

Mr. STAPLES. Might I ask the minister if he has any information with regard to the Royal Grain Commission which has been up in the west taking evidence?

Mr. FISHER. That is not in my department, but I can inform the hon. gentleman that the commission has not yet reported. The grain people have urged it, before reporting, to visit England and investigate the conditions of the grain trade there, and I think they are going almost at once.

Mr. STAPLES. Is the amount of $10,000 which was voted last year sufficient to defray all the expenses of the commission?

Mr. FISHER. No. I think $5,000 more is to be asked for.

Transportation facilities—Georgian bay to Montreal—survey for waterway via French and Ottawa rivers, $48,000.

Mr. WHITE. Will this finish the Georgian Bay canal survey ?

Mr. FISHER. I expect that it will.

Mr. WHITE. Has the hon. minister any idea when the report will be down?

Mr. FISHER. I had hoped that they would be finished before the close of this session, but I am afraid now that they will not be finished before June or July 1. There has been an enormous mass of work involved in working out the details.

Mr. WHITE. Will the plans be down then also?

Mr. FISHER. Oh, yes.

Mr. J. D. REID. I wish to suggest to the hon. minister that Room No. 6 in the House of Commons should be enlarged in some way. If the partition between it and the room adjoining were taken down, it would be a suitable room.

Mr. FISHER. I confess that I have not been in that room for a good many years, but I will take an early occasion to visit it and examine it.

Mr. TALBOT. I wish to appeal to the minister to employ some one to answer a telephone on the fourth floor of this House, called 2282. It is for the use of about forty-five members who have rooms there, including the ex-Minister of Finance and fifteen or twenty other Conservative members, and there is nobody to answer it.

Mr. FISHER. I would ask the hon. member to give me a memorandum of the matter.

Postal station at Pointe St. Charles, $25,000.

Mr. FISHER. That is to provide for a branch station at Pointe St. Charles.

Montreal general post office—enlargement, $300,000.

Mr. BERGERON. What is being done there ?

Mr. FISHER. I have bought the 'Gazette' building and propose to replace it with a modern fireproof building adjoining the main building.

Kingston Tête de Pont—repairs to walls, &c., $5,000.

Mr. TAYLOR. Is part of this to recap the old forts that have been destroyed by storms ?

Mr. FISHER. I will try to see about that.

Belleville drill hall and armoury—interest re option, $145.

Mr. FOSTER. What is the total appropriation for the Belleville drill hall ?

Mr. FISHER. There is enough appropriated to continue the contract. The tenders were received yesterday and were opened yesterday or this morning but of course the contract has not yet been awarded.

Leamington—public building, $7,000.

Mr. MARSHALL. Is that a new post office ?

Mr. FISHER. Yes, for a public building.

Ottawa departmental buildings—renewal of skylights, $6,000.

Mr. SAM. HUGHES. I would draw attention to the ventilation, not in this Chamber, but in the rooms all over the building. Take for instance the rooms occupied by

the whips. Look at the emaciated condition of our whip (Mr. Taylor) owing to the bad ventilation. The leader of the opposition (Mr. R. L. Borden) has a room that is not ventilated and the decaying condition that we are all in is owing to the bad ventilation. Room 16 is in the same condition. The paresis which has seized on the government this session is largely due to want of ventilation. The chief whips on both sides are completely exhausted.

Mr. DERBYSHIRE. Demoralized.

Mr. SAM. HUGHES. I would suggest some such ventilation as there is in the old Railway Committee room.

Mr. FISHER. Certainly they need something of that kind.

Mr. BERGERON. It seems to me very unfortunate that we should have different rooms, 16 and 6 ; the members should all be in the one room as in the imperial parliament. They should have a large room where the members would be together as in a club.

Mr. J. D. REID. I have heard it reported that there are rooms in this building that are really sub-let for some reason or another, and it is a well known fact that rooms are very scarce. I do not know whether this sub-letting occurs or not.

Mr. FISHER. I cannot say.

Mr. J. D. REID. I feel very strongly with the hon. member for Beauharnois (Mr. Bergeron). A room like No. 16 should be for the use of all members and each party should have a separate room in addition. There are a great many members on the other side of the House whom I do not know but whom I would be glad to know, and my not knowing them comes from our not associating as we should. I really think there should be more sociability than there is.

Mr. DERBYSHIRE. When we have the new wing we will have the whole thing fixed.

Mr. J. D. REID. Probably we were to blame when we were in power but that is no reason why there should not be some change now so that we would meet each other and be more sociable.

Mr. FISHER. We see that exemplified in the smoking room ; I do not smoke and consequently I have not the opportunity of going there, but we see the men of both parties meeting there sociably. I would think in the new building there should be a room of that kind.

Mr. J. D. REID. Will it be built next session ?

Mr. FISHER. Oh, no.

Mr. TAYLOR. In the new building the government should grapple with the question and give the officers resident in the House, residence outside, allowing the space occupied by them to be used by members.

Mr. FISHER. I certainly agree that except the caretaker and the Speaker every one else should move out of the building.

Mr. TAYLOR. Why not take up the question of the ventilation of these rooms ?

Mr. FISHER. I certainly will.

Mr. BERGERON. When is it expected the new wing of this building will be completed ?

Mr. FISHER. Twenty months is the time allowed the contractor.

Mr. BERGERON. Is it intended to put the Speaker's apartments there ?

Mr. FISHER. It is a question whether the Speaker's apartments should be moved or not, he needs to be very near this Chamber.

Peterborough armoury—additional amount, $30,000.

Mr. SAM. HUGHES. What is the total cost ?

Mr. FISHER. The contract is $130,000.

Mr. SAM. HUGHES. Victoria, the county adjoining, has no military building ; all we want is an ordinary, plain armoury.

Mr. FISHER. You will have to see the Militia Department about that.

Parkhill—public building, $5,000.

Mr. BLAIN. Is that a new post office ?

Mr. FISHER. Yes, it will cost about $20,000.

Renfrew—public building, $7,000.

Mr. BLAIN. Is that a new post office ?

Mr. FISHER. Yes, in the town of Renfrew. Total cost about $20,000.

Mr. BLAIN. Who furnishes the site ?

Mr. FISHER. It is not bought yet.

Wingham—public building, revote, $3,000.

Mr. SAM HUGHES. Is this a new building ?

Mr. FISHER. Yes, it will cost about $20,000.

Manitoba—Dauphin—public building, $5,000.

Mr. BLAIN. I notice that all these Manitoba items are in government constituencies. How is that ?

Mr. FISHER. Most of the constituencies are government constituencies.

Mr. STAPLES. They are not all represented by government members, and if we had had a fair deal in the last election there would be more Conservatives representing them. The hon. minister has had petitions

for many years from the town of Carman for the erection of a post office. It is a town equal to any country town in the province of Manitoba. It has a population of over 2,000, and is larger than other towns getting this consideration from the government. It has three lines of railway running into it, and should be made a port of entry. I was in the Customs Department looking over the letters from the board of trade from that town, and I think the government should give it a little consideration. It has appropriated out of its own revenue $60,000 for public improvements, and when you have a town so progressive, this government ought to appropriate sufficient to erect a post office there and make it a port of entry.

Mr. FISHER. I am sorry my hon. friend did not tell me this before the estimates were prepared. If instead of going to the Customs Department, he had come to the Public Works Department, he might have fared better.

Mr. STAPLES. It is not too late yet.

Mr. FISHER. It is for this year but next year I shall look into the matter.

Mr. SCHAFFNER. Did the hon. minister consider a request I made for a wharf at Pelican lake ?

Mr. FISHER. That is at that summer resort. I could not see my way to giving it.

Battleford—public building, $7,000.

Mr. SAM. HUGHES. Where is this to be built ?

Mr. FISHER. At Old Battleford. It will cost about $20,000, and will be for a post office, Dominion lands and immigration office.

Edmonton public building—additional amount, $60,000.

Mr. BERGERON. What is that for ?

Mr. FISHER. This is to finish a large public building, in which there will be post office and custom house.

Mr. BERGERON. I understood there was to be a new post office at Edmonton.

Mr. FISHER. This is the amount to be expended this coming year to be used in connection with the main estimate. We let the contract not very long ago for $214,000.

Humboldt public building, $5,000.

Mr. SAM. HUGHES. What is this to cost ?

Mr. FISHER. About $12,000.

Mr. SAM. HUGHES. What is the population ?

Mr. FISHER. This is a place which is growing very rapidly. It is a divisional point on the Canadian Northern.

Mr. SAM. HUGHES. Why is there not something for the other divisional points ? The town of Vermillion is five times as large as this.

Mr. FISHER. We have no application on behalf of Vermillion.

Yukon commissioner's residence at Dawson, $25,000.

Mr. FISHER. This is to repair the damages by the fire.

Mr. SAM. HUGHES. This is a little one horse place, not as big as a small Ontario country town, and it is perfectly absurd to spend all this money on the commissioner's residence there.

Mr. FISHER. We have to provide a residence.

River St. John—extension of wharf at Lincoln, New Brunswick, $950.

Mr. WILMOT. What is the nature of the work to be done here?

Mr. FISHER. It is to repair and extend the wharf on the southwest side of the river. It is 56 feet long, 30 feet wide at the top and 16 feet wide on the outer face.

Dover—wharf on Petitcodiac river, $800.

Mr. FOWLER. What are you doing here?

Mr. FISHER. This is the estimated cost of building a public wharf on the west side of the Petitcodiac river. The structure will be 70 feet long and 17 feet wide on the top.

Dorchester wharf—addition to, $5,000.

Mr. FOWLER. What are you doing here?

Mr. FISHER. This will be 200 feet long, and is down stream on the northwest side of the river.

Great Salmon river—combined groyne and breakwater extension, $8,700.

Mr. FOWLER. What are you doing here?

Mr. FISHER. Extending the breakwater 200 feet further south.

Mr. FOWLER. How much has been expended on that wharf?

Mr. FISHER. The breakwater was completed under contract in 1906-7, at a total cost of $5,000. It is 160 feet long originally and we are now adding 200 feet more. It is let by contract.

Mr. FOWLER. That is to accommodate an American company ?

Mr. J. D. REID. Is it built on private property?

Mr. FISHER. This is an addition to our own wharf.

Mr. FOWLER. It was built on private property, and the minister promised that the title should be obtained to the property, but I do not know that the title has been secured.

Mr. FISHER. My officer says he thinks it has not. I will look into that and try and get it.

Mr. J. D. REID. Is it the policy of the government to build wharfs on private property?

Mr. FISHER. No.

Petit Rocher breakwater, including connection with shore, additional, revote $7,600, $27,800.

Mr. FISHER. That is under contract.

Mr. FOWLER. When I was speaking the other day about what the hon. member for Gloucester (Mr. Turgeon) was getting for his county, I did not notice this. I thought you were acting unfairly towards the hon. member for Kent (Mr. LeBlanc) because you were not giving him anything.

Richibucto habour—extension of north pier, revote, $3,800.

Mr. FISHER. That was not paid out last year. It is to complete a 300 foot extension to the new pier. The contract was $70,000.

Richibucto wharf, $2,000.

Mr. FISHER. That is to purchase an old wharf.

Mr. FOWLER. St. Mary's wharf is not in Kent also?

Mr. FISHER. Yes, $2,000 is the cost of building a ramp 47 feet long.

Mr. FOWLER. I think my remarks have had some effect, you have given Kent something?

Mr. FISHER. Yes.

Mr. FOWLER. You should give Albert something also.

Lake Aylmer—wharf at Garthby, $3,000.

Mr. BLAIN. There is a wharf to be constructed on Lake Aylmer. Will the minister kindly explain what that is for?

Mr. FISHER. Lake Aylmer is a large lake in the eastern townships and there is a farming population around. There is a small steamer running on the lake and people bring their produce down and ship it. Without a small wharf they cannot make use of the navigation of the lake.

Mr. BLAIN. Is it a public wharf?

Mr. FISHER. Yes.

Mr. BLAIN. On government property?

Mr. FISHER. It will be bought before the wharf is built.

Mr. BLAIN. Who owns it now?

Mr. FISHER. I do not know.

Mr. BLAIN. How much will be appropriated for the purchase of the property?

Mr. FISHER. I cannot say.

Mr. BLAIN. What will be the total cost?

Mr. SAM. HUGHES. How many miles long is Lake Aylmer?

Mr. FISHER. Forty or fifty. The total cost will be $4,500.

Mr. FOWLER. Are you paying the total cost or does the province pay a portion?

Mr. FISHER. No.

Mr. FOWLER. On the River St. John which is a navigable river the wharfs which are built there are paid for, half by the local government and half by the Dominion government. Why do you make this distinction?

Mr. FISHER. I am afraid I must refer the hon. gentleman to the hon. member for North Toronto (Mr. Foster). This arrangement was made when he was Minister of Finance, under which the local government contributes a certain portion and the Dominion government a certain portion. It is not our arrangement and I really cannot say on what ground it was made.

Mr. FOWLER. Do you not think it was about time to disturb the arrangement?

Mr. FISHER. May be. I do not know that it is my place exactly to press for a change.

Mr. FOWLER. If you do that for another province you should do it for the province of New Brunswick.

Mr. BLAIN. I hope the minister is nearer the mark in estimating the cost of this wharf than in stating the size of Aylmer lake. He stated that the lake is fifty miles long. I understand that it is only 15 miles long.

Mr. FISHER. I am speaking only from memory.

Mr. TOBIN. I think the hon. gentlemen (Mr. Blain) is right. It is from 14 to 16 miles long.

Mr. FISHER. I thought it was longer than that. I must apologize to the committee.

Mr. BLAIN. What county is it in?

Mr. FISHER. Richmond.

Lake Megantic—piers, $7,000.

Mr. BLAIN. What will be the total cost?

Mr. FISHER. I think that will cover them. They are two small piers.

Mr. BLAIN. Is this for a municipal bridge ?

Mr. FISHER. No, one is to replace the old wharf in the village of Agnes and the other is to be a small new wharf some miles away, where the people in the country come down to the lake to meet the steamer.

Mr. BLAIN. Are there any steamers there ?

Mr. FISHER. Yes, there is a regular steamer running on the lake.

Mr. BLAIN. My information is that a portion of the town is built on one side of the water and a portion on the other, and that these piers are to be constructed for the purpose of providing a municipal bridge.

Mr. FISHER. There is the village of Agnes on one side of the river and the village of Lake Megantic on the other side. Lake Megantic is in Wolfe county and Agnes is in Beauce county.

Mr. BLAIN. My hon. friend will give his word that these piers are not for the purpose of building a bridge from one part of the town to the other ?

Mr. FISHER. There is only one pier or wharf at each place. The other is quite a number of miles up the lake and at another place altogether.

Mr. BLAIN. Will my hon. friend state that no portion of this money is to be expended for municipal purposes ? He made a statement last year on this point in reference to another place just close to this town.

Mr. FISHER. It is Disraeli, I suppose, that the hon. gentleman means?

Mr. BLAIN. Yes. The hon. gentleman representing the department states that none of the money is for municipal purposes but the fact is to-day that the Disraeli wharf is the municipal bridge and the only bridge there is connecting one part of the town with the other.

Mr. FISHER. What I said last year was that if the government of Canada did build a wharf there and if afterwards it was found more economical for the people to start the bridge from that wharf on the side of the river or the lake instead of building it alongside of the wharf I would justify that and I believe that it would be very foolish not to do it.

Mr. BLAIN. The Minister of Public Works said to the House last year that no application had been made by the municipality requesting permission to connect the municipal bridge with this wharf. The fact is to-day that there is no municipal bridge there and that half the distance is covered by the government wharf which was paid for out of the treasury of this country, while the other part was constructed by the municipality. They made in that way a municipal bridge. My hon. friend would not suggest that the portion which was constructed by the government was a wharf. If my hon. friend would go down there and walk over the bridge I am quite sure that he would not suggest that it was a public wharf.

Mr. FISHER. I will repeat what I said last year. I am quite ready to fight that out in any constituency in the country. I said that if the government has built a wharf for navigation purposes and if the municipality is about to build a bridge parallel with such wharf it would be very foolish, and uneconomical for the municipality to put parallel with the wharf and alongside of it a continuation of the bridge instead of stopping at the wharf.

Mr. BLAIN. My hon. friend will say that it is quite in order that where there is a distance of 700 feet as there is in this case for the government to build about 300 feet and for the municipality to build the balance and join the two pieces together to make a municipal bridge.

Mr. CONMEE. Do you think that is wrong ?

Mr. BLAIN. I think that is wrong.

Mr. CONMEE. If there was a portion of the wharf built to serve the purposes of the wharf that can be used as part of a bridge why does the hon. gentleman think it is wrong ?

Mr. BLAIN. I think it is wrong for the reason that there is no navigation whatever on that water.

Mr. CONMEE. I am assuming that there was navigation, that the wharf was built to be used as a wharf, and that incidentally it was used for another purpose.

Mr. BLAIN. I accept that apology ; I knew when my hon. friend (Mr. Conmee) spoke he did not know that there was no navigation there.

Mr. TOBIN. My hon. friend (Mr. Conmee) does know something about it, because there is navigation there.

Mr. BLAIN. Have any steamers called at this wharf last year ?

Mr. TOBIN. I am not the wharf keeper ; I represent the county.

Mr. J. D. REID. Are there any steamers on the lake ?

Mr. TOBIN. Certainly.

Mr. J. D. REID. I challenge the hon. member to name next session, for it is too late to-night to do so, any steamers running on the lake.

Mr. TOBIN. I accept the challenge.

Mr. BLAIN. With reference to the St. Francis wharf for which $6,000 is voted,

what will be the total cost, and will this cover the contract ?

Mr. FISHER. There are two wharfs there, and they are under contract.

Mr. BLAIN. Are they constructed on government owned property ?

Mr. FISHER. Yes.

Mr. BLAIN. In both cases ?

Mr. FISHER. Yes.

Mr. SAM. HUGHES. Does the minister not think that this vote for the so-called wharf was got under false pretenses?

Mr. FISHER. No.

Mr. FOWLER. What the government did was to build a wharf where there was no navigation, where there were no steamers to call, and where there was no water to float them.

Mr. TOBIN. That is not correct.

Mr. FOWLER. In order to help the hon. member for Richmond and Wolfe (Mr. Tobin) and in order to help the people of that place, the government built a wharf where there was no navigation, and where in the summer time the cows are wont to pasture knee deep in luxuriant grass. They have built it and called it a wharf, knowing full well that its only purpose was for the municipality to build an addition to it and make it a bridge. If the minister says he is prepared to go into any constituency and defend this, it shows a great deal of nerve on his part.

Mr. FISHER. If the facts were as stated by my hon. friend, I would perhaps acknowledge his conclusion, but when there is navigation and when vessels do ply—

Mr. TAYLOR. There is not a vessel in the neighbourhood.

Mr. FISHER. If there is navigation, and if vessels do ply there, then, if the municipality has to build a bridge it would be absurd to demand of them that they should continue along side the wharf for a distance of a hundred feet or so, when they might just as well stop at the wharf and go over that wharf to the shore.

Mr. FOWLER. If my hon. friend's premises were correct, I would have no fault with his conclusion, but my information is that there are no vessels plying on this water to call at the wharf.

Mr. DERBYSHIRE. The hon. gentleman (Mr. Tobin) has agreed to give you a list of them next session.

Mr. FOWLER. I accept the offer but he might call a Peterborough canoe the Virginian, and so I want him to give me not only their names but the tonnage of these vessels, the ports at which they call, and the regularity of the service they give.

Mr. MORIN. I simply desire to say I stand by every word that I have said for the last two sessions with regard to this Disraeli wharf. I know what I am talking about, and I defy any man inside this House or outside this House, minister or member to contradict what I have said. However, I will devote my attention to the general question of the policy of the government with regard to these public works. The government does not erect them in the public interest but simply in order to try and help one of their supporters to be returned to this House. There are demands upon the government to build wharfs, to dredge channels, to construct public works of all kinds and the supporters of the government are favoured. You take a poor blacksmith who works at his trade with the sweat of his brow all his life, and if he were to come here and ask the government for fifty dollars to help him they would set the dogs on him, but when corporations apply to the government for large grants of money, they have no difficulty in getting it. The poor farmer who goes to the west with his family will starve for years until he can make a living, and if he does that, it is all he can do. But these companies, if they want a wharf or a channel or a bridge or a lighthouse, they ask the government for it. Why should they be more favoured than anybody else ? That is not all. These companies appeal to the member for the county, and the member is half the time shivering for fear that he may not be re-elected, and he goes to the government to urge these expenditures. Why should the Minister of Finance, who is the trustee of the people, grant money to every one who asks it ? I have heard members about this House speak of getting a wharf built at such a place or a bridge built or a building put up, because these things will help them to be elected. Again, I often hear the question asked in the country : how can we defeat such a man ?—he got $20,000 or $50,000 spent in his county. The Minister of Finance seems to have no mercy on the public money chest. If any member of this House cannot be elected on his merits, let him stay at home.

Mr. WILMOT. I wish to emphasize what my hon. friend from King's County (Mr. Fowler) has said with regard to the joint construction of wharfs by the local government and the Dominion government. I think it is most unfair and unjust that such discrimination should exist. New Brunswick is a poor province compared with the great provinces of this Dominion, and yet it is called upon to contribute from its limited funds towards the construction of these wharfs. The acting Minister of Public Works has said that the old government adopted that policy. If it was an unfair policy on the part of the old government, I do not think it is becoming in our Reform

friends to follow such an example. I earnestly urge on the minister to put New Brunswick on a fair footing with the other provinces of this Dominion with regard to the construction of wharfs, and I would ask my Liberal friends from New Brunswick to join with us, and I am sure the government will accede to our fair request.

Mr. J. D. REID. I want, even at this late hour, to enter my protest against these estimates being brought down at this late period of the session. Last night $31,000,000 was voted by this House, one item of $28,000,000 being for the Transcontinental Railway, without our having any chance to discuss the various items. It is not fair to the members on either side of the House that the estimates should be kept till so late a period in the session. The government keep them back till eleven o'clock at night, and then force the members to stay and debate them or to pass them through without debate. The hon. member for Dorchester (Mr. Morin) struck the keynote and gave the reason why. These wharfs are being built everywhere throughout the Dominion for private parties, often where they are not used. I think it is an outrage that this government should bring estimates down at this late hour and try to force them through—the very estimates on which we should have information, such as railways and canals, public works and immigration. It is a serious matter for this country, and I wish to enter my protest against it.

Mr. NORTHRUP. I wish to join my protest with that of the hon. member for Grenville (Mr. J. R. Reid). There is a very strong feeling on this side of the House that this is the last session in which estimates or Bills can be put through as they have been this session. I think there is not one hon. gentleman on the other side of the House who will not admit that it is not fair that large estimates and important Bills should be brought down at this late stage of the session when it is utterly impossible to discuss them. No one can say that any gentleman on this side of the House has endeavoured to obstruct business. I am speaking, not for myself alone, but as one who has heard protests made by members on this side, when I say that in the coming session we will fight Bills and estimates just as acutely at the close of the session as we shall if they are brought down at an earlier date. We hope the government will meet us by not protracting the session with unnecessary discussion, but enabling us to give the necessary consideration to measures brought before the House.

Mr. FISHER. There is no disposition on the part of the government to force the estimates through. I shall be glad to give any information any hon. member desires.

Mr. J. D. REID. The day is set for prorogation. The Minister of Finance told us that two or three days ago.

Mr. FOWLER. If the Minister of Public Works intended that as a challenge, we will take it up.

Mr. FISHER. It is no challenge, but a statement of the fact.

Mr. STAPLES. Just a few moments ago I asked for information in regard to agriculture, and I was informed by the minister that he had not the data at hand. We have been here for five months, and I think he should have the data.

Mr. MORIN. In regard to the Transcontinental Railway, I am sorry I was not here last night. I was sick. I remained until 12 o'clock, but I was told that the railway estimates would not go through last night, so I went home. This morning I learned they had been passed. I would like to ask the Minister of Railways, whoever he may be—I have not found one yet—I have been asking the Minister of Railways some questions about the railway from Quebec bridge east, but the only answer I received was: I do not remember, and I do not know. People in my county write me for information about the road and of course I cannot give them information until I get it. I would ask the minister if the contract has been given for the road from the Quebec bridge east and, if it has been given, when construction will be commenced? Has the line been located? They have partly located four lines, but no one knows which line they will adopt. I would be glad to receive any information on this point.

Mr. FIELDING. The road was located and the contract has been let from Quebec east.

Mr. J. D. REID. Has much of it been built yet?

Mr. FIELDING. They are making good progress.

Mr. J. D. REID. How many miles have been built?

Mr. FIELDING. I could not say how many miles have been built, but I gave information last night of how many are under contract.

Mr. J. D. REID. Has there been much actual construction?

Mr. FISHER. The hon. gentleman knows the contract was only let about a month ago.

Mr. MORIN. How many miles are under contract from Quebec east?

Mr. FISHER. I could not say to-night, but I could to-morrow.

Mr. MORIN. I will tell you, 150 miles.

Ontario—public works, $685,060.

Mr. CONMEE. In connection with some of these votes the hon. member for East Simcoe (Mr. Bennett) made some remarks on the 5th when this subject was under review. He is not in his place now and I would ask the minister if he will allow that item to stand over as it is late. I will require at least half an hour and if I am forced to go on to-night I am willing to do it.

Mr. FISHER. We will let it stand.

Item allowed to stand.

Manitoba, Red river—bank protection at West Selkirk, $3,000.

Mr. STAPLES. Where is the minister going to spend this money on the bank protection on the Assiniboine river?

Mr. FISHER. A short distance below West Selkirk government wharf there is a neck of land separating the river proper. The slough serves as winter quarters for the lake vessels and this is to put a pile and stone work protection to the bank to keep the channel open for vessels to get into their winter harbour.

Mr. J. D. REID. Would the minister give a copy to us of the explanations he has about all these wharfs?

Mr. FISHER. I have to keep the information.

Mr. J. D. REID. Could the minister not prepare a copy and let us have it at the next session?

Mr. FISHER. This is the first time I ever thought of it and I would have to work it out a little before I could say positively.

Mr. J. D. REID. Could he not say he would let us have some information? We are getting no explanations at all of this whole thing.

Mr. FISHER. If the hon. member asks for it at any time next session.

Mr. J. D. REID. I ask it now, so that at the beginning of next session we can obtain a copy of it and we would know exactly what this money is for.

Mr. FISHER. I think I could prepare a copy and lay it on the table.

Mr. J. D. REID. By the first of next session?

Mr. FISHER. I will try.

Last mountain lake navigable route—improvement of, $13,200.

Mr SAM. HUGHES. What is this?

Mr. FISHER. This is the lake that used to be called Long lake. Dredging is required on the lake to enable them to get to the wharfs along the shores. There is navigation there and it was suggested that we should have a dam at the river outlet of that lake to prevent the water escaping in the dry season and making the water so low as to prevent navigation.

Mr. SAM. HUGHES. Has the Minister of Public Works had his engineers inspect the route between Last Mountain lake and Quill lake?

Mr. FISHER. No.

Mr. SAM. HUGHES. I would suggest that the engineers should take that into consideration. I think a great deal of land could be reclaimed by a little more dredging towards the head of Last Mountain lake, connecting it with Big Quill lake.

Old Man's river—diversion of stream into its original bed at Macleod, revote of lapsed amount, $8,000.

Mr. HERRON. What work is to be done here?

Mr. FISHER. This is a revote, this is the whole amount required. It is called for to make provision for the diversion of the river into its original northern channel opposite Macleod by constructing a dam 1,000 feet long and the protection of the southern bank of the stream by means of cribwork of brush and stone.

Mr. HERRON. If that is all the money which the minister is going to spend in my riding, I do not think that $8,000 will be sufficient, despite the evidence of his engineer.

Mr. FISHER. That is the engineer's estimate. If the amount is not quite sufficient we will take a supplementary vote to finish.

Royal Northwest Mounted Police, $800,000.

Mr. FIELDING. The police estimates for the last full year of twelve months, 1905-6 were $1,065,000. The estimate for the year 1907-8 are $800,000, showing a reduction of $265,000. Had the estimates for the last nine months been calculated on the basis of three-fourths of the previous fiscal year, they would amount to $798,000. We only ask $698,000, and it is expected the expenditure will be within the estimate. The department thus reduces the expenditure during the nine months by $100,000 and will further reduce the expenditure next year by $165,000, making $265,000, and in addition we shall recover from the provinces of Alberta and Saskatchewan $150,000, showing a total reduction in the costs of $145,000.

Mr. SAM. HUGHES. How are you going to recover from these provinces?

Mr. FISHER. An arrangement was made with the provinces of Alberta and Saskatchewan under which the police force is continued in these provinces but they agree to contribute this amount.

Mr. M. S. McCARTHY. Have you reduced the force as well as the expenditure ?

Mr. FIELDING. Yes, in the Yukon principally.

Mr. M. S. McCARTHY. Has it been reduced in Alberta ?

Mr. FIELDING. No.

Mr. M. S. McCARTHY. The advice I have received is that you have. I have received complaints from places where they have had a member of the police force, at Obahon and Cochrane, both in the constituency of Calgary. For some reason a member of the force has been taken away from both these places.

Mr. FIELDING. Some men have been brought from one place to another. That is a mere temporary arrangement and it is not comtemplated to make any reduction.

Mr. M. S. McCARTHY. A member of the force stationed at Cochrane has been sent to Regina in Saskatchewan, and the people complain that Cochrane is a place where they should have a man stationed, and the same complaint is made with regard to the town of Obahon between Calgary and Edmonton.

Mr. FIELDING. There is always a little movement from place to place. There is a little shortage in the members now, but that is only temporary, it will be filled up.

Mr. M. S. McCARTHY. Does the minister say that the force has not been reduced in Alberta within the last year ? Have the government got the same number of mounted policemen that they had a year ago ?

Mr. FIELDING. Excepting about 25 vacancies which will be filled up, there is no reduction in the force in those provinces. There has been a movement from place to place.

Mr. HERRON. I desire to repeat a statement I made a year ago. I do not think the members of the Northwest Mounted Police are properly paid in proportion to the work they are doing, and in proportion to their character. Those men are the very best men in that country, and I do not think this government should expect such men as we have on that force to work for 50 cents or $1 a day. I regret the government has not seen fit to increase the pay of the mounted police in proportion to the pay that other men are getting.

Mr. FOWLER. I would like to ask if any men of the mounted police have been sent to the mines where the trouble is on now ?

Mr. FIELDING. No. We have some men in that region.

Mr. FISHER.

Mr. FOWLER. I am instructed—I will give the minister the information, because evidently it is news to him and to the hon. gentleman who is prompting him—that ten men of the mounted police have been sent from Regina this afternoon to the mines.

Mr. FIELDING. The movement of ten men anywhere is not of great significance.

Mr. FOWLER. It is likely they are sent to maintain order in the district where the difficulties are existing. Perhaps the Minister of Labour would have some information with respect to that.

Mr. LEMIEUX. I have none.

Mr. SAM. HUGHES. I have seen a telegram this evening saying that there is an absolute disagreement, a general breakup, —all the negotiations have fallen through. Has he no word of that ?

Mr. LEMIEUX. No. The only telegram I have received was dated the day before yesterday, I received it yesterday morning. It was to the effect that last night there was to be a large meeting at Fernie and that an agreement was in sight. I have received no confirmation of that news since; but I am hopeful.

Mr. SAM. HUGHES. A telegram was received from the spot to-night saying there is a regular break up, and the entire negotiations are called off.

Mr. FOWLER. It is singular that neither the acting minister in charge of the Northwest Mounted Police has any information about the movement of men to the affected district, nor has the Minister of Labour any information from his deputy since the day before yesterday. It seems to me that the Deputy Minister of Labour, who is on the ground, is treating his chief with scant respect. I think the chief owes it to his own dignity to call down the deputy minister, and compel him to keep him better posted. It cannot be from motives of economy, because the cost of a telegram is very slight. It simply shows on the part of the deputy minister an utter disregard, both for his chief and for the members of parliament who are deeply interested in the events that are taking place in the Crow's Nest Pass. The members particularly representing western districts are deeply interested in this matter, and it seems to me the very least thing the deputy minister, who is there, can do is to keep the department posted all the time as to the progress of the negotiations.

Mr. LEMIEUX. It is due to Mr. King to say that he has kept me posted from the moment he left Ottawa last week.

Mr. FOWLER. But there is quite a hiatus.

Mr. LEMIEUX. I have received four or five or six telegrams a day from him, until

the last minute. But my hon. friend can understand that when the conflict has reached a stage when one party is about to agree with the other, it would not be prudent on the part of the deputy minister to send telegrams across the continent saying that they had agreed, or that a point had been reached where they could agree. Mr. Mackenzie King is a very wise officer, and I think it is best to let him use his own judgment; I think it will be in the interest of the country. In the meantime, early in the morning I hope we will have good news.

To compensate members of the Royal Northwest Mounted Police for injuries received while in the discharge of duty, $3,000.

Mr. FIELDING. This is the usual vote to make compensation in case of accident.

Mr. SAM. HUGHES. For a number of years I have drawn the attention of the government to the fact that the members of the Northwest Mounted Police did not receive their grant of script the same as other volunteers did who served in the Northwest in 1855. I again urge upon the minister the justice of taking up this matter and seeing that these men, in the new arrangement that is being made in relation to the militia should be treated like the volunteers who served in South Africa. I would like to see the police who served in 1885 included in that grant of scrip.

Mr. FIELDING. I will make a note of it.

Some resolutions reported.

MESSAGE FROM THE GOVERNOR GENERAL—FURTHER SUPPLEMENTARY ESTIMATES.

Hon. W. S. FIELDING (Minister of Finance) delivered a message from the Governor General.

Mr. SPEAKER read the message as follows:

GREY:

The Governor General transmits to the House of Commons further supplementary estimates of sums required for the service of the Dominion for the year ending on the 31st March, 1908, and in accordance with the provisions of the British North America Act, 1867, the Governor General recommends these estimates to the House of Commons.

Government House,
Ottawa, April 25, 1907.

On motion of Mr. Fielding, the message, together with the estimates, were referred to the Committee of Supply.

ADJOURNMENT—BUSINESS OF THE HOUSE.

Mr. FIELDING moved the adjournment of the House.

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

Mr. FIELDING. Probably the Bills which remain on the order paper—the Quebec bridge—and then we will take the remaining estimates in supply. At some time during the forenoon session supply will be moved.

Mr. TAYLOR. I thought it was understood that the estimates would be the first thing moved?

Mr. FIELDING. I can arrange it accordingly. That will necessitate our going out of committee later on.

Mr. TAYLOR. We will probably get the vote before noon.

Mr. FIELDING. Well let it be understood then that at an early stage we will move the House into Committee of Supply.

Mr. HENDERSON. Does the leader of the government expect that prorogation will take place on Saturday?

Mr. FIELDING. In so far as the business of this House is concerned I am sure we could prorogue on Saturday, but it will depend on the information received to-morrow as to condition of business in the Senate.

Motion agreed to, and House adjourned at 1.50 a.m., Friday.

HOUSE OF COMMONS.

FRIDAY, April 26, 1907.

The SPEAKER took the Chair at Eleven o'clock.

ORDERS OF THE DAY.

Mr. CAMPBELL, (Centre York.) I would draw attention to the fact that the Orders of the Day are only printed in the French language. If our proceedings are to be regular, the Orders should be printed in both languages. I am sure that the hon. member for Montmagny (Mr. Lavergne), and the hon. member for Labelle (Mr. Bourassa), if they were here, would call the attention of the House to this unfair discrimination; but as they are not here, I consider it my duty to take their place in this respect. Instead of the Orders being printed in both languages, we have them only printed in French, which is altogether irregular.

Mr. TAYLOR. That is economy.

COAL STRIKE IN THE WEST.

Hon. RODOLPHE LEMIEUX, (Minister of Labour). Before the Orders of the Day are called, I wish to give the House the latest news I have concerning the miners' strike at Fernie. I received late last night a telegram from Mr. MacKenzie King as follows:

Fernie, British Columbia, April 25, 1907.
Differing interpretation given to yesterday's proposition at conference to-day. Consequently failure to agree. Executive board now holding meeting with Fernie miners to have miners return work pending investigation. Will wire result later.

This morning I received the following telegram:

Fernie, British Columbia, April 26, 1907.
Sessions of week resulted owing to misunderstanding of Industrial Disputes Act. District executive having failed to agree with operators, have decided to advise miners to resume operations immediately. This advice has been accepted by Fernie men. Have reason to believe that operation will be resumed at all mines this district as soon as possible. Will refer all our disputes to investigation board, believing your government want to see justice to all parties.

F. H. SHERMAN.

POSTAL ACT AMENDMENT.

Amendment made by the Senate to Bill (No. 113) amending the Postal Act—Mr. Lemieux—read the first time.

Hon. RODOLPHE LEMIEUX, (Postmaster General), moved second reading. He said: Section 4 of this Bill provided for the establishment of dead letter branches at Calgary and Edmonton. After further consideration with the officers of the department, we found that the development and expansion of the postal service, especially in the west, was so great that we should not confine ourselves to one or two places for the establishment of dead letter offices, but that it would be more practical to give the department power to establish dead letter branches at such places as the minister may designate. In so doing we shall follow the postal rules and establish such offices only according to the postal needs of the country.

Mr. R. L. BORDEN. You continue Dawson as a dead letter office by statutory enactment. So far as Calgary, Edmonton and Winnipeg are concerned, you leave them to be dealt with by departmental regulations. Is that the fact?

Mr. LEMIEUX. The present law requires specific mention of the places where we want to establish dead letter branches, and in the statute there is a long list of such places. This year I proposed to establish such branches at Edmonton and Calgary, but after conferring with the officers of the department, I found that we had to establish such offices in so many places to suit the development of the country, that it would be better to enact a general rule authorizing the Postmaster General to establish a dead letter office at any place where the postal business requires it. Of course we shall follow the postal rules and only establish such offices where they are actually required.

Mr. R. L. BORDEN. I do not quite concur in the view my hon. friend takes. The result will be that about 25 per cent of the post offices will apply to be made dead letter branches.

Mr. LEMIEUX. No.

Mr. R. L. BORDEN. My hon. friend has himself told us that he was in receipt of continual applications

Mr. LEMIEUX. Yes.

Mr. R. L. BORDEN. I think it better to leave it as it is. I can see no good reason why this should be made a matter of departmental regulation. It is surely of sufficient importance to entrust it to the Governor General in Council and to the Governor General in Council alone. The minister is at the head of the department and he is subject to claims, some of which will probably be rather absurd and yet he will not know very well how to resist them. As it is the statute seems to be in a rather curious condition, because you have Dawson established by statutory enactment, which can only be repealed by parliament, as a dead letter branch, if that is the proper expression, whereas Winnipeg, Calgary and Edmonton are not included in the statute.

Mr. LEMIEUX. Winnipeg is.

Mr. R. L. BORDEN. Calgary and Edmonton are not.

Mr. LEMIEUX. Calgary and Edmonton were intended to be and will be dead letter offices, but my officers say that the expansion in the west is so great that cities are growing from month to month in that section of the country——

Mr. FOSTER. That is absurd.

Mr. LEMIEUX——and they think it is better to leave it to the officers of the department to establish such branches according to the postal rules.

Motion agreed to.

DEPARTMENT OF MINES.

House proceeded to consider amendments made by the Senate to Bill (No. 131), to establish a Department of Mines.

Mr. FIELDING. The Senate have made some verbal amendments to this Act. In the first section, instead of the wording that was in the Bill as it left this House, 'the Department of Mines Act,' the citation is amended by the Senate to read 'the Geology and Mines Act.'

They also insert 'Resources and Industries' at the end of section 6, which refers to the duties assigned to the department in relation to the collection and preparation of exhibits illustrating our mining industry.

Mr. R. L. BORDEN. It seems a rather incongruous amendment; it is the Geology

and Mines Act and yet the title of the Department of Mines has not been changed.

Mr. FIELDING. The title of the Bill has not been changed but the reference has been.

Amendments read the second time, and agreed to.

MARRIAGES OF YOUNG PEOPLE.

House in committee on Bill (No. 176) to empower the courts to declare certain marriages invalid.—Mr. Aylesworth.

On section 1,

Mr. LENNOX. I am not distinctly opposed to this Bill; I am simply in the position that I do not know, and I think there probably are a good many gentlemen in the committee in the same position. It is a decided departure from existing conditions, it is a very important question, nothing could be more important. I do not want to oppose the Bill unnecessarily, but I think it would be better, having regard to the vital importance of this question, that it should be left over until another session. It has been brought on hurriedly, the members have had no time to consider it, it has not been discussed in the press, the minister has introduced it, and the attention of the public will be drawn to it in the meantime, if it is allowed to stand over.

On section 2,

Mr. BERGERON. I understand that this Bill especially refers to one province. On reading the first clause it does not strike me as badly now as it did at first, but I do not see the provision confining it to any one province.

Mr. AYLESWORTH. Perhaps my hon. friend has not noticed the sixth section.

Mr. LOUIS LAVERGNE. I would like to have this Bill postponed until another session because we have not time enough to study it. I have a special objection to it in that it is not printed in French, and we have a right to have it printed in French before it passes the House. If it passes, it should apply only to Ontario. I do not see that we have any need for the Bill in Quebec. I ask the Minister of Justice to be so kind as to limit his Bill to the province of Ontario.

Mr. BERGERON. I would remind my hon. friend that this Bill only applies to Ontario, and can only apply to other provinces when the legislatures of those provinces have adopted it. So I do not think there is any danger.

Mr. AYLESWORTH. I explained yesterday in introducing this Bill that it was done at the instance and upon the wish of the members of the government of the province of Ontario. The Provincial Secretary of the province was here on Saturday last and a part of his business was to explain the special circumstances which have led to the passing of this measure by the Ontario legislature at its session which was prorogued on Saturday last. Hon. gentlemen possibly may not have noticed that this Bill contains six clauses, not five; the sixth clause, on the opposite page, provides that this Act is to apply to the province of Ontario when the legislation I have mentioned comes into force in that province, and it is to apply to any other province only when the legislature of such province provides that it shall do so. The reason and the only reason why the matter has been brought before this House at the present session is the circumstance that there is a doubt whether any province could, without supplementary legislation, lawfully enact a statute of this character. The province of Ontario has passed this Act containing a clause that it is not to come into force until it is proclaimed, the view being that if this parliament passed legislation in the same language, that is to say, passed this statute, the Ontario statute would then be proclaimed by the government and brought into force in that province. No other province would be affected unless and until it chose to pass legislation of the same character and so make it at all applicable. In these circumstances, and as there is one case at all events, the circumstances of which have given rise to this legislation, and as it is of course a matter of supreme importance, one might say, to the two people interested and to their families, it was thought that if there was no objection this legislation might be passed at this present session of parliament, late as it is. But certainly if any hon. gentlemen feel that this legislation is objectionable in principle, that it ought not to pass even in the province of Ontario, and even though the legislature of that province asks for it, it is in such a situation to-day that I feel the views of hon. gentlemen on such a matter ought to be recognized and that this Bill ought not to be pressed.

Mr. CHARLES DEVLIN (Nicolet). I was rising a moment ago to express my hope that the Bill would not be pressed. My reason is that we have not the Bill in our hands at the present moment. I have tried to get a copy of the Bill in French; I could not, nor could I even get a copy of it in English. I understand a few copies of the Bill have been distributed to members sitting close to you, but the Bill has not reached this part of the House, and it is impossible for us to get it. I for one am not prepared either to support or to vote for a Bill which I have not read and which I have not studied. The subject is a very serious one. No doubt we are sorry to oppose anything that might be introduced by

the Minister of Justice, and sorrier still to oppose any request from the province of Ontario. But this is a question that interests, not only the province of Ontario, but members coming from every part of the country. We who are Catholic members of this House take a deep interest in all questions of marriage, and we are not prepared to give a vote upon a question of that nature without knowing exactly what the Bill means. I must ask the Minister of Justice to drop this Bill, and therefore I move, seconded by Mr. Johnston, that the committee rise.

Mr. LOUIS LAVERGNE. I wish the House to understand that it is only on principle that I am opposed to this Bill.

Mr. M. MARTIN (St. Marie, Montreal). (Translation.) Mr. Chairman, I do not intend to retain the attention of the House for more than one moment, but I wish to add my protest to that which was made by the hon. member for Drummond and Arthabaska (Mr. Lavergne) against the adoption of this Bill. I must say that, as a Catholic, I am opposed to the principle of this Bill itself, and I may add that, having not had the advantage of examining the Bill, because it has not been printed in French, I would ask the hon. Minister of Justice that it be put off till next session, for further inquiry.

Mr. E. B. DEVLIN (Wright). Hon. members of the House will readily understand that the Catholics of this country are opposed to divorce on principle; they cannot, according to the teachings of their religion, give a vote on any question dealing with divorce. But I go further than that, and regarding the Bill from other than a Catholic standpoint, I feel that if it were to become law and become effective, say in the province of Quebec, it would lead to all kinds and species of litigation. We have in the province of Quebec our established laws respecting marriage, different from certain others. We have our laws respecting separation of property and our laws respecting separation from bed and board. In the province of Quebec the lowest age for marriage is fixed at 12 and 14 years; so that until the laws respecting civil statutes of the parties in that province, and until the laws respecting marriage in that province, are changed or amended, I do not see how this House could pass legislation which would in any way affect the status of married people in the province of Quebec. I ask the Minister of Justice, therefore, as one coming from the province of Quebec, to reconsider this Bill, not to press it upon us at the present session, because we, although willing to support the government in all its measures, would be forced to oppose this measure. It would be well for him to take advice from the legal gentlemen of the province of Quebec respecting the marriage laws of that province, and to inquire how it will affect the laws of that province apart from all questions of religion.

Mr. R. L. BORDEN. From the tenor of the hon. gentleman's remarks he does not seem to realize that the Bill has not the slightest application to the province of Quebec.

Mr. E. B. DEVLIN (Wright). I understand it can be made to apply to the province of Quebec and in that event it will affect Quebec.

Mr. R. L. BORDEN. It can be made to apply to the province of Quebec only by Act of the legislature of that province, in that and no other way. In that respect it follows exactly the principle of the Bill passed in this House about four years ago, a Bill introduced at the instance of Dr. Roddick, with regard to the medical profession. At the instance of hon. gentlemen in the province of Quebec, and with the unanimous approval of the House, a provision was inserted that that Bill should have no force until it was approved by the legislatures of the different provinces. This Bill is founded on exactly the same principle. The hon. gentleman who has just spoken seems to consider that it affects the question of divorce. It does not touch the question of divorce at all. It touches the question of the solemnization of marriage and where the solemnization of marriage has not been carried out in accordance with the law and where there has been no consummation of the marriage, it does not declare the marriage void, as I think the legislature of the province would have the right to do, but it declares that it shall be committed to the courts of the province to determine whether or not the marriage was void.

Mr. E. B. DEVLIN. In every part of the Catholic world the Catholic view is this—and that is why we must hold to that position—that the courts of the land have no right but that the Catholic church alone can declare for Catholics whether the essentials of the marriage had existed and whether the marriage has really taken place. It is not a matter for the courts to annul a marriage or to declare it void.

Mr. SPROULE. That is to deny the right of the state in a matter of civil contract.

Mr. E. B. DEVLIN. That is the position. I am speaking for Catholics.

Mr. BERGERON. I raised that question yesterday because I had not seen the Bill, I did not know what it was and it struck me that it might be dangerous. But, having read the Bill, so far as I am concerned, and I think I am just as good a Holy Roman Catholic as the hon. member

for Wright (Mr. E. B. Devlin) or the hon. member for Nicolet (Mr. C. Devlin)——

Mr. E. B. DEVLIN. Better.

Mr. BERGERON—I do not want to be looked upon as one who, from the province of Quebec, will prevent a law from passing this House which will benefit another province and which does not do any harm to my own province. If this Bill is good for Ontario it is not a childish demand. It must be a serious one when the Minister of Justice, in compliance with the wish of the province of Ontario, has introduced a Bill. In this Bill he has inserted a clause providing that it does not affect my province at all unless the local legislature of Quebec declares it to be in force there. I have no objection to the Bill passing and I would be sorry that our province would endeavour to prevent a Bill from passing this House which might be for the benefit of another province and which would not affect our province at all.

Mr. E. B. DEVLIN. No, but it affects your fellow-Catholics in Ontario.

Mr. FOSTER. As I understand it, from what the Minister of Justice (Mr. Aylesworth) has said, it is simply in this position; Ontario, as each province, has a perfect right to make laws in reference to the solemnization of marriage. The province of Ontario passed a law in reference to the subject which was its undoubted right. It is essential in matters of that kind that there should be no doubt at all cast upon the legislation. There is some doubt and Ontario comes to this Dominion parliament and asks the Dominion parliament to pass such legislation as shall remove all doubt so that the powers of the province in reference to the solemnization of marriage may have complete control in their own province. I am not going to stand up as a member from any other province, or as a member of any other church and, because my scruples or the tenets of my church are not in accord with the general principle, deny to a province, the great majority of whom do not belong to that church and who have no such religious doctrines as that, the exercise of their civil powers. I think we must be pretty careful how far we press these things. Reasonably a man must have his own religious belief and nobody has the right to break within the pale of it, but we are in a different position when we are legislating for this Dominion and for provinces in which undoubted civil rights are vested and in which the only thing they ask is that all possible doubt may be removed in a matter of this kind. We must be very careful I think that we do not go too far with our personal or even with our religious scruples when we try to translate these into the legislation of the country. We have to give and take in this Dominion. I know a great many people who had strong views in reference to the Lord's Day Act. The Lord's Day Act was brought down in this House and the government itself planted both feet on a principle and declared that it should be a uniform Act with the same power and application in every province, but, in reference largely to the province of Quebec which had different customs and different legislation in reference to that subject, we agreed that it should really become operative in the province only on the will of the province as shown through their properly constituted authorities. Men who had very strong views in reference to the observance of the Lord's Day might have got up and protested very strongly against that for the general good of the country in accordance with their own well held principles, but it would have been rather arbitrary and after it was considered the legislation was framed in that way. It seems to me that we have no right here unless the legislation is altogether vicious and unless we are prepared to withhold from the provinces their full rights, to deny that right in this parliament from a scruple personally held or held as a matter of religious belief.

Mr. TALBOT. Would not the hon. gentleman (Mr. Foster) think that under the circumstances it would be better to postpone the passing of this Bill?

Mr. FOSTER. As the Minister of Justice has brought it to us as a matter of some urgency in a particular case and as it has been passed by the legislature of Ontario, I do not see what we are to gain by delay while, on the other hand, if the Bill is a proper one a wrong might continue that it might never be possible to remedy.

Mr. LENNOX. Mr. Chairman——

Mr. CHARLES DEVLIN. The hon. gentleman who has just taken his seat (Mr. Foster) read us a lesson on toleration——

Mr. DEPUTY SPEAKER. The hon. member for South Simcoe (Mr. Lennox) has the floor.

Mr. LENNOX. I was unable to get a copy of the Bill until a few minutes ago, but after seeing the Bill and hearing the explanation from the Minister of Justice and of others, I see that the Bill does not go nearly as far as I thought it did. Among other things it is provided :

> Nothing herein shall apply where, after the ceremony there has occurred that which, if a valid marriage had taken place, would have been a consummation of the marriage.

There is a saving clause as regards the various provinces. I do not now see that there is any objection in our concurring in the Act of the province of Ontario. I spoke a few moments ago as to the probability that it might be better for us to de-

lay it, but after having seen the Bill I do not think there is any necessity for delay.

Mr. CHARLES DEVLIN. The hon. member for North Toronto (Mr. Foster) was very severe in his remarks with respect to some who had spoken from this side and I think very unjust—exceedingly unjust.

Mr. FOSTER. What does the hon. gentleman say?

Mr. CHARLES DEVLIN. I say that I think the hon. gentleman was exceedingly unjust in the manner in which he twisted the remarks from this side—very unjust.

Mr. FOSTER. Will the hon. gentleman tell me in what way I twisted them? If I twisted them, and if he will show me how I twisted them, I will untwist them. I do not desire to twist the remarks of any one.

Mr. CHARLES DEVLIN. The hon. gentleman has had a good deal of twisting in his career.

Mr. FOSTER. Mr. Chairman, I made the hon. gentleman a manly request. He complained to me that I misrepresented him. I asked him as a member of parliament to say where I misrepresented him. I do not desire to misrepresent him. If I have misrepresented him I will make proper amends. But let him show where I have misrepresented him.

Mr. CHARLES DEVLIN. The hon. gentleman (Mr. Foster), in the course of his remarks, said that we must understand that we are living in a country in which different religious denominations exist and that we must give as well as take. What inference is possible from such a remark but that we refuse to give as well as take? I would like to know from the hon. gentleman when we have so refused. Again he took the position that we were trying to deny to the province of Ontario a certain right because we come from another province. Sir, we never took that position. When I moved that the committee rise, I simply said that I had not the Bill in my hand, and claimed the right to refuse to vote upon a measure which had not been placed before me and which I had no opportunity to study. I have this moment received a copy of the Bill, but I have not had time to read it, and certainly I am not going to vote on a Bill that I have had no time to read and study. When I stated a moment ago that I was a Catholic, and, as a Catholic I would like to study this Bill before giving a vote upon it, I knew what I was saying. I was not speaking out of mere bigotry. The hon. gentleman (Mr. Foster) knows how serious every phase of this question of marriage is to the church to which many members of this House besides myself belong. This Bill does not affect the province of Quebec—I admit that. But it does affect the province of Ontario, and in Ontario there are Catholics as well as Protestants, and this Bill will affect Catholics as well as Protestants. When we offer our objection to the Bill, therefore, we have good grounds for doing so. It was not that the Bill was desired by the province of Ontario; it was not because we were opposed to the ideas of Protestants with respect to marriage. Our thoughts are very far from these, and the hon. gentleman has no right to try to cause this House and this country to draw such inference concerning us as the only one which can be drawn from his remarks. I moved that the committee rise. I did it for the reason that I have just explained—that we have not had a moment to study the Bill. We would like to have an expression of opinion from Ontario and those with whom we are connected in that province, and who, as residents of Ontario, will be affected by this Bill. Further as the hon. member for Drummond and Arthabaska (Mr. L. Lavergne), stated, this Bill is not printed in French. The French members of the House have not had an opportunity to study the Bill. On this ground I must press my motion.

Mr. LANCASTER. I understand that the motion is that the committee rise, and that this will have the effect of postponing the Bill for this session?

Mr. DEPUTY SPEAKER. I have not pronounced on that question. The Bill is not printed in French. That point I would leave to Mr. Speaker, who would naturally rule that the Bill could not be proceeded with, because it is not printed in French. The motion is that the committee rise, which if carried, would have the effect of stopping further proceedings on the Bill.

Mr. LANCASTER. I think that this Bill, even if we were not embarrassed by the fact that it has not been printed in both languages, ought not to be dealt with at this late hour of the session. It is a serious matter to interfere with the marital rights of young or old. I represent a constituency in Ontario, and I am not prepared at this moment to vote on the very serious questions involved in this Bill. Without saying whether or not, six months hence, after due consideration, I would vote for this Bill, I think that none of us are prepared at this moment to pronounce on the very serious questions involved. For that reason, I shall vote for the motion.

Mr. AYLESWORTH. Possibly, in view of the observations of the hon. member for Wright (Mr. E. B. Devlin), I ought to say, with regard to the position of the Bill upon the government orders, that it is placed there in the circumstances I have described—placed there at the request of the government of Ontario and because it was considered, in the special circumstances of one case at all events in the province, a matter of urgency that it should be passed

at the present session. But, certainly, in this matter, as I understand it, whether the Bill should be gone on with during the present session or not, the hon. member for Wright or any other member who has confidence in the government and who is found ordinarily supporting the government is in no sense, under any obligation to vote otherwise upon this measure than as he individually may see fit. It is not, in any other sense than I have described, a government measure. It is upon the government orders simply because in the urgent circumstances and upon the request I have described from the government of Ontario that was the only way in which it could be brought up for consideration during this session ; and this was thought to be only an ordinary courtesy extended to the members of that government by the members of this government.

Mr. TALBOT. May I ask the Minister of Justice (Mr. Aylesworth) if, in the particular case he refers to a divorce has not been granted for the relief of the parties ?

Mr. AYLESWORTH. I am told that there has been no proceeding of any kind for divorce, and the urgency which at present exists in the particular case before us arises from the circumstance that the parties will have attained the age of nineteen years before another session of this parliament ; and the provision of this legislation in the Ontario statute is that, to obtain relief, the parties must apply before they reach the age of nineteen.

Mr. E. B. DEVLIN. May I ask the Minister of Justice if it is not true that in Ontario it is necessary to get the consent of the parents in the case of minors marrying ?

Mr. AYLESWORTH. That is the very difficulty. Here are two young people under the age of eighteen, who perhaps with some foolish idea that it was rather a joke to go through the ceremony of marriage, have gone through that ceremony without the consent of their parents. Are they married or are they not ? The statute of Ontario declares that the consent of the parents is necessary where the parties contracting the obligations of matrimony are under the age of eighteen.

Mr. E. B. DEVLIN. And your courts have no power——

Mr. AYLESWORTH. The courts will have no power to deal with the question unless that power is given by legislation.

Mr. J. D. REID. Does the minister intend to press this Bill ?

Mr. AYLESWORTH. I intend so far as I am personally concerned, to vote against the motion that the committee rise.

Mr. BRODER. I understand the minister to say that this Bill is really for the relief of the parties in one particular case which he has in mind. If that be so, why not bring in a Bill mentioning their names, and not a Bill to apply to people generally ? Why not deal with the case on its merits ?

Mr. AYLESWORTH. That is a matter for the parties interested. I may say that, when the subject was brought to my attention, that was the very suggestion I made to them—that they should present a private Bill.

Mr. J. D. REID. Now that the government have decided to press this Bill, I wish to say, that so far as I am concerned, I am strongly opposed to it, and am prepared to say here and fight it, no matter how long it lasts. The very fact of bringing the Bill down at this late hour of the session, a Bill which will be so important to so many people, is an outrage upon this parliament. Only a few days ago we had the Ontario government making complaint that private legislation was brought in at such a late date that we had no time to properly consider it. And now the Ontario government come and ask us to pass this Bill at this time. I think it is unfair. From what the Minister of Justice states, it would seem that this Bill is brought in really to meet a certain particular case. I for one would not hesitate to pass a Bill for the relief of these two parties, and I think that would be the proper course in cases of this kind. We claim to have in this country one of the best systems in the world in regard to divorce, and this, I believe, is the first step towards introducing a system into this country which will result in immorality. So far as I am concerned, if there are members of this House willing to stay with me and fight this Bill, I will stay and fight it, and I am a member from the province of Ontario, and I believe I am speaking for many people in that province. I hope and trust that the Minister of Justice will not grant this Bill. I think it is an outrage for the government to bring it down at this late stage of the session.

Hon. W. S. FIELDING (Minister of Finance). The hon. gentleman speaks of the government being guilty of an outrage in bringing in this Bill. It is not in any sense of the word a government Bill at all. It was brought to us at a late stage of the session, and representations were made to us that it was of so urgent a character that there would probably be no objection to it. For that reason we consented to have it brought up. At this stage of the session it had to be placed on government orders, and only in that technical sense can it be regarded as a government Bill. I myself regret that divorce cases have to come here at all. It is a great pity that we cannot have divorce courts to deal with them ; but I recognize that on that point I am not in accord with many of my fellow citizens. However, in view of the objections raised

to the Bill, in view of the fact that it probably could not be passed in any case this session, in view of the fact that it is not printed in French and would be objected to on that ground, for all these reasons, I will support the motion of the hon. member for Nicolet, that the committee rise, and do not proceed any further.

Motion agreed to, and committee rose.

SUPPLY—THE PUBLIC EXPENDITURE.

Mr. FIELDING moved that the House again go into Committee of Supply.

Mr. R. L. BORDEN (Carleton, Ont.) Mr. Speaker, some of the time which I intended to devote to the consideration of the public expenditure of this country has already been occupied in the discussion of the motion which has just now resulted in the defeat of the government. Therefore it will be necessary for me at this stage of the session very greatly to curtail my remarks. I desire to point out, in the first place, that the public expenditure of this country has increased at an enormous rate during the past ten years. No one would say that the expenditure might not have properly increased during that time; but what I do desire to point out is that a very considerable portion of that expenditure has been due, not to the increasing development of the country, but to extravagant and unsystematic methods of this government. We have from time to time, especially during the past few sessions, brought to light in the Committee on Public Accounts transactions such as that known as the Moncton land deal, in which the government has paid out of the public treasury a profit—an unnecessary, foolish and absurd profit—of $8,000 on a transaction involving the purchase of $14,000 worth of land. I will not go over many of these transactions. Let me refer to another—the expenditure in connection with the Arctic expedition. In that case not only did the Conservative minority in the Committee of Public Accounts, but the Liberal majority as well, report to this House that tobacco, which could have been purchased by this government at sixty-seven cents a pound, had been paid for at $1.34 a pound. From that day to the present we have not had one word of explanation from the minister in charge of the department concerned, nor from any other member of the government, as to why the government saw fit to pay that unnecessary absurd and fraudulent price for that article. In the same inquiry it was demonstrated beyond a doubt that $10,000 had been paid out of the public treasury for 8,000 pounds of pemmican, which could have been supplied by one of the largest and most reliable firms of this country for $2,800.

Mr. MACPHERSON. Will the hon. gentleman allow me to ask him a question? The people who said they could supply that said that at the same time that they never made pemmican.

Mr. R. L. BORDEN. I do not know that there is very much force in that observation, since it was also shown that what is called pemmican is merely a fancy name given to an article made out of shredded beef, currants and some fatty substance, none of which would cost $1.25 a pound, nor one-fourth of that, nor anything like it. So that I do not see that there is any great force in the objection of my hon. friend. But what happened was this, that certain gentlemen made up this substance and called it pemmican, and they might as well have called it something else——

An hon. MEMBER. Mince meat.

Mr. FOSTER. Hash.

Mr. R. L. BORDEN. Yes, they might as well have called it mince meat or hash—and sold it to this government for $1.25 a pound.

Mr. MACPHERSON. My hon. friend is unfair, because the people who supplied it swore positively to the contrary.

Mr. R. L. BORDEN. What did they swear to the contrary?

Mr. MACPHERSON. That as a matter of fact, it was not manufactured as my hon. friend suggests or as was suggested by the expert brought by the Conservative members of the committee.

Mr. R. L. BORDEN. How was it manufactured?

Mr. MACPHERSON. I am not going into that.

Mr. R. L. BORDEN. The zeal of my hon. friend considerably outruns his discretion. It was stated by an expert in the employ of the firm to which I allude that this firm would have been prepared to put up exactly that article, packed in the same way, and delivered at any place in Canada, for thirty-five cents a pound, and in doing that would have made a fair and reasonable profit.

Mr. JOHNSTON. There is absolutely nothing in the evidence given to bear out the language of the hon. leader of the opposition.

Mr. R. L. BORDEN. Well, now my hon. friend from Cape Breton has come to the rescue, and we will see whether or not his efforts will be any more successful. It is perfectly true that although this inquiry was closed three weeks before the end of that session, the Liberal majority on the committee refused to examine that witness, who was in attendance on the committee for that purpose. The hon. member is to be congratulated on bringing that fact to

the attention of the House. But it is also true that that gentleman made a declaration, having all the force and solemnity of an oath, and for which, if it were untrue, he could be punished in the criminal courts of this country, in which he set out exactly the facts I have stated, and I have his affidavit under my hand if my hon. friend from Cape Breton desires to controvert it.

Mr. JOHNSTON. The evidence will controvert it.

Mr. R. L. BORDEN. Does my hon. friend deny that the affidavit to which I refer contains the statement to which I have alluded ?

Mr. JOHNSTON. I deny the language used by the hon. leader of the opposition a short time ago, when he said that certain gentlemen offered to supply pemmican.

Mr. R. L. BORDEN. I said they were prepared to do so, and that the gentleman I refer to had stated that they were so prepared. I shall read his affidavit.

Mr. BERGERON. Why did they not ask for tenders ?

Mr. MACPHERSON. That is another question.

Mr. CONMEE. The idea of asking for tenders for pemmican. That is not practicable.

Mr. BERGERON. Not with that government.

Mr. CONMEE. Or any government.

Mr. R. L. BORDEN. In order to set at rest any doubt on the subject in the minds of my hon. friends, who seem somewhat disturbed over this particular case, let me quote the solemn declaration to which I have referred :

In the matter of the 'Arctic' investigation into the supplies purchased for the 'Arctic,' under reference to a special committee of the House of Commons, by a resolution in the House of Commons, on May 18, 1906 :

I, Léon Constant Van Bever, of the city of Toronto, in the county of York, manager of the Canadian departments of the William Davies Company, Limited, do solemnly declare :

1. I have been for a number of years engaged in the manufacture of meat products, including meat extracts, such as fluid beef, solid extract of beef, beef cordial, powdered, dried and fresh beef and various products made therefrom.

2. I have examined a sample of the pemmican (so-called), furnished for the 'Arctic' expedition, and the firm with which I am connected would be pleased to furnish to the government, or any institution, or individual, an article similar and equal in quality to such sample in lots of 1,000 pounds or over, packed in ten pound tins, boxed, strapped and ready for shipment, freight prepaid, to any railway station in Canada at the price of thirty-five cents per pound.

3. My said company have been willing to supply the same article at the same price at any time during the year 1904.

And I make this solemn declaration conscientiously believing it to be true and knowing that it is of the same force and effect as if made under oath and by virtue of the Canada Evidence Act, 1893.

L. C. VAN BEVER.

Declared before me at the city of Ottawa, in the county of Carleton, this 26th day of June, A.D. 1906.

L. M. BURBIDGE,
Notary public for Ontario.

That is the document to which I have alluded. It is perfectly true that the witness was not examined before the committee, but that was due to the fact that although the session had still about three weeks to run, the committee decided they had not the time to examine him.

Mr. MACPHERSON. Decided unanimously.

Mr. NORTHUP. Does the hon. gentleman say unanimously ?

Mr. MACPHERSON. Yes, let me say exactly what took place. My hon. friend was the gentleman himself who moved that the committee should rise and report and we accepted his motion ; and after having moved that, the next day he said : We will open it up again. He knows that to be the fact.

Mr. R. L. BORDEN. The hon. gentleman has taken up about one-third of my time already and perhaps he will restrain his enthusiasm now, and I will get through in about ten or fifteen minutes. I did not intend really to have spoken so long, but as those gentlemen seem to have a somewhat slippery recollection of the facts, it is necessary to remind them of what actually took place.

I would like to refer also to the Merwin contract, and I trust it will not have the same exciting effect on my two hon. friends who are seated side by side. However, I must take the risk of that. In the case of Merwin, this government saw fit to pay that gentleman a little over $18,000 for articles which he purchased for a little less than $12,000. There was no reason why the government should not have purchased these articles themselves for the sum of $12,000. There was no reason why the Department of Marine and Fisheries should not have taken that course. It was not taken, and the net result was that Mr. Merwin put into his pocket a little over 50 per cent profit, simply because he acted as middleman and went to the manufacturers or wholesale dealers who supplied these articles and placed with them that order of the government. I need not go into other transactions which have been explained before the Public Accounts Committee and in this House, such as the outrageous alienations of the public domain, for example, the Saskatchewan land deal, the Roblin land deal. But let me mention that transaction

which was discussed not long ago in this House, and which resulted in placing in the hands of the gentleman, who was the Liberal candidate in the last general election for the division of Alberta, the town site of Blairmore, valued now by political friends of hon. gentlemen opposite at $200,000. This fortunate gentleman acquired that property, although the only possible claim he had to it was absolutely tainted with fraud as proven by the report of the referee to whom the transaction was referred for investigation. The government had three alternatives before it. They had first the alternative, manifestly in the interests of the country, of retaining that property as a town site to be offered for sale at a moderate upset price to persons in that vicinity. They had the second alternative of transferring the property to the man who had made application for it and had made the first permanent settlement on it and whose conduct was not tainted with fraud. And they had the third alternative of handing over to a political supporter upon a claim absolutely tainted with fraud, that property worth $200,000, and they did not hesitate for a moment to adopt this third alternative. It is by transactions such as these that certain gentlemen in this country have grown very prosperous during the past eight or ten years. We hear a good deal about the prosperity of the country from hon. gentlemen opposite, but not so much about the prosperity of some of their political friends; and perhaps it will be well one of these days to make a few comments on matters of that kind when we hear this prosperity spoken of so much.

Let us look at the way the estimates and expenditures have grown during the past ten years. I have before me a memo. of the estimates which were brought down to parliament by this government in the session of 1897. They relate to the fiscal year 1897-8 and they amount altogether to the sum of $47,868,798. I have under my hand a memo. of the total estimates brought down to parliament during the present session, and I find that, including the small amount of $77,000 or thereabouts brought down last night, the estimates of this year foot up to no less a sum than $118,813,179. That is the estimates alone, because when we add to that certain other expenditures proposed to be authorized by parliament this session. we find that the total grows to a very much greater sum. As that total is fully set out in the resolution I propose to move and as I desire to fulfil my promise of not taking up any unnecessary time, or even the time necessary to debate the subject—because to debate it properly would take all the time still available if we are to prorogue this week—I shall simply place the resolution I have to offer before the House namely:

That all the words after the word 'that' be left out and the following substituted therefor:

The enormous and rapidly increasing expenditure by the present administration is a matter of grave concern to parliament and to the people;

That the expenditure authorized and the liabilities incurred at the present session are as follows:

Main estimates		$105,689 519
Supplementary estimates		10,941,555
Further supplementary estimates		77,050
Minor items—		
Judiciary, new	$50,000	
Jamaica fund	50,000	
		100,000
Bounties (estimated)		2,500,000
Nicolet bridge subsidy		15,000
		119,323,124
To which must be added supplementary estimates for over-expenditure in 1906		2,105,105
		121,428,229
Railway subsidies (from $3,500,000 to $7,000,000, according to cost of construction) say		5,000,000
		126,428,229
In addition the following loans have been authorized:		
Quebec bridge		6,678,200
Montreal harbour		3,000,000
		136,106,429

That this sum is equivalent to about $22 for every inhabitant of Canada, or $110 for every family of five persons;

That the taxation (customs and inland revenue duties) has increased from $27,759,285 in 1896 to $60,074,818 in 1906, and the per capita tax has increased from $5.46 in 1896 to more than $10 in 1906;

That the public assets have been depleted and the public expenditure has been largely and unnecessarily increased by reason of the unsystematic, improvident and extravagant methods of the present administration which, while denying certain legitimate requirements of the public service, lend themselves to the aggrandizement of designing partisan intriguers who are thus enabled to enrich themselves at the expense of the people.

That the disclosures in the Committee on Public Accounts during the present and past sessions continually demonstrate that large sums of public money are misapplied in providing for middlemen absurd and unnecessary profits, which can have been allowed only in the expectation that recipients will in turn provide funds for party purposes.

That recent disclosures have exposed frauds in elections, which frauds could not have been successfully carried out without the expenditure of large sums of money and the aid of such middlemen.

That this House desires to place on record its strong condemnation of the maladministration and corruption thus brought to light.

Hon. W. S. FIELDING (Minister of Finance). I welcome the motion of the hon. gentleman (Mr. R. L. Borden) as an old and familiar friend.

Mr. FOSTER. Largely grown.

Mr. FIELDING. These are growing times. The evidence of growth, in contrast with the evidences of that which was not grown for a certain period of former times, naturally arouses the jealousy of my hon. friends opposite. It will be in the recollection of those members who have been sitting in this House for several parliamentary terms that year after year, when my hon. friends were approaching the conclusion of a session, they deemed it necessary to frame a motion of this kind. They gathered from the estimates and from all other statements and resolutions, from every possible source, all the appropriations that were made, and, if there was any doubt, they gave themselves the benefit of the doubt; they gathered them all and rolled them into a huge lump and said: See this vast expenditure you are entering upon! See the tremendous risk the country is taking! See the financial disasters that are sure to follow! And then we solemnly debated the resolution, the year was closed, the public accounts were made up, and as often as they made their dire predictions, just as often, at the close of the year, there came down the very satisfactory statement that the country was prospering and that the finances were flourishing. One is reminded of the very old fable of the boy and the wolf. Year after year my hon. friends are telling us all the dreadful things which are going to happen, but they never do happen; and if, at last, the wolf should come, I am afraid that my hon. friends by that time will have so tired out the public with motions of this kind that the public will not believe them, even although the wolf may be likely to come.

Mr. BERGERON. There will be nothing for him to eat.

Mr. FIELDING. With regard to the general charges of corruption in my hon. friend's resolution, he is old enough in public affairs to know that general charges of that character have no weight with the public, and he is also old enough to know that there is no reason why this government and the Liberal party need fear comparison with the governments of former days on questions of that character. My hon. friend (Mr. R. L. Borden) has referred to several things in passing as evidences of wrong-doing and corruption. For example, he talks about the land transactions. Any transaction in regard to immigration and to the lands of the Northwest naturally aroused the curiosity and the envy and the jealousy of my hon. friends opposite, because one thing they know has been strongly impressed upon the public mind of Canada, which they would rather would not be impressed on the public mind, and that is whereas in former years, though vast sums of money were spent in the development of the Northwest, there was a condition almost of stagnation when they went out of power in 1896, while under the administration of this government, under the vigorous administration of the Department of the Interior, there has been such a development of that Northwest country as has made Canada known better than ever before throughout the wide world. When the hon. gentlemen look upon that record and compare it with the record of their own times, we must allow them surely the privilege of doing a little grumbling, a little complaining, that this or that other transaction was not as they could have wished it. The prosperity of the Northwest has been due to the vigorous administration of the Department of the Interior. The very land transactions to which these hon. gentlemen have referred from time to time have been but the instruments whereby people have been brought into the Northwest, the country has been opened up and its prosperity developed in a much larger degree than ever before.

My hon. friend had something to say about the 'Arctic.' That is another case in which the hon. gentlemen find that they have made charges that could not be sustained. What was the charge in the 'Arctic' case? The allegation was, as appears from the public records, that goods had been charged against that ship which never went on board, that there was a gross fraud, that the ship could not carry the goods charged up in the public accounts as having been placed on board her. That was the 'Arctic' charge, and it was to investigate that that the committee was appointed. When the investigation took place it was shown that the charge was absolutely groundless, and that every dollar's worth of goods charged went into that ship. Whether they were wisely purchased or not is another matter of debate, but every dollar of goods mentioned went on board the ship, and therefore the charge to investigate which the committee was appointed was absolutely groundless. Then, failing in their purpose on the main charge, and, in order to cover their defeat, they began to inquire whether a few pounds of tobacco had been bought at the cheapest price or not. The people of Canada are reasonable in all these things; the people of Canada know that in the transaction of a vast business, extending over this tremendous territory, with thousands of officials employed, where the public business can only be carried on by giving a large measure of confidence to the men placed in authority in the various departments, it is utterly impossible that every dollar of expenditure can be closely scanned, and I should not be surprised if at any time some hon. gentleman, who is particularly critical, like my hon. friend for Leeds (Mr. Taylor),

occasionally, over the price of a bushel of potatoes or something of that sort, should produce evidence of occasional high prices —I expect they will always find some ground on which they can complain. I fancy there never will be a time when some hon. gentleman will not be able to stand up in this House and, with the Auditor General's Report in his hand, say: I see you bought a barrel of potatoes at $1.50, and I can prove that some one bought them in another part of Canada for $1.25. It will always happen. My hon. friends nearly caused trouble for one of their own friends the other day by these criticisms. Allusions were made to the purchase of supplies of a certain article at a certain price. I happened to meet a gentleman interested in the manufacture of that article, and he said jokingly: I will have to make trouble with the people who complain; the fact is that we get from other customers a great deal more than the government pay; you will get us in trouble; you will cause our customers to complain that we are selling to you at too low a rate. In all seriousness, I say the public are not going to be led away by charges of that nature. In the vast expenditure of the Dominion, of the hundred and odd millions of which my hon. friend speaks, that we are voting to-day, naturally there will be here and there a case of perhaps unwise expenditure, an occasional case where some expenditure may not be absolutely honest, where there may be some official who fails to do his duty. We have no expectation of a system of human government whereby perfection can be obtained. But I say that these things are all drops in the bucket. Take all the expenditures to which the hon. gentlemen have called attention, and they are but trifles as against the vast expenditure of the Dominion, and if that is the best indictment the hon. gentlemen can offer, it is a testimony to the vigourous and careful administration of this government.

With regard to the amounts of these expenditures, I have not checked over my hon. friend's figures, but I take it for granted they are substantially correct.

Mr. R. L. BORDEN. I think they are quite correct.

Mr. FIELDING. I assume they are. I observe my hon. friend is not content with taking the ordinary appropriations of the year but he takes everything that it is possible to take, everything that is in sight, everything that is not nailed. He takes the appropriations for the ordinary works, he takes the appropriations for capital account, he takes the appropriations for railway subsides, he takes the appropriations for everything that can be thought of. Well, that is all legitimate enough as a statement of the appropriations of the year, but it is apt to convey a very misleading impression; it is apt to convey the impression that it is proposed to expend these moneys within the year. Now, as respects a considerable part of these moneys, they are not expended within the year and are not likely to be expended for several years. There are millions in that vote to which my hon. friend refers, which have been included in his calculation two or three times. Take the railway subsidies. We are voting not one dollar of new railway subsidies this session, but a revote of appropriations of former years. They have appeared in the calculations of my hon. friend, they have appeared in his budget of gloom at the close of each session; but they were not expended, they never added a dollar to the obligations of the Dominion of Canada. But now that they are being revoted they afford an opportunity to my hon. friend to include them again in his budget. I am afraid some of them will turn up in future years and he will be able to include them again, because it is quite likely that a number of these expenditures will not be made within an early time, though we would be pleased if they were. If we could be assured that every mile of these railways would be built within the next four years, far from complaining, we would be pleased to have it so, because it would make for the general improvement and development of the country. But we know as a matter of fact these railway subsidies, placed as they have to be in the hands of railway companies, very often have to be voted again and again. Therefore, I do not think that my hon. friend is likely to alarm the country by his references to the magnitude of the expenditures, having regard to the fact that a large portion of these expenditures are not likely to be incurred in the early future.

Now, the expenditures of Canada have grown to a very large volume, and it is the fashion of my hon. friend to compare them from time to time with the expenditures of former years. Well, these comparisons are legitimate enough, provided that due regard is had to the changed conditions of the country. The Canada of to-day with which we are dealing is a very different Canada from that of ten years ago. It is not fair to make comparisons of former expenditures with those of the present day without reference to the vast change which has come over the condition of the country. In the matter of revenue, ten years ago the revenue was thirty-six millions and a half, in round numbers; last year, with a reduced rate of taxation, with a lower tariff than the hon. gentlemen had, with a tariff which most of them say is too low, —but with a reduced rate of taxation in the customs tariff we have a revenue of eighty million dollars as against their thirty-six million and a half. Now, if that increased revenue had been brought about as a result

of a higher tariff, and if we had taken more money from time to time out of the pockets of the people by a higher tariff rate of taxation, then there would be some reason to complain. But this increased revenue which hon. gentlemen occasionally parade as an increase of taxation is but the evidence of the growing and improving conditions of the people. It is an evidence of the fact that in the great prosperity that has come to Canada during the last ten years the people are better off, they are able to buy more goods. They are not taxed in a way that is a burden to them; they are taxed at lower rates than before. But they are able, out of their greater prosperity, to buy more goods and to contribute more liberally to the revenue. So, without increasing the burden of taxation, but rather with a reduction of that burden, we have this splendid revenue of eighty million dollars as compared with only thirty-six and a half ten years ago.

Mr. BERGERON. What was the taxation per head in 1890, and what is it now ?

Mr. FIELDING. I have not the figures, but I will give the hon. gentleman the benefit of his argument, whatever he makes it. The question is this : Which was the better condition of the average man of Canada, that of ten years ago when he paid a little less per head, or the condition to-day when, out of his greater employment, and his higher wages, and his greater prosperity, he is able to enjoy comforts and luxuries of life which were denied to him in the days of yore ? Now, I will take as an illustration again the total trade of the country. These are things which measure the changing conditions of the country. In the year 1896, ten years ago, we had a total trade of $239,000,000 ; in the year 1906, ten years later, the total trade had grown to almost $551,000,000. What is the use of comparing, in these financial matters, the expenditure of to-day with the expenditure of ten years ago, if you do not take into account the tremendous change which has come over the condition of the people ? Here is another point. If my memory serves me right, the whole increase in the total trade of Canada during the eighteen years the Conservative government were in power, amounted to about $66,500,000. I think I am correct in that. We have not yet completed the returns for the fiscal term just closed—but so far as we can make the calculation and get the information, subject to a few corrections, we find that in the nine months of this last period the increase was $65,500,000, whereas it was $66,500,000 in the whole eighteen years of the Conservative government. Need we talk of the other figures, the increase in the wealth of the people as shown by deposits in the banks, both in the chartered banks and the savings banks, the discounts, all the things which go to make up the evidence of the prosperity of the country ?

Then take the matter of immigration. I refer to it again only as a reminder that in the period to which my hon. friend sometimes refers with so much pride, though they spent a great deal of money on immigration, it was not always well spent. Many people came that did not seem to stay here, for whenever the population was counted we discovered that the rate of progress was very small indeed. Now, there has been during the last few years a tremendous immigration into Canada, and everybody I am sure is gratified therewith. From 1896 to the end of February last the number of immigrants brought into Canada was nearly one million. Now, in connection with this, let me give you an interesting fact. The statistical documents of the United States represent that the citizens of the United States born in Canada number about 740,000. There are many others no doubt who were born in other places and who passed through Canada. But the statistics show that the number of Canadian born citizens in the United States is 740,000. I do not know whether I should rely too much on these, I thought the number was larger. But if the figures are correct, then we find that in the last ten years we have brought into the Dominion of Canada from abroad not only a number equal to every Canadian born citizen who lives in the United States, but a very much larger number; we have brought in nearly a million people. I am rather surprised that the figures showed that result. My impression was that the number of Canadian born citizens in the United States was larger than that.

Then we may turn to other questions relating to the finances of the country. The tenor of my hon. friend's speech and of his resolution would be to alarm the financial people if they did not take pains to look more closely into the conditions of the country. Now, we know that year after year, while my hon. friend was presenting this gloomy outlook, the country was in fact in the most flourishing financial state of any colony in the empire. I do not need to weary the House by going over the figures. My hon. friends know that when they managed the affairs of the country—although it was not entirely their fault, they had good and bad times like everybody else—we know that their financial statements were by no means as satisfactory as they could desire. We know that during the whole period of our administration, notwithstanding the annual attack they have made upon our expenditure, we have been able every year to present a very strong statement as to Canada's affairs, a strong statement with regard to her revenue, a strong statement with regard to

her public credit, a strong statement with regard to her debt. It would not be a marvellous thing if Canada largely increased her debt in these times of great activity. But the truth is that during the whole period of the administration of this government, when the figures come to be made up at the close of this fiscal period ending the 31st of March, I believe it will be shown that there has been a very trifling increase in the public debt; I believe it will be found that on the average, for the ten or eleven years, if we count the last year as one, it will be shown that on the whole the increase to the net debt of Canada will not average more than three or four hundred thousand dollars, as against an average of six million and a half dollars for every year my Conservative friends were in power.

Now, Sir, in face of the records of the public accounts, in the face of the prosperity which Canada has enjoyed, in the face of the splendid credit she has as compared with any other colony of the world, we think that our hon. friends need not expect to alarm the public mind by these annual motions. We quite realize that the expenditure has grown. But, after all, it is scarcely a graceful thing for them to attack us for the volume of our expenditure. If we were to take seriously all they say in this House, if the conditions were reversed, if these gentlemen were here and I and my friends were there, and I had to make a similar motion to this I would be able to include not $119,000,000, but probably twice that as the probable expenditure and obligations of the Conservative government.

Some hon. MEMBERS. Oh, oh.

Mr. FIELDING. Ah, well; the only reason why it will not be so is that hon. gentlemen may not be serious when they say certain things.

Mr. BERGERON. What about the convention of 1893?

Mr. FIELDING. Last night we were discussing the civil service and almost every gentleman who spoke on that side of the House declared that we should increase the civil service salaries in Canada.

Mr. LENNOX. Only one gentleman spoke against it.

Mr. FIELDING. My hon. friend is wrong. Who is the one?

Mr. SAM. HUGHES. The hon. member for King's and Albert (Mr. Fowler) distinctly repudiated the contention of the government that the salaries of the civil service should be increased.

Mr. FIELDING. The night before the hon. member for King's and Albert (Mr. Fowler) on that side dissented and the hon. member for Pictou (Mr. E. M. Macdonald) on this side dissented, but every other member who has spoken on the opposite side of the House has spoken in favour of increasing the pay of the public officials.

Some hon. MEMBERS. No, no.

Mr. FIELDING. Not only of the civil service in Ottawa, but hon. gentlemen opposite, again and again, have been pressing my hon. friend the Postmaster General (Mr. Lemieux) to know when he is going to grant increases to the poor postmasters. It is only fair that we should recognize the fact that in this respect they are all extravagant. They require us to spend more money. You may take for illustration the hon. member for South Lanark (Mr. Haggart) who was here a moment ago. One of his pet schemes is that we shall build, right away, quick, the Georgian Bay canal costing $100,000,000. That is a large and an important scheme and there are some of the younger gentlemen in this House and some even who are old gentlemen, who will realize the fulfilment of this project, because the canal will have to be built.

Mr. SAM. HUGHES. We want the Trent canal to be built also.

Mr. FIELDING. Yes, and the hon. gentleman wants it to be built soon.

Mr. SAM. HUGHES. It would be a benefit to the country.

Mr. FIELDING. But, I am taking the volume of expenditure about which our hon. friends want to alarm us. They say: Look at its tremendous volume! It is a hundred and odd millions. But if the hon. member for South Lanark were here he would have the country committed to the expenditure of another hundred million dollars and it would not be $119,000,000 but $219,000,000. Our hon. friends, a dozen times this session, have rebuked us because we have not hastened to carry out the report of the Transportation Commission. It is difficult to compute what the cost would be of all the works included in the report of the Transportation Commission, but these would cost, I think I am fair in saying, at least $100,000,000. And yet these hon. gentlemen want us to rush in and undertake at once all the important works recommended by that commission. Here and there our hon. friends opposite have called attention to some item here and there; an item of a few hundred dollars or several thousand dollars, it may be, is attacked. But these are but trifles after all in comparison with the great volume of our expenditure. The general trend and tendency of the criticism of hon. gentlemen opposite is not in the direction of economy but in the direction of larger salaries and of hastening public works which, important though they may be, this government is disposed to carry on moderately and reasonably, with due regard to the conditions and requirements of the coun-

try. Then, we are building now the Transcontinental Railway and the vast sum of $28,000,000 properly belongs to that one item.

Mr. SPROULE. I thought we were to build it for $14,000,000.

Mr. FIELDING. That is one of the delusions of my hon. friend.

Mr. SPROULE. The hon. Minister of Finance said himself that the surplus this year would be practically equivalent to the whole expenditure.

Mr. FIELDING. I had that out with my hon. friends opposite more than once. I have never said that the Transcontinental Railway could be built for $13,000,000 and the hon. gentleman knows it. They are not serious when they make that statement. All these things are but indications that after all our hon. friends opposite are obliged to recognize the growing needs of the country. Although they may come on an occasion like this, summon us to the bar of the House and declare that we are spending very large sums of money, and although they are, by implication, leading the public to believe that if they were in power they would not spend this amount, if these hon. gentlemen opposite undertook the public works of the country that we find them urging us to undertake, they would spend much more. The general trend of their criticism is not that we should have less expenditure but that we should have a great deal more. Sir, we quite recognize that in these growing times the need of the country in regard to expenditure is greater. If these expenditures could only be made by increasing the burdens out of proportion to the ability of the country to pay, then there would be something to complain of. But if we are able to point to the fact that each of these expenditures—cut out if you will the trifles which have been referred to here and there, trifles in comparison with the magnitude of the outlay of the country—is an expenditure which is necessary for the development of the country, and if we are able to show that we have provided for these great expenditures with no increase of taxation, and with the maintenance of the highest state of the credit of Canada, we have no reason to fear the answer of the public to the resolution which my hon. friend has put upon the table.

Hon. GEORGE E. FOSTER (North Toronto). Mr. Speaker, I understood that this debate was to be a very short one as we wanted to take a vote before dinner, but the hon. Minister of Finance (Mr. Fielding) has taken so unusual a flight, has made such assertions and has begged the question in such a way that it is impossible to allow it to pass without a few remarks. The hon. gentleman has not touched the kernel of the question at all. He slid over all the difficult points that were brought up by my hon. friend (Mr. R. L. Borden) and which have been brought to the attention of the House each session for the last four or five sessions. He begs the question altogether when he assumes that we took the position that as Canada grows there should not be a hightened expenditure. There is quite a difference between that position and the position which we did take, really that there should be some reasonably fair measure to that expenditure, that the burdens of the people should not be unnecessarily increased, and that the amount of money that is actually put into the expenditure should go to effect the real object of the expenditure and should not be squandered by the way. Now, Sir, the hon. gentleman knows very well when he speaks about only the drops from this great bucket of expenditure being found fault with, that that is not the position which was taken by the opposition and that is not the position which the country will take in the end. The position which they have tried to take is that they have tried again and again to investigate into the expenditure of this government.

They have brought examples of reckless expenditure; they have brought examples of illegal expenditure; they have brought examples of frittering away to favourites and friends of immense portions of the public domain. And what we complain of, and what the country will ultimately complain of, is that the forces of the government, in committee in this House, in every case have set their faces determinately against proper investigation of these expenses, these extravagancies, these wrongdoings, and by the brute force of a majority have rendered it impossible for the opposition to get at the facts and for the country to get under the surface of these expenditures. It is not to the credit of this government that, from the day when they came into power up to the present time, in not one single case have they disapproved of peculation and extravagance even of the worst kind, or of middlemen's profits or the giving away of vast portions of the public domain to the supporters in this House and political favourites outside. In every case when we have come on the trail of these wrongs, and have brought out evidence to prove them, we have been met by the united forces of the governmnt in this House, the investigations in certain cases have been rendered futile, and, in others where the charges have been proved to the hilt, the majority in this House have declared the government not guilty and have stood behind the ministers in every case.

Now, the government will have to reckon with a larger jury than the packed jury of this House; it will have to reckon with the country at large. Take the case of a recent expenditure in Halifax. The government had simply to buy a certain amount

of property for a public improvement. There was a business like straight-ahead way to employ the people's money by buying the necessary properties and paying the proper price for them. But, instead of doing it in that way, the government employed a middleman and paid to that middleman nearly $25,000. This was the people's money, and ought not to have been paid in this case—and would not have been paid on any fair business deal. My hon. friend (Mr. Fielding) treats public opinion with sublime disregard. But public opinion is not dead, and these hon. gentlemen will hear its voice sooner or later. This very Halifax deal was pronounced as graft by a public-spirited newspaper. That newspaper was proceeded against for libel. It did not evade the issue but acknowledged publication and courted inquiry. And a jury of nine men, good men and true, gave a verdict upon the facts of the case as they were developed, and that verdict was against the transaction. Practically the jury denounced this government for graft and that judgment stands in the face of the people to-day. Sir, that is a small portion of the public opinion of Canada. But when that small portion of public opinion had a chance to declare itself on all the facts of the case it gave a verdict against this government and gave it unanimously. The great public jury which is to be summoned upon the expenditures and administration of this government will come to the jury box one of these days ; the facts will be placed before them—and we have the facts—in as full, strong and comprehensive a manner as we can ; and when that jury becomes apprised of the facts, like the jury in the city of Halifax, it will give its verdict against the reckless extravagance of this government. Why, Sir, take the public accounts and the estimates as we have them ; it is impossible for any person to uphold these expenditures as reasonable expenditures. They are made for all kinds of objects and they are made indiscriminately—with no method or plan. But in all their variations and convolutions they are in too many cases made in carrying out a mere system of public patronage and of reckless expenditure for the sake of making hon. gentlemen opposite solid in their different constituencies. These things go on for a little time; but they cause their reaction and when the public are aroused to the danger involved in this course they will turn against the government.

And how futile is the answer to all this given by the leader of the House (Mr. Fielding)—that if his opponents were in power they would place upon the country an expenditure of $200,000,000. There might be shifting of expenditures, some expenditures that are now made would not be made then and some that are now made would be made then, but that the extravagance on the whole would be much greater than to-day is simply drawing upon a fertile and self-justifying imagination as an offset to this expenditure of $130,000,000 or $140,000,000 for which the hon. gentleman is responsible. Driven to extremity, he simply calls upon his imagination for a sum for which there is no justification, but which he wishes to place over against his own expenditure in the vain hope of making a favourable contrast. The hon. gentleman says that taxation is not increasing—that the government has $80,000,000 of revenue. But $60,000,000 of that total revenue is taxation. Does not the hon. gentleman know that every dollar he extracts is just so much more money taken out of the pockets of the people, just so much money taken from the working capital of the people and diverted into government expenditure? Years ago these hon. gentlemen opposite, in convention assembled, and for years afterward on the public platform, attacked their opponents for taxation which amounted to only $27,000,000 or $30,000,000 a year. This they denounced as an outrage upon the country and demanded that they themselves should be put in power in order to effect a reform. The right hon. gentleman who is now Prime Minister (Sir Wilfrid Laurier) promised a reduction of taxation—and to-day the Minister of Finance stands up and boasts of his $80,000,000 taken out of the pockets of the people, the greater part of it taxation. He thinks that because they are able to draw this great sum from the pockets of the people it is somehow a God's gift, instead of coming out of the capital of individuals working in this country. The taxation now is double or treble that which these gentlemen fought against in the years of their novitiate, and which they pledged the people they would retrench. And yet, when they come into power, waxing strong in the prosperity to which they have contributed almost nothing, they boast of the amount of money which they take from the pockets of the people.

When my hon. friend talks about the barren years of the Liberal-Conservative government, he knows, and so do the people of this country, that the prosperity of the party opposite in an administrative sense, and the prosperity of this country, is due almost absolutely to the Liberal-Conservative party. Hon. gentlemen opposite may put all their millions on one side because very little of their millions have gone into the great transportation and productive works which have so far made the prosperity of the country. That is a matter which will be proved, maybe ten years hence, when the results of the big expenditures which they are making to-day come to be shown in the actual productive work of the country. But that is to come, and in the meantime these gentlemen sit

in seats which were fashioned for them by the Liberal-Conservative party, enjoy a prosperity which was framed and made possible for them by the Liberal-Conservatives; have the spending of millions in a productive and growing country, the foundation of which, in all its great lines of prosperity and progress, was laid in the good and patient work of the Liberal-Conservatives. They find themselves in the possession of other people's earnings; they find themselves in the enjoyment of other people's prosperity, as the results of the work of a party, every one of whose progressive methods and policies these gentlemen opposed tooth and nail when they were in opposition. What would be the prosperity of this country to-day if the unrestricted reciprocity of 1891 had been carried out? Where would have been this glorious Dominion if the secession policy of the Finance Minister had been carried out? There sits the man who, foiled in his attempt to take the maritime provinces out of the confederation and so break it up, foiled entirely by the Liberal-Conservative party, foiled in his attempts to burk the progress of their policy, foiled in his attempts to disintegrate Canada, and afterwards by a wave of change brought into power, after the country, against his efforts, was kept consolidated, after the country against his efforts was built up in all its great lines and was made ready for the prosperity it enjoys to-day, taunts us on the fact of this growing prosperity to which he never contributed a single honest day's work in his life. Where would this country have been, Sir, if your continental free trade had been brought about? You and your Prime Minister, and all your leaders through many dreary years, advocated a policy which if it had been successful would have torn this country asunder instead of building it up, would have made our great lines of traffic and of commerce north and south instead of east and west, would have gone in every particular against, instead of in favour, of the prosperity of this country. Why need I go further? The people of this country are discerning people. Public opinion is not dead. They will value all these influences at their true worth; and by and by, when we get to the great forum of public opinion, we shall be able to thresh out these things on the ground of right and reason. Even the Minister of Agriculture, who opposes the preference, who presumes to tell the people of Great Britain just what the farmers of Canada think of the preference, who tilts at Lord Dundonald in a business which he ought never to have had a hand in, who butts in against the wishes of the farmers of this country at an inopportune time—even he will have to meet public opinion. Now, Mr. Speaker, out of deference to the dinner hour, I shall have to close my few remarks.

House divided on amendment of Mr. R. L. Borden.

YEAS:

Messieurs

Alcorn,	Lancaster,
Ames,	Lennox,
Avery,	Macdonell,
Barker,	McCarthy (Calgary),
Bergeron,	McLean (Queen's, P.E.I.),
Blain,	Marshall,
Borden (Carleton),	Martin (Queen's, P.E.I.),
Boyce,	Morin,
Brabazon,	Northrup,
Bristol,	Porter,
Broder,	Pringle,
Chisholm (Huron),	Reid (Grenville),
Christie,	Schaffner,
Clements,	Sproule,
Cockshutt,	Staples,
Daniel,	Taylor,
Elson,	Walsh (Huntingdon),
Foster,	White,
Gunn,	Wilson (Len. & Adding.),
Haggart,	Worthington.—43.
Henderson,	
Herron,	
Hughes (Victoria).	

NAYS:

Messieurs

Adamson,	Lapointe,
Archambault,	Lavergne (Drum. & Arth.),
Aylesworth,	LeBlanc,
Beauparlant,	Lemieux,
Beland,	Loggie,
Bole,	Lovell,
Bourbonnais,	Maclean (Lunenburg),
Boyer,	Macpherson,
Brown,	McCool,
Bureau,	McCraney,
Burrows,	McIntyre (Perth),
Calvert,	McIntyre (Strathcona),
Campbell,	McKenzie,
Carvell,	Marcile (Bagot),
Cash,	Marcil (Bonaventure),
Chisholm (Antigonish),	Martin (Montreal, St. Mary's),
Clarke,	Meigs,
Conmee,	Michaud,
Copp,	Miller,
Cyr,	Oliver,
Crawford,	Pardee,
Delisle,	Parmelee,
Demers,	Pickup,
Derbyshire,	Power,
Devlin (Nicolet),	Proulx,
Devlin (Wright),	Reid (Restigouche),
Dubeau,	Rivet,
Ethier,	Robitaille,
Fielding,	Roche (Halifax),
Finlayson,	Ross (Cape Breton),
Fisher,	Ross (Yale-Cariboo),
Fortier,	Savoie,
Gauvreau,	Schell (Glengarry),
Geoffrion,	Sinclair,
German,	Smith (Oxford),
Girard,	Talbot,
Gladu,	Telford,
Gordon,	Templeman,
Guthrie,	Tobin,
Harty,	Tolmie,
Hunt,	Turgeon,
Jackson (Selkirk),	Verville,
Johnston,	Watson,
Kennedy,	Wright (Renfrew).
Lanctot (Laprairie-Napierville),	Zimmerman.—91.
Lanctot (Richelieu),	

PAIRS :

Messieurs

Ministerial.	Opposition.
Logan,	Lefurgey,
McColl,	Ward,
Greenway,	Tisdale,
Brodeur,	Monk,
Ratz,	Clare,
Macdonald,	Fowler,
Desjardins,	Paquet,
Belcourt,	Lalor,
Black,	Wilmot,
Emmerson,	Maclean (York, S.)
Dyment,	Seagram,
Galliher,	Kemp,
Gervais,	Osler,
Grant,	Bennett,
Laurier (L'Assomption),	Leonard,
Paterson,	Lake,
Knowles,	Roche (Marquette),
Law,	McLaren,
Laurence,	Ganong,
Stewart,	Wright (Muskoka),
Turriff,	Smith (Wentworth),
Bickerdike,	Crocket,
Wilson (Russell),	Armstrong,
Walsh (Montreal, St. Anne's),	Forget,
Borden (Sir Frederick),	Barr,
McCarthy (Simcoe),	Perley,
Hall,	Jackson (Elgin),
Caldwell.	Lewis.

Amendment of Mr. Borden negatived.

At one o'clock, House took recess.

House resumed at three o'clock.

COAL STRIKE IN THE NORTHWEST.

Hon. RODOLPHE LEMIEUX (Minister of Labour). Mr. Speaker, before you leave the chair I would like to communicate to the House the latest news I have from British Columbia. I received the following telegram to-day :

Fernie, British Columbia, April 26, 1907.

Hon. Rodolphe Lemieux, Ottawa.

Mine operators and executive board of district union have been continuously in conference since Tuesday with the hope of effecting a settlement of disputes between the several companies in this district and their employees. It was announced at noon to-day that this conference had failed to effect any settlement. On my arrival Tuesday night union officials invited me to meet executive board of district union at 9 a.m. yesterday. Board stated there had been no intention of violating Act, that men had misunderstood purpose of notices posted, and not knowing law or protection it afforded against any change in wages prior to or during investigation, had stopped work of their own accord and without authority of union officials who have refused to sanction a strike. They assured me that board of conciliation and investigation having been constituted they would if agreement were not speedily come to as result of joint conference at once take steps to secure return of men to work pending investigation. Having this assurance, I thought it advisable not to jeopardize outcome of joint conference by having its proceedings even temporarily stopped to enable union officials to meet with men. It was understood, however, that conference would not be prolonged beyond to-day without situation being fully explained. Conference having failed to effect settlement a mass meeting of Fernie miners was called this afternoon at which, on the request of the union officials I explained to the men the nature and provisions of the Industrial Disputes Investigation Act. To-night a meeting of the local union was held, and I have since been informed by Mr. Sherman, district president, that it was unanimously decided the men would return to work at once and continue at work pending reference to disputes under Act. Members of district board have arranged for meetings at other mining camps where men are out, and will leave immediately to explain situation and law to men. As soon as majority of members of district have decided to return to work, executive board will issue instructions for all miners in district to immediately return. President Sherman informs me that by Saturday there should be a resumption of work at all the mines.

W. L. MACKENZIE KING.

Mr. FOSTER. Is Mr. King carefully ascertaining all the facts of the dispute from the beginning under the culmination, whatever it may be, in order that we may have a thorough knowledge impartially gained, of exactly all the steps that were taken, mis-steps or proper steps whatever they were, so that we will be able to form our opinion with reference to it ? We have had many rumours in the newspapers and we have had a good many things said in the House, some in blame of one party and some of another. It is very essential that justice should be done to both parties by having a complete record of the negotiations and transactions.

Mr. LEMIEUX. Hear, hear.

FORMS OF OATH FOR ELECTIONS.

Mr. S. BARKER (East Hamilton). Before the motion is put, I desire to bring before the House a matter that I consider of very great importance to the country. It relates to the forms of oath sent out by the government under order in council to be administered to voters at the Dominion elections. This question was brought up two years ago by the hon. member for East Lambton (Mr. Armstrong) and was discussed then at some length. On that occasion the Minister of Justice (Mr. Fitzpatrick) replied and we had some difficulty as regards the law of Ontario, because that minister was almost of necessity not accostomed to the Ontario law. However, the question with which I am dealing is not confined to Ontario alone, it relates to all the provinces, and although my remarks will be confined to the law of Ontario as it affects the Dominion Elections Act, it is certainly an interesting question and of importance to all the other provinces in the Dominion.

Mr. BERGERON. We have the same thing in Quebec.

Mr. BARKER. The question was brought up in 1905 and the allegation was made that the forms of oath issued for the general election of 1904, and subsequently, were different from the forms that had been issued for every other election up to and inclusive of the general election of 1900. Exception was taken to that statement by the Minister of Justice who said that he had just had some conversation with the Secretary of State, Hon. Mr. Scott, who informed him that there had been no change whatever, that the forms of oath issued for 1904 and that were then being issued, were precisely the same as those that had always been issued. Upon that contradiction being made, the hon. leader of the opposition got up in his place and said, I have in my hand the form of oath issued for the election of 1900—and he explained that it was a very different form from the one issued in 1904. That statement was confirmed by other gentlemen. I have here in my hand the form of oath issued in 1900, and I have the form, brought down this session, of the oaths sent to the deputy returning officers in all the by-elections for the last two years, the forms for East Elgin, North Bruce and London, and in each the oath sent to a deputy returning officer is what was called in the previous discussion the emasculated form of oath. The difference between the two oaths, Mr. Speaker, is shortly this: In the 1900 election the form of oath ordinarily administered to the voter contained all the provisions that are in the Ontario form of oath, including the clause against the hiring of teams and the clause regarding bribery and corrupt practices. The form of oath issued for 1904, and issued for the several by-elections since, omits these two most important clauses. There is not a word about the hiring of teams, not a word about bribery or corrupt practices. I do not suppose that any hon. gentleman will fail to see the importance of that omission from the ordinary form of oath sent to every deputy returning officer to administer to a man who tenders his vote, an omission of the very clause which, in nineteen cases out of twenty is the main object of administering the oath.

Now, in order that hon. gentlemen may understand the question, I will as shortly as possible refer to the statutes. First of all, under section 5a of the Dominion Franchise Act of 1898, it is said:

> The qualifications necessary to vote in a Dominion election are those of the province for the right to vote at a provincial election.

That is, in every province the qualification of the Dominion voter is that of the voter at a local election in that province. Now, in the Dominion Election Act there is this provision, section 65 :

> An elector if required by the deputy returning officer, the poll clerk, one of the candidates, or an agent of the candidate, or by any elector present, shall, before receiving his ballot paper, take such oath of qualification as by the law of the province he may in a like case at a provincial election be required to take; such changes having been made in the form of oath as are necessary to make it applicable to the election being held,——

I may pause here to say that the only changes necessary to make for that purpose are to refer to a 'Dominion constituency' instead of a 'provincial constituency'; and a slight alteration in respect to the voters' lists. In the one case they refer to the list in the poll book, in the other to the voters' lists now shown to the voter. The clause then goes on to say :

> —and shall also, if so required, take the oath in the form U.

Now, the form U is a special oath hardly ever administered; it is an oath administered where the voter is suspected of having been convicted before a court of justice of corrupt practices and disqualified in consequence, and in administering that oath the form covers the bribery clauses. But that you will observe is an additional oath, 'and shall also be required to take the oath in the form U.' It was argued in the course of the discussion that the bribery clauses in the form U justified omitting the bribery clauses in the ordinary oath, as if they always administered the oath U, whenever they swore a man at all. That is clearly an absurd pretension. There are four special or unusual forms of oath for certain cases; they are T, U, V and W. T is a form of oath where a man's name has been omitted from the list by reason of some provincial disqualification ; as for example he may be an officer of the Dominion not allowed to vote in the local. U is the form of oath I have just spoken of, administered to a man who is suspected of having been convicted by a court of corrupt practices. V is the oath for an elector who has been personated, and W is the oath for an illiterate. But the ordinary oath, is the oath of qualification, the one that is essential. Now if we turn to the form of oath required by the Ontario Act—the forms in the Acts of other provinces are somewhat different—but taking the form of oath required by the Ontario Act we find in section 98 of the Ontario Elections Act this provision :

> The deputy returning officer shall receive the vote of every person whose name he finds on the proper list of voters in the poll-book furnished to him, provided that such person, if required by the candidate, or the agent of the candidate, or by the deputy returning officer himself, takes the oath or affirmation hereinafter mentioned which the deputy returning officer is hereby empowered to administer.

Then follows subsection (a) which refers to the several forms of oath in the Ontario

Act. Those are numbered 16, 17, 18, 19 and 20. Sixteen is the ordinary form administered to a franchise voter; 17 is the ordinary form administered to a franchise voter where there are registrations; 18 is the form of oath used in unorganized districts; 19 and 20 relate to Indians. Now, there are five forms, 16, 17, 18, 19 and 20, and these forms are given in the schedule to the Ontario Act. They contain the usual clauses about a man being 21 years of age, a British subject, the person named on the list and so on. Then follow clauses 8 and 9 which, as I say, relate to a man hiring teams or having been guilty of bribery or corruption. Now I do not suppose anybody ever heard of a portion only of an oath being administered. It is the practice when a man is sworn to mark the word 'sworn' opposite his name in the poll-book. There is no mark of 'sworn' 1 to 7 or 8 to 9, or anything like that; the whole oath is administered or nothing. But when the Minister of Justice in 1905 was driven from the position he was led into by the Secretary of State, that there had been no change, he then took up this position, that clauses 8 and 9 of the oath were not qualification clauses at all, but disqualification clauses; and apparently he surmised that the form of oath was altered because these clauses were disqualification clauses. It was a most extraordinary view to take, and I should like very much to know whether the Minister of Justice, who is in his place, would take that view of it knowing, as he does, so much about the laws of Ontario and of the Dominion with regard to elections. If there had been a possible doubt about that it is settled by another section of the Ontario Act which refers to these same qualification oaths, and I will read that. Section 94 of the Ontario Act, subsection (5), says:

> No person who receives a certificate under this section, whether a deputy returning officer, poll clerk or agent, shall thereafter, either at the polling place named in the certificate, or at any other polling place, vote at the election, until he has taken, at the polling place where he proposes to vote, one or other of the oaths of qualification prescribed to be taken by voters.

So, in the Ontario Act, section 94, these voters' oaths that I have just referred to are called the oaths of qualification, and in the Dominion Act the voter is required at a Dominion election to take that oath of qualification. The then Minister of Justice, who probably had not had much time to look it up, as he was taken rather by surprise on finding there had been a change, argued that the government were entitled to eliminate these two clauses, because they were not strictly qualification clauses. But the form of oath, as stated with all its clauses in the statute, is the qualification oath. There is another peculiar circumstance about this, Mr. Speaker. The Secretary of State said there had been no change in the form of oath. If there had been any authorized change in the form of oath, there would be an order in council changing it, and it is very odd indeed that the Secretary of State, if there had been an order in council, did not know it. How then was the change made? It could only be made by order in council. Who, without an order in council, undertook to change that form of oath? I think that requires some explanation from the government, and especially, Mr. Speaker, because, since 1905, when that question was brought up, the emasculated form of oath has been used again and again by the government in spite of the protest which was made. I have here the form used in 1900. I will read the heading of it:

> Ontario form 16. Form of oath in ordinary cases to be administered at an election to a voter by virtue of manhood suffrage, made applicable to Dominion elections.

That is what was required by section 65 of the Dominion Act. And then, to make it absolutely clear:

> Ontario Election Act, section 98; Dominion Elections Act, 1900, sections 21 and 65.

Then follows, word for word, with one or two clerical alterations—you might call them—the Ontario oath, including clauses 8 and 9, the clauses against the hiring of teams, bribery and corruption. Any person who has any knowledge whatever of elections knows that these are the material clauses. If a man is sworn, nine times out of ten, these are the points that are called in question; that is, whether a man has been bribed or has he been hiring teams. When these two clauses were struck out of the form for the purposes of the general election of 1904, who struck them out? Was there an order in council to strike them out? If there was, I suppose the order in council will show why they were struck out. If there was not an order in council, how did the extraordinary thing happen that for the general election of 1904 that change was made? I do not know myself what possible explanation there is for it. I would like to hear some hon. gentlemen on the opposite side explain it. I say that the almost absurd explanation that clauses 8 and 9 were not qualification clauses will not hold. There must be some better explanation than that, and I think we are entitled to ask the Minister of Justice if he can explain what the facts are.

I have one word more on that point. Not only has this emasculated form been used in the general election in London in 1904, but in the notorious by-election of 1905. It was used in East Elgin and North Bruce, and on inquiry in the office of the Clerk of the Crown in Chancery, I am informed it is about to be used in Wellington.

That circumstance is enough to justify me in bringing this matter to the attention of the House if for no other reason, but especially is it proper that I should bring it forward considering that the government have not chosen this session to carry out their promise to bring in an election law to amend and correct a number of defects which are in the present law.

When the question was up in 1905, I pointed out to the House how the absence of these two clauses from the form of oath had apparently affected certain suspected voters in the riding I represent. We had taken unusual precautions to try and check such voters. We had put in the hands of the scrutineer practically a duplicate of the form kept by the clerk of the poll, in which he was to mark every man sworn just as the clerk of the poll did. Some few weeks after the election I took the trouble to go over many of these returns made by the scrutineers. I should say that we discovered about eleven o'clock that this emasculated form of oath was being used, and upon application to Colonel Logie, a most respectable lawyer, who was the returning officer for East Hamilton, he issued instructions at once to every deputy returning officer to use the whole form. Up to eleven o'clock I found that the men who had been marked to be sworn, being suspected of bribery, generally took the oath. After the form had been changed, and the bribery clause had been put in, we found that they were being checked. I think that was a very strong circumstance to show two things—to show that the worst class, the bribed men, did not fear the form actually used; and, secondly, that some people knew the difference between the two forms of oath, and that the bribed men had been instructed accordingly. There is perhaps a more signal reason why this thing should be stopped. I have not the slightest doubt that the use of this emasculated form of oath in the by-election of London contributed very largely to the frauds which were perpetrated in that election. I do not think there can be the slightest doubt of that from the evidence. The men who handled that election from first to last were men who never have been ignorant of any change in the law. They were experts at every trick known to tricksters in elections. The celebrated John O'Gorman, who handled Brockville so well and deprived Hon. Peter White of the seat he had honestly won——

Mr. DERBYSHIRE. No, he never won that—never won Brockville.

Mr. BARKER. Hon. Peter White could not win Brockville when John O'Gorman had bought twelve deputy returning officers and got them to change from ten to fifteen votes apiece, but outside the manipulation of these deputy returning officers Mr. White was elected.

Mr. DERBYSHIRE. No, we had 400 majority. No use Peter White going there.

Mr. BARKER. There are members here from Ontario who know thoroughly the history of the gang of scoundrels who have manipulated elections, both local and Dominion, throughout that province for the last ten years. Everybody knows that John O'Gorman was the arch conspirator of that gang.

Mr. CONMEE. What about Birmingham ?

Mr. BARKER. You can say as much as you like about Birmingham. But John O'Gorman——

Mr. CONMEE. He is not in it with Birmingham.

Mr. BARKER. All right. If you name a thousand men, all the more reason why the law should be amended, and that is all that I am talking about.

Mr. CONMEE. That is right—that part of it.

Mr. BARKER. I was saying that O'Gorman was the arch conspirator and head of that gang. They had a legal adviser too—Alexander Smith known to this House probably. They had the celebrated Tom. Lewis ; they had Pritchett ; they had Mulloy ; they had the whole gang of them. Oh, yes I must not forget Preston—W. T. R. Preston was one of the gang. They used to meet in the Walker House, in Toronto. From there the men were sent out into the various constituencies by O'Gorman, and in that way election after election was handled by them, as is proven on oath in the Toronto police court. Now, this man O'Gorman was brought up to London three or four weeks before the by-election of 1905. He took up his quarters at the Liberal rooms in Hyman Hall.

Mr. LENNOX. Hyman Hall ?

Mr. BARKER. Hyman Hall, yes—Hyman. O'Gorman took up his quarters there; he slept there. There he employed the men proven to have committed the bribery. He employed Mulloy and also the celebrated Collins, who were to receive $100 each for their work. And what was that work ? Their work was bribery. They were to pay $10 a vote, or $5 if they could work it for that amount. But the order was given, Collins swears, that Hyman must be elected at any cost—those are his own words. Collins and Mulloy had charge of one subdivision, No. 8 in ward 2. In that subdivision 249 votes were polled, and of these 102 were bought, at a cost of $958. Collins and Mulloy, and other men, would go around and see voters and make appointments with them at night at the committee room. The man whom they sought to bribe would go there, and $10 would be put in an envelope and the man would be told that

he would get that if he would vote right. They would get him to sign his name on the envelope, or they would put his name upon it themselves. Then the man would be asked if there was any one with whom he would like the money to be left for him. Many of them chose Collins. He was the favourite—he seems to have been a man, who, in his own way, dealt squarely with the electors. He held $750 for No. 8 subdivision and $250 for an adjoining subdivision—$250 being only a portion of the money devoted to that polling subdivision. As I have said 102 votes out of 249 were bought for Hyman. When you consider that Hyman had a majority of only 24 in the whole city in the election of 1904, you can see the importance of such a purchase as that. There are 44 divisions in the city of London. One division cost these bribers $958. What the others cost we do not yet know. But Collins was told by some of his co-workers that the adjoining subdivision No. 7, cost something like $1,000. Of the 249 votes cast in subdivision No. 8 Grey polled 105 and Hyman 144. Of the unbought votes in that division Gray had a majority of 65, but, as a matter of fact, the return showed a majority of 39 for Hyman. As I have indicated what was done in No. 8 subdivision was done also in the adjoining subdivision. They were so close together that their work was interwoven. Tom Lewis and a man named Sifton, who was manager of a construction company in London, acted in No. 7 precisely as Collins and Mulloy did in No. 8. We have not had the full particulars concerning No. 7 yet, because, when the men were arrested in Toronto and elsewhere and warrants issued for witnesses, Sifton disappeared—bolted for the United States. He did not return until near the end of the inquiry in the police court. But he came back a few days before the close of the case and made a written and sworn confession which he handed into the police magistrate. I understand that he is to be called next month as a witness on behalf of the Crown. Until he is called, we shall not know exactly what was done in subdivision No. 7. Now, when Collins got at his work, he and Mulloy, and one or two others, roped in—as they call it—about 102 votes. They told the men that the way they voted would be known, and gave them to understand that the reason why the money was not paid to them at once but was put into an envelope and deposited, was that they might not have the money unless they voted right. As a matter of fact, one of the men who was promised $10 for voting for Hyman voted for Gray. These bribers knew that and stopped the man's pay—a pretty clear evidence of how good their check was and under how complete a system they worked.

But the most extraordinary thing is that, after Collins had got the division pretty well bribed, after all the work was done that could be done, Mr. Reid, the treasurer of the Liberal Association, suggested to Mr. Collins that he ought to be the deputy returning officer, that he would know all the men and the men would know him; and actually Mr. Collins was appointed deputy returning officer to take the votes and administer this emasculated oath to the men he had bribed. If one had not had it on oath, one would hardly have believed it, but there is the fact. That man who, as Mr. Reid knew, and as every man there knew, was bribing, was actually chosen to preside as a judicial officer in the taking of the vote. Well, Mr. Collins himself was a little squamish about that; but they pointed out the importance of it and so he acted. Then there was another difficulty. There was a Mr. Spence, a Liberal, who for years had been the deputy returning officer, and they had to get rid of him. So they induced Mr. Spence to retire paying him $15, more than he would have got if he had acted; and so Mr. Spence was got out of the way, and the more useful Mr. Collins was put in his place. That is shortly the story, except this, that on the Sunday before the election, after Mr. Collins had got his box with the ballots and all the papers, Mr. Wylie, a clerk in the customs at London, called on Mr. Collins and told him he wanted to show him how he was to conduct the election, and he did instruct Mr. Collins. What the nature of the instruction was is not very clear; but at the conclusion of the lesson, Wylie took up a packet of ballots out of the box, and said: 'I want to take these to John O'Gorman and show them to him.' Collins thought that was going a little too far, and he objected; but finally they arranged that Collins should go with Wylie to the hotel, where O'Gorman was waiting for Wylie. The two went together with the packet of ballots and showed them to O'Gorman. O'Gorman handled them, and then showed him how, by folding the ballot in a particular form, the deputy returning officer, when pulling off the counterfoil could see how the ballot was marked. Then, not yet satisfied, he asked Collins to let him keep that packet of ballots, so that they could show the same thing to the other deputy returning officers; and they kept them from Sunday morning till five o'clock the same afternoon, instructing the other deputy returning officers how to conduct the election and fold ballots. Mr. Collins got them back by five o'clock. Collins says he did not fold the ballots as instructed, because he knew how every man would vote. Whether he did or not, they gave him the chance of looking. But in order that that part of the business might be carried out to perfection, they had an additional and entirely new plan concocted by John O'Gorman. It was obvious that it would not be much use for the returning officer to know how a man

voted unless he had a particularly good memory and was able to keep in mind how every man voted, and memory would not be sufficient for people who were paying $958 for carrying that division. So they had two scrutineers. One was the ordinary kind of scrutineer, who had a voters' list with a canvassers' mark opposite the name of every man showing how he was pledged to vote. But they had an additional scrutineer who had simply a voters' list without marks; and when Mr. Collins saw that a man voted right, as they called it, that was for Hyman, he put the ballot into the box with his right hand, and number two scrutineer immediately put an x opposite that voter's name as having voted for Hyman. When a man voted against Hyman, Mr. Collins put the ballot into the box with his left hand, and down went the 'o' mark opposite his name as having voted for Gray. In that way they had a record of how every man had voted, according to Mr. Collins; and an extraordinary feature of it was this: A man named Trudel, who did not get his $10, was evidently doubted by Mr. Collins. When Trudel voted Mr. Collins was not quite sure how he did vote and he said he hesitated whether he would put the ballot in with his right hand or his left hand; and when the book of that second scrutineer was examined in the court it was found that opposite Trudel's name there was both a naught and a cross, showing that he had almost automatically followed what was in Collin's mind. Mr. Collins understood this scrutineer to be a Mr. Pearce or a Mr. Pearson, he was not sure which, a lawyer, he said, from Toronto; but in justice to Mr. Pearson, a lawyer of Toronto, who was supposed to be the man, I may say that it was discovered that he was not the man at all. There was another man who gave that name, but who is known and will be heard of later. The man supposed to be Pearson, at the close of the poll at five o'clock, not wanting to go back to the committee room, handed his book to Mr. Collins and said: 'Will you hand that in at headquarters?' Here is the scrutineer, a stranger, knowing that Collins was in the business, handing his book to the deputy returning officer to take charge of it. It was like a thief handing a paper to the judge. The result was that this book, with marks showing how every man had voted, came into the possession of the court, and is now in its possession. On the following morning, the day after the election, Mr. Collins went to the hotel of Mr. Tom Lewis, the celebrated Tom, the man of Brockville, and many other places, and got a private room upstairs; and these voters who had been bought went to that hotel, and Collins with either Wylie or somebody else present paid them what was in their envelopes; and so systematic was he that he took a sheet of paper and wrote down the name of every man he paid with the amount, and made every man sign his name opposite; and later that paper was handed to Mr. Reid, the treasurer of the Liberal Association of London. Collins was a business man, and he wanted to show that he was doing everything properly. They got that paper from him about three days before the last day for the protest. Twelve of the men had not been settled with at that time, and Collins refused to give up the paper until they had been paid. He told Wylie that he would not give up the papers until $120 was furnished to pay the twelve men who were unsettled with. Wylie said: 'Give me the papers and I will go to Reid and get the $120.'

He came back with $120, Collins went out with another man, Wylie, if I remember right, and settled at once with seven of the twelve, but five they never settled with. Wylie and Collins divided the $50 between them—$30 to Collins and $20 to Wylie.

Division No. 7 appears, so far as the investigation goes, to have been quite as bad. A man named Milne, was appointed deputy returning officer. He says he was instructed by Collins how to fold the ballots so that he could see for whom they were marked. But he said to Collins: No, I will not do any dirty work of that kind; that he would not do it. But he admitted that he saw how forty or fifty men voted, so that he must either have taken Collins' plan or adopted some other. Mr. Sifton was not at court to give information, and they were not able to find out all that was spent in that division. Next month no doubt they will have him and two or three other witnesses. There were in all forty-four divisions and only three or four were inquired into. I do not think I need say much more about Mr. Collins, but I may mention, for the information of the gentlemen in this House who were on the Public Accounts Committee, that this Mr O'Gorman, who takes such a prominent part in elections, is the Munro & Company that was investigated before the Public Accounts Committee last month. He is a gentleman who, elections not being on, becomes a middleman, a commission merchant; and this commission merchant goes down to Ottawa and calls on Mr. Reid, of the Transcontinental Railway Commission, a brother of Mr. Reid, the treasurer of the Liberal Association in London; and the Transcontinental Commissioner introduces Mr. O'Gorman to the purchasing agent of the Transcontinental Railway, and Mr. O'Gorman makes a deal for supplies for the Transcontinental Railway, without tender. And in his first transaction, he, or rather Mr. Ellis, who dealt with him, got into trouble as the public accounts proceedings show.

Just to illustrate what a fine class of judicial officers we have, under the present system and under the present elections

Act, let me cite a few instances. Collins, as I have said, was deputy returning officer in No. 8 division. His poll clerk was William Cochrane. Cochrane was poll clerk, but was paid for his vote. Then Archer, the constable, in No. 8 division, got his fee of $2 and was paid $10 by Collins for his vote. So there you have the whole staff at No. 8 division—Collins the deputy returning officer and briber, William Cochrane the poll clerk, and Archer the constable—all receiving money corruptly. The whole staff at No. 8 division were bribers or bribees, and such were the gentlemen who were carrying on the election.

Mr. CAMPBELL. Give us some of the previous elections.

Mr. BARKER. The more you can say of that kind of thing, the more necessity for alteration of the law.

Mr. CAMPBELL. Give us some of the facts recently investigated in Toronto with reference to the license commissioners. They would be very edifying to the House. Tell us about your Minister of Education.

Mr. BARKER. Cannot the hon. gentleman see that the more talk he gets off of that kind, the more need there is of reform ? We are not proposing a reform of the election laws to apply to one side alone, but we want the election law to apply to both sides. If the hon. gentleman can cite other instances that only makes stronger the case I am trying to establish.

There was a certain John McIntosh, who was deputy returning officer both at the elections of 1904 and 1905. In 1904 Mr. McIntosh was a worker and was paid by Mr. Reid $80 for his work. He was again a worker in 1905, and he says that Mr. Reid paid him $50. There you have that McIntosh, a partisan worker in both elections, appointed deputy returning officer in both. And now for the satisfaction of the hon. gentleman from Centre York (Mr. Campbell), I shall read what his worship the police magistrate said, on hearing that man's testimony:

> I think it is high time that the Canadian people should take hold of this and try to correct it.

That was a much more sensible remark than that of the hon. gentleman from Centre York (Mr. Campbell), whose only reply, is: 'You're another.' There is another official, a Mr. W. R. McKay, a grocer. It appears that a Mr. Graves had told one John McAlpine, a voter, that 'there would be something in it if he voted for Hyman.' After the elections McAlpine was passing McKay's, the returning officer's store, and McKay called him in and handed him an envelope. There was $10 in it, and Cochrane said the $10 was just handed to him by this Mr. McKay. At page 1053 of the evidence, there is this question:

> This is the gentleman, McKay, you got the money from ?—A. Yes.

There you have another gentleman, Mr. McKay, acting as a reputable judicial officer, and yet handing out the envelopes, the money envelopes, to the men who were bribed and who had voted at his polling place. A pretty man he would have been to administer the oath. Does any one believe that this deputy returning officer did not know there was nothing in the form of the oath about bribery. These men were prepared to administer the oath because there was nothing about bribing in it, and whenever they found a voter who might be timid about an oath, because he had been bribed, no doubt they pointed this out to him. McKay was examined as follows:

> Q. What position had you in the committee ?—A. I was chairman for a subdivision.

So he was chairman of a subdivision committee. He was also acting as deputy returning officer, and actually delivering over money as bribes after the election. His worship says :

> Q. You were appointed deputy returning officer ?—A. Yes.
>
> Q. You handed out one envelope afterwards?—A. I have a recollection of handing out one envelope afterwards.

He was questioned about a number of others. This particular one was the only case where the man who received the envelope from him was called as a witness ; and he did recall that he gave an envelope to this one man. Milne I have already referred to. He is the man who said that Collins showed him how to fold ballots so that he could see how the elector voted. He said he refused to act but admitted that he saw how forty or fifty men voted. That is a sample I have culled from a number. I could not pretend to go through the thousands of pages of this evidence. About 200 witnesses were examined, the larger portion of their evidence relating to this London election, and I have gone carefully through the evidence of about forty men who were bribed and who admitted receiving bribes. These men confirmed Collins down to the letter. Ordinarily, of course, very little trust would be put in the testimony of a man of Collins' character, but witness after witness was called, officials, men who were bribed, all classes of people, and they confirmed Collins' story. As to Mr. Collins being employed for the Liberal Association, a Mr. Brown was called, who tells of a conversation with Mr. Reid, the treasurer. The conversation was about Collins' complaint that he had not been given what was promised by the party for his services. That, I may say, was the

cause of the rupture between Collins and the party. Mr. Collins had been promised unofficially an office and after the election it was not found convenient to give him an office ; there was a row and so all these facts came out, as they generally do. This is what Brown said on page 1066 ; he gives Mr. Reid's reply, as to Collins' complaint :

Mr. Reid said to me : 'Whatever Collins ever did for us he was paid for it by the week the same as anybody else in election expenses.' He gave me to understand that whatever he (Collins) did for the party he had been paid for it.

I think it will not be pretended that Collins was not acting for the association ; true he was not appointed to an official position as he expected ; but he was active and did everything that it was possible to do corruptly. According to Collins' story he was to get in cash $100 for himself, and at first he was only to do the bribing ; but when they wanted him to act as deputy returning officer, he kicked a little at that, and apparently some of those working with him assured him he would get an office ; he was fool enough to accept that assurance, which was repudiated ; he did not get the office ; and as a result honest men come by their own, or at least the truth comes out.

There is another feature in this case that, perhaps, the government will take into careful consideration when they amend the election law. We find government contractors up there. The evidence of Mr. James White, of Ottawa, one of these, will be found in volume 2, page 682. Mr. White was interested, he was an Ottawa contractor, and being at Ottawa he was interested in the by-election and thought he would take a trip to London. He was there about four days, he went away again the day before the election. His interest seemed to have weakened : he was there until the day before the election and then left and did not hear the result of the election until he saw it in the Toronto 'Globe.' He was accompanied, he said, by the secretary of the Ottawa Liberal Association. Neither of them helped in the election. Mr. White says he might have offered some suggestions as to checking lists. Just fancy Mr. White, a government contractor, and the secretary of the Ottawa Liberal Association going up to London to teach John O'Gorman and Collins how to check lists. The absurdity of it, a government contractor here in Ottawa going all the way up to London with the secretary of the Ottawa Liberal Association to give suggestions about checking voters' lists when they had the most expert men in the trade on the spot and had had them for weeks.

Mr. CONMEE. He might not have been aware of that fact when he left Ottawa.

Mr. BARKER. Perhaps he would not have gone if he had known John O'Gorman was there. Then there was a Mr. James A. Corry, another government contractor, who happened to take in London on his way to St. Joseph on Lake Huron. Mr. Corry is described in the evidence as a large government contractor. He also rents large buildings here to the government ; and he appears to be a very particular friend of the Minister of Public Works.

Mr. FOSTER. His contracts are under the Minister of Public Works.

Mr. BARKER. He said he had a contract at St. Joseph in connection with improving that harbour, for which I believe estimates have been taken this session. He is asked how many men he had working at St. Joseph and he is very vague, ten to twenty or twent-five, possibly 150. He said that on his way he stopped off at London and he met White, O'Gorman and Reid. He gave Reid $300. He was on his way to pay his men for a month's work and he could not tell whether he was going to pay ten, twenty or one hundred and fifty men, but he gave Reid only $300. He could not tell the bank from which he drew it or whether it was in tens ; he had three bank accounts in different banks and he did not know out of which bank he drew the money. He returned to Ottawa without going to St. Joseph. Fancy that man going all the way from Ottawa to London on his way to St. Joseph, stopping at London, paying out $300 and then going back—a man who keeps three bank accounts. Do you not think that such a man would have gone on to St. Joseph, that he would have drawn for the $300 if that is all he paid out, and then gone on and finished his work, paid his men and returned to Ottawa ? I never heard a more flimsy pretext.

I think it is well that we should see, apart from the story of these officials, how some of the bribery was done. A man named Arthur S. Fitch, one of the men who got $10, was asked as to the man who bribed him. Collins was asked to stand up in the police court. The witness said (vol. 1, p. 420) :

Yes, that is the gentleman.

The witness says, 'Yes, that is the gentleman.' Then he is asked :

Then what took place ?—A. Collins picked up an envelope and a $10 bill and he put money in the envelope and wrote my name upon it, and he said, if you vote for Mr. Hyman you will get the $10 bill. I said, I will vote for him anyway. He said, I will be to-morrow at the polling booth, and I am the only man who will know how you vote. If you vote right I will give you $10. I went to Serviss's house and Mr. Serviss told me to wait, and he wrote a receipt on the envelope and I signed my name on the envelope. I asked him, why did he do that ? He did not say. I said, there will be no trouble back of this, and he said, no, there will be no trouble. We will cover up the tracks.

Then there was a man named Charles House who was bribed (vol. 2, p. 486) :

Q. You live in London do you ?—A. I do.
Q. I believe you voted at the general election between Hyman and Gray ?—A. Yes.
By His Worship :
Q. That would be the by-election ?—A. Yes.
By Mr. Duvernet :
Q. Do you know Mr. Lewis ?—A. I do.
Q. Did he come to see you ?—A. Yes.
Q. Did he give you anything ?—A. No, sir.
Q. What did he tell you?—A. There was another fellow with him.
Q. Who was he? Mr. Sifton?—A. Sifton I think; I wouldn't swear positively to it, but his friend was with him.
Q. What took place ?—A. He handed me $10 and I told him I didn't want it.
Q. Was Mr. Lewis present when it was handed?—A. Yes.
By His Worship :
Q. Was that before the election or after?—A. Before the election.
By Mr. Duvernet :
Q. You were a Conservative voter ?—A. Yes.
Q. What did Mr. Lewis say to you ?—A. Vote for Mr. Hyman.
Q. Then what did he say ?—A. He said I will tear $10 in two and give you half and keep five. I said no.
Q. You would not do that ?—A. I would not do it.
Q. He wanted to tear the $10 bill, you keep half and he keep half, then if you voted right the two halves would come together?—A. Yes.
Q. Did that strike you as reasonable ?—A. I never gave him any satisfaction for that.
Q. Then what took place ?—A. Then he gave me the $10 to vote for Hyman and I did not say who I would vote for.

Here they were playing an entirely different game. They were not buying this man's vote, they were giving him money to prevent a vote.

Q. Did they want you to come up to the committee rooms?—A. No.
Q. How many times did they come after you? —A. Three or four times in a week.
Q. Mr. Lewis must have been quite busy?—A. Oh, yes.
Q. The two gentlemen came together every time?—A. Yes.
Q. Always urging you to agree to vote for Hyman?—A. Yes.
Q. And you would get $10?—A. Yes.
Q. Up to that time did you get $10?—A. I got it just the day before the election.
Q. Had you promised to vote for Hyman?—A. I did not. I did not promise for any one.
Q. Then what did they say to you ?—A. He said, if I come over there he will have me sworn by a friend of his.

Observe, Mr. Speaker, he wanted him to take the money so that he could not take the bribery oath, he would have him sworn by one of their own side.

Q. If you went to vote for Gray he would have you sworn?—A. Yes.
Q. You had the $10 ?—A. Yes.
By His Worship :
Q. Who did you vote for?—A. For Mr. Gray.
Q. And you got the $10?—A. Yes, and I will vote for him again if he was running.

By Mr. Duvernet :
Q. He said they would have you sworn ?—A. Yes.

Then he is cross-examined by counsel. This is not one of those commissions where counsel are not allowed to appear for each side. There were two counsel on each side here. He is cross-examined by counsel for O'Gorman and others, and I call particular attention to this language :

Q. Did you take the oath ?—A. Yes.
Q. That you had received no money?—A. No, sir. they did not, they never asked me.
Q. And didn't you know what that oath meant ?—A. They never asked me.
Q. Wasn't it read to you ?—A. Yes.
Q. You understand reading ?—A. Well, I read a little, not very much ; I can write my own name, that is all.
Q. You took the oath and the $10 at the time ?—A. Yes.
Q. You say you always intended to vote for Gray ?—A. Yes.
Q. The man who handed the money to you, you say, was Sifton ?—A. I am positively sure he is—I know the gentleman if I see him.

There you see that man was warned that he would be sworn. That was sufficient I have no doubt to keep a great many men, if they got the $10, away from voting for the Conservative candidate. This man listened to what was read, and as there was not a word in it about bribery or corruption, he took the oath.

Then there is some evidence of Mr. Thos. Lewis, at page 795, speaking of the 7th subdivision :

Q. Well now, you and Mr. Sifton were looking after that division ? I think you told us before ?—A. Yes, I was assisting Mr. Sifton. I recollect Sifton promising people $10.
Q. How many people would you say you heard him promise ?—A. I could not say how many.
By His Worship :
Q. Do you remember him tearing any bills in two ?—A. No, your worship, not in my presence.
By Mr. Duvernet :
Q. How many people did Sifton promise?—A. I could not say.
Q. That was the ordinary thing; they were taken in there and promised that $10 for their vote?—A. Yes.
Q. You and Sifton were attending to that part of the work ?—A. I didn't have anything to do with it at all. I was there.
Q. Sifton was attending to that part of the work?—A. Presumably; he had the money any way.
Q. Who held the envelope?—A. I don't know.
Q. Did you hold any?—A. No, he held it himself.

I may say that witness after witness who had received money, swore that Lewis did take part in bribing and holding the money.

By Mr. Duvernet :
Q. Where was the committee room ?—A. It was in Collin's hall—Collin's block.
Q. But not this Collins?—A. Yes, that Collins or his brother—the Collins estate.
Q. The system was, they would be brought in there; the money placed in the envelope and

they would be told if they voted right they would get that $10, by Sifton?—A. I don't know. Sifton was there in the room. When Sifton put the money in the envelope he talked to them quietly. They would go and talk to him and he would arrange with them and put the money in the envelope.

I may add that Lewis says in his evidence that at No. 7 they had a double scrutineer officer.

I will read from another witness, John Stevly :

Q. You gave no money to anybody for votes?—A. No, sir.

Q. Directly or indirectly ?—A. Directly or indirectly; I didn't canvass a man's vote and promise him one cent.

By His Worship :

Q. Did you give anybody else money to pay men for their votes?—A. I believe there was some went that way.

Q. How much?—A. I couldn't tell.

Q. Some that you gave to other people?—A. Yes.

Q. They used it to buy votes ?—A. I presume they did.

Q. You don't know how many?—A. No. sir.

Q. Do you know how much money?—A. No, sir.

Q. What would be the limit, do you think?—A. I don't know I am sure.

By Mr. Duvernet :

Q. $500 ?—A. Yes, I guess it would.

Q. Where did you get that $500 ?—A. I didn't have $500; I say that would be the limit.

By His Worship:

Q. How much did you get?—A. I don't know.

Q. $400?—A. No.

Q. Three?—A. No.

Q. Two?—A. I don't think so.

Q. Will you swear that you didn't get two?—A. I think I would be safe in saying I didn't.

Q. Would you be safe in saying you didn't get $150?—A. I don't think I would.

Q. Where did you get that $150? You said all the money you got was from Mr. Reid, $15; and $30 you spent yourself, and it appears you gave other men $150. Where did you get it?—A. The money was sent to me.

Q. Who sent it to you?—A. I can't answer that.

Q. Why?—A. Because it was sent to me from some source that I can't tell you.

Q. How did you get that?—A. I got it in envelopes.

Q. And had nothing ever been said by anybody to you as to how you got this money or what you got it for? Didn't you know it was coming?—A. This money was sent for the persons to whom it was to be delivered.

Q. Who told you it was coming to you ?—A. I suppose there was a list sent in of some that were to get it.

Q. How did you know what you were to do with it—A. Because the names were on the envelopes.

Q. How much money in those?—A. I don't know.

Q. You say about $150?—A. Well, possibly there was.

Q. How much did you get in actual money, not in envelopes ?—A. I didn't get any.

Q. It all came in envelopes addressed to the people who were to get it?—A. Yes.

Q. In which division?—A. Division 10 I believe it is.

Q. About $150?—A. I should think so, possibly about that.

Q. Do you know how much was in each envelope?—A. No, sir, I do not.

So he goes on :

By Mr. Duvernet :

Q. Who did you give those envelopes to?—A. I gave them out to two or three parties.

Q. Who were they?—A. Lee, he was one.

Q. That was the man on the committee?—A. Yes, Lee and I think Lake.

Q. They were to deliver them to the people whose names were on the backs of the envelopes?—A. Yes.

Q. Who gave them to you?—A. They were sent to me.

Q. Who delivered them to you?—A. I couldn't tell you that; they came from an unknown source to me.

Q. How did you get them?—A. They were sent to me.

Q. How did you find them?—A. They came to my office.

Q. In what way?—A. In a large envelope.

Q. Addressed to you?—A. Yes.

Q. Do you mean to tell me on your oath you didn't know anything about who sent them to you?—A. I had possibly an idea where they came from; I presume they came from——

Then he stops.

Q. You told me you had an idea where these came from?—A. Yes.

Q. Who from?—A. I have an idea it came from the Liberal Club.

By His Worship :

Q. You just got a bundle of money with no instructions ?—A. Except these envelopes.

Q. How did you know what to do with them?—A. The names were on them.

Q. How did you know you were to get this money?—A. I suppose I was made a distributing medium.

Q. How did you know the money was in them?—A. You could see that plainly by looking at them.

By Mr. Duvernet :

Q. When did you hand these envelopes out?—A. I handed them out, I think the most of them, after the election.

Q. You say most of them after the election?—A. Yes.

Q. Did you hand any before the election?—A. Yes.

Q. Who did you hand the envelopes to before the election?—A. I couldn't say as to that. I handed some of them I know before the election.

Q. How many people did you hand them to before the election?—A. One or two.

He says there were bands around two packages, that they were in two bundles.

By His Worship :

Q. And you mean to tell me in the face of all that arrangement and preparation and everything that you don't know who they came from?—A. I told you that I have my idea they came from the Liberal rooms.

Q. Was there anything to indicate that the money would come that way?—A. Only that list.

Q. Why should the man who got that think that list was for money if he had never said anything to you before?—A. The money came back.

He sent the list and the money came back.

Q. They knew what those lists were for?—A. Yes.

Q. You knew what was going to happen when you sent them?—A. Yes.

Now, I will just read the evidence of a gentleman who acted in a sort of guerilla way, an independent supporter of the Minister of Public Works. His evidence is of a different character from that of any other witness; otherwise I would not trouble you with it. Gentlemen who were on the Privileges and Elections Committee will recollect Mr. James Duffield, a very intimate friend of the Minister of Public Works who conducted the correspondence with him in regard to the resignation. Mr. Duffield was one of the witnesses in the police court:

By Mr. Duvernet:

Q. You are manager of the gas works in London, are you?—A. Yes.

Q. Did you give out any money to anybody?—A. At the works there?

Q. Anywhere in connection with the election?—A. I may have, yes.

Q. Did you give out one sum of $400?—A. Yes.

Q. Who was that man?—A. Mr. Charles Depper.

Q. He was a Conservative worker, was he?—A. I presume he was.

Q. You wanted him to work for the other side?—A. Yes, sir.

Q. And you paid him $400 for that purpose?—A. Yes, sir.

Q. How long before the election?—A. It might have been a couple of weeks.

Q. Where did you get the money from?—A. Out of my own pocket.

Q. Did you make any other contributions to the elections?—A. No, sir, I don't think so.

Q. You ought to be able to know?—A. Yes, I am quite sure I didn't.

Q. Did you give any money into the central office?—A. No, sir, I wasn't asked.

Then, speaking again of Depper:

Q. Did he work then for Hyman?—A. I supposed he did.

Q. Did he vote for Hyman, do you know?—A. I really don't know.

Q. Did he promise he would?—A. No, I didn't ask him to.

Q. What did you ask him to do? Just gave him $400 promiscuously? Wasn't there any understanding about it?—A. The understanding was that if he would use his influence and cut down that majority there I would give him $400.

Q. Did he use his influence?—A. He must have.

Q. Did he cut down the majority?—A. Yes.

Q. What was it cut down to?—A. I couldn't tell you from memory, but he reduced it nearly fifty votes.

Q. You told him that if he did you would give him $400?—A. Yes.

Q. He had been previously working for Gray?—A. I presume he had.

Q. It was changed by fifty votes and you gave him $400 after the election?—A. Understand me, he reduced the majority against us by about fifty votes; I wouldn't say fifty, but about that.

I might read for a week out of this evidence, comprising as I said before, the evidence of about 200 witnesses, a great many bribed men and many bribers. I think I have shown the House enough to convince the House and the country that there should be some remedy and that it ought to be applied at the earliest moment. It is a disgrace to the country that elections—by-elections and general elections—should be held under the forms of oaths sent out to the deputy returning officers by this government. There could be no more effective means adopted to enable men to commit bribery and all kinds of corruption to carry on elections against the will of the people than to send out the emasculated form of oath which has been issued again and again by this government in spite of the protests that we made in 1905.

Nothing could better facilitate the efforts of the bribers, of the fraudulent returning officers, of the whole gang led by O'Gorman, than furnishing such a form of oath to be used in the elections. I repeat that it seems very strange that we have no reasonable explanation of these two clauses being taken out of that form of oath. Could any person connected with this gang have anything to do with it? Who suggested it? It was evidently not done by the Justice Department, because the Minister of Justice of that time was taken by surprise by it. He inquired of the Secretary of State to know how it came about, and was told that there was no change. He was evidently astonished and could not explain when he found that that change had really been made. How had it happened? We know—there is not a gentleman in this House but knows—that you see Mr. Alexander Smith prowling about the lobbies of this House during every session. He seems to have access to all offices here. When the Railway Committee is in session you see him behind the chairman and facing the committee. Go into a minister's room on business and you are likely to find him there with a black bag—he is retained for somebody. He is retained in the Justice Department to do work throughout the country. Yet he was notoriously connected with this gang of which I speak. Why you might with as much decency employ O'Gorman himself. We do not know that Mr. Alexander Smith's presence had anything to do with this change—we only know that no minister can give us any information about it. We know that some information is called for from ministers, and as they cannot give it the duty rests upon them of making an investigation. And, above all, some means should be taken at the earliest possible moment to rectify what has been done. To pass an order in council, and restore the proper form of oath and to make sure that the form which has been used in the past three or four years shall not be used again.

Now, just one other point in closing. We know that in England whole constituencies have been disfranchised because of corruption. Why should not the government, with a view to putting down election frauds in Canada, and as an example to every part of the Dominion, disfranchise every man shown in this inquiry to have been guilty of corruption?

Mr. JOHN CRAWFORD (Portage la Prairie). I am glad that there are times when I can see eye to eye with our friends on the other side of the House. I certainly agree with them that our election law and our franchise law need amending. There is possibly nothing of greater interest to those of us who come from the province of Manitoba than a reform of the system by which members are elected to this House. I do not wish to weary the House at this late hour of the session with detailed recital of the conditions that we have to face in our elections and in the preparation of our voters' lists, but a general explanation should be made. In the last few years conditions affecting this matter in our province have been exceptional. During our recent campaign in 1904 we had to work under conditions which the people of no country should be asked to submit to. The situation is made more intense and the difficulties increased by the manner in which our laws have been manipulated by the powers that be in that province. Our election law provides that we must use provincial lists in connection with federal elections. But in the election of 1904, difficulty arose that the electoral divisions for the Dominion did not coincide with those for the province, and consequently an adjustment of the voters' lists had to be made. The lines of polling subdivisions overlapped in different places. Unless the voting was to be a mere confusion, changes in the voters' lists had to be made. Let me give one instance of what occurred. This was the case of a polling division right at my own home. It has been referred to in this House before, and an unfair statement has gone forth to the country that in making changes we disfranchised many people. There is one township, a part of which is in the division of Daulphin for electoral purposes, while the other portion is in the district of Portage la Prairie, which I have the honour to represent. On the provincial list there were 49 names of voters belonging to Dauphin, the others being properly voters in Portage la Prairie. To get a true list for Portage la Prairie district we had to omit these names from the list. The returning officer took the list and ran a red line through the 49 names. Conservatives there have been pleased to say that on that occasion we disfranchised 49 electors. This is not at all in accordance with the facts. Had these 49 names been left on the list, these voters might have voted in two divisions—they would have been entitled to do so so far as the lists are concerned. Now, our provincial authorities who have charge of the administration of justice have undertaken to prosecute the returning officers and others who had charge of the elections in that province for doing that work. They have continued these prosecutions right up to the present time, and charges are before the courts to-day in connection with the matter. We have just had a provincial election in the province of Manitoba. Now, the provincial authorities are carrying on these prosecutions, the attorney general being mainly responsible in connection with the matter. I have here a provincial voters' list used in the last provincial election in the province of Manitoba.

Mr. R. L. BORDEN. By whom is the list prepared?

Mr. CRAWFORD. It is prepared by the provincial authorities, and is the same list as that used for the federal election.

Mr. R. L. BORDEN. Who are the officials in the province of Manitoba who prepare the list? Is it the county court judge or the revisers?

Mr. CRAWFORD. In the first place, there is a registration clerk appointed, who goes to certain districts and announces that he will sit at certain points to receive applications for names to be put on the list. He prepares the list, which is afterwards submitted to the revising officer, who may be a judge or some other person appointed by the executive council.

Mr. R. L. BORDEN. As a matter of fact, who are the revising officers?

Mr. CRAWFORD. In this case it was Judge Myers. The list was certified by him on the 26th of June, 1906. Now, as I have said, we had an election in the province of Manitoba on the 7th of March last. There was a redistribution in the province, and to get a list for the new divisions, the provincial authorities, no doubt under the direction of the Attorney General, who had prosecuted the Liberals for what they had done in 1904, did exactly what the Liberals had been prosecuted for; that is, they took the lists which had been prepared, and ran through a number of the names, not a red line, but a black line..

Mr. JOHNSTON. The black hand.

Mr. CRAWFORD. Yes, the black hand instead of the red hand. In the first polling division they struck off 95 names and left on 45. What I am now waiting for, and what the people of Manitoba are waiting for, is to see what action the provincial authorities will take in the way of prosecuting the parties who interfered with these lists in this way. In the same electoral

district, in polling subdivision No. 2, we find the black line run through 57 names, and 95 names left. According to the position hon. gentlemen opposite took with regard to the Liberals, they disfranchised 57 men in this subdivision. In polling subdivision No. 1 they went further and added to the list 235 names without any authority whatever after the revising barrister had certified to the list.

Mr. HAGGART. Who does that?

Mr. CRAWFORD. This is done by some person after the list has been prepared and certified to by the judge. No doubt the returning officer for this particular electoral division did this work, in the same way as it was in the federal elections in 1904. But the point I am asking is: What is the position of the government of Manitoba, who prosecuted the Liberals for doing this in 1904, while a provincial officer who does anything of that kind is allowed to go scot free.

Mr. R. L. BORDEN. The hon. gentleman should get the Minister of the Interior to answer him, because he always takes the ground that private persons under such circumstances should enforce the law.

Mr. CRAWFORD. If the hon. leader of the opposition were not so free in small matters I think it would be just as well.

Mr. R. L. BORDEN. I agree with the hon. gentleman's argument. I think both parties should be prosecuted.

Mr. CRAWFORD. I have another list which was used in the last Manitoba election, with names struck off in the same way.

Mr. J. D. REID. Who struck them off?

Mr. CRAWFORD. The officers who took charge of the elections, or possibly the King's Printer who sent the list out. But there has been no prosecution of the people who did it, because it has been done by the Tories. I take exception to the way in which our laws are administered in Manitoba in that respect, and the outrageous position in which the Liberals of Manitoba are placed owing to the kind of election law and franchise law we have at the present time.

Mr. J. D. REID. Have any charges been laid against them by the Liberals?

Mr. CRAWFORD. I do not know. I have another list, used in another electoral division, in which 153 names have been struck off and some others added. I may say that there have been exceptional additions in the district from which I come. We have had most scandalous outrages committed in that district by some of our Conservative friends in the recent and previous election campaigns. I would like to read to this House a little of the doings in connection with some of our election campaigns in that country.

Mr. TAYLOR. We will take it as read.

Mr. CRAWFORD. I suppose my hon. friend would rather do so. In 1896 we had a most exceptional election in connection with which some evidence was taken before the Public Accounts Committee of this House in 1898. The Conservative candidate who was then running in Macdonald was, I have no doubt, very anxious for success in the election, and he worked his campaign in his own fashion. He thought it necessary to import some manipulators from the province of Ontario, one of whom was a man named Freeborn, who was considered by our Conservative friends to be all right. I have a telegram here which was sent to the Conservative candidate at that time by Robert Birmingham, of whom no doubt hon. gentlemen have heard before.

Mr. BLAIN. What is the date?

Mr. CRAWFORD. May 20, 1896.

Mr. TAYLOR. An old chestnut.

Mr. CRAWFORD. It is old, but the same Conservatives who were operating then are still in our country, and I do not know that they have improved a great deal since that time.

Mr. BLAIN. What about the red line?

Mr. CRAWFORD. The red line was necessary or some other line. When the Conservatives used a line, only of a different colour, for the same purpose, that was all right; but when we used the red line, it was all wrong. Here is some of the evidence given at some of the trials following the elections of that year. Mr. Freeborn swore that Boyd and Waller—Waller is still an elector in the district of Portage la Prairie—met him one night, and Boyd approached him for the purpose of getting his services. A couple of days later Freeborn saw Boyd in Carberry, and showed him a telegram from Birmingham addressed to Mr. Boyd. Mr. Boyd engaged Freeborn to work for him in the election and told him that a man would see him the next morning, and the next morning Waller went to Freeborn's room and taught him the trick of manipulating ballots. This trick consisted in switching the ballots of the voters. The deputy returning officer had his pockets full of marked ballots, and when a Grit elector came in and marked his ballot and handed it to the deputy returning officer, the latter would exchange it for one of those he had in his pocket, and thus convert a Liberal into a Conservative vote. Later on I shall read evidence showing that some of the deputy returning officers admitted they had a double set of ballots. In the election of that year, it was figured out during the election trial that about 300 ballots were switched in that way, and by that means the election went for the Conservative candidate. Mr. Free-

born further swore that he instructed George Saunders how to manipulate the ballots, and afterwards Waller instructed Saunders in the presence of Freeborn, and this Saunders was found guilty by the jury. It was from this man that Freeborn obtained the ballots which Saunders had got from the voters and for which he had substituted the Boyd ballots. Uriah Scammell, deputy returning officer at Rothwell, was arrested on one of the charges, and confessed that he had substituted Boyd ballots for Rutherford ballots and had thus made many well known Liberals vote for Boyd. He was called as a witness against Waller. Waller asked him if he knew how to play cards. It seems that a qualification necessary in order to be a deputy returning officer at that election was skill in card playing, because a skilful card player would naturally be a good switcher. Having said that he was quick at cards, Waller showed him how to substitute ballots, and upon the evidence of Freeborn and Seamwell, Waller was committed to trial. Freeborn swore that each deputy returning officer was supplied with marked ballots which they were to substitute for those marked in favour of the Liberal candidate. At poll No. 8, the returning officer was a Mr. Richardson, and those extra ballots were no doubt dealt out by him. Freeborn swore that Richardson directed him to Brown, that he saw Brown and got thirty ballots from him, ten of which he gave Saunders, and Brown was afterwards arrested for manipulating ballots at his own poll. Further at poll 45 the deputy returning officer voted on a certificate not signed by the returning officer at all. A number of deputy returning officers and poll clerks voted on certificates not signed by the returning officer. Thirty-two voters swore that they had voted for Rutherford, and yet there was considerably less than that number in the ballot box when the ballots were counted. At poll 47, thirty-nine electors swore that they voted for Rutherford, and only thirty-one of these ballots were in the box when the ballots were counted at the close of the poll. The deputy returning officer at this poll described how they were doing business. He had his table in a corner of the room and a great many voters swore they could not see their ballots, when the counterfoils were torn off, as they disappeared beneath the table. At poll No. 49 the deputy returning officer acted in the most arbitrary manner. When Mr. Curry, the scrutineer for Mr. Rutherford, objected to the vote of Alexander McKenzie, the deputy returning officer threatened to arrest him. This McKenzie was not upon that polling list at all, and there does not seem to have been any certificate for him. Men who were not on the list at all were allowed to vote at some of the polls. McKenzie was allowed to vote at this poll without a certificate although his name was not on the list. At Glenboro' poll seventy-eight voters swore that they had voted for Rutherford, and at the close of the poll there were only found seventy ballots in the box in his favour. In reference to another poll here, twenty witnesses at the trial swore that they marked their ballots for Rutherford. Other Liberal voters were away at the time of the trial and did not testify, yet at this poll there were only sixteen ballots in the box when the ballots were counted at night. At another poll, Pleasant Point, the poll book showed that one hundred and nineteen voted and the scrutineers swore that the poll book agreed with the tally, and no pretense was made by the defence that more men voted. There was one ballot more in the box than the number initialled by the deputy returning officer. All the counted ballots were marked in the disc, two were marked for both Boyd and Rutherford. In the first trial before the jury thirty men swore that they marked ballots for Rutherford and one for both Boyd and Rutherford. The evidence of three or four well-known voters for Rutherford could not be got ; they were out of the country.

There is a very large amount of evidence of this same kind, all going to show that there was a united, well-organized effort on the part of our Conservative friends to carry the election through this means ; in fact a few days before the election some eighteen of the deputy returning officers were summoned into Winnipeg and were instructed how to switch the ballots. I shall not discuss the matter more fully owing to the late stage of the session. The point I wished more clearly to bring out here is the importance and the necessity, the extreme necessity, of some changes in our election law, something that will get us away from the possibility of a recurrence of such abuses. I hope that next session this will be one of the first matters with which our government will deal. I am sure that in this they will have the hearty support not only of all the Liberals but of a great many of our Conservative friends as well. I believe the great majority of the members would welcome any change that would do away with this election corruption. That, I believe, is the wish of all honest Canadians, whether they are engaged in politics or not.

DREDGING CONTRACTS AT PORT ARTHUR.

Mr. J. CONMEE (Thunder Bay). I desire to make some remarks with regard to a subject brought up last evening. An item in the estimates was allowed to stand in order that I might refer to the speech made by the hon. member for East Simcoe (Mr. Bennett).

Mr. HAGGART. I rise to a point of order. The hon. gentleman (Mr. Porter) rose to discuss the subject of the motion that the hon. gentleman has introduced, the election law. The hon. member who has the floor is bringing up another subject.

Mr. SPEAKER. There is no motion before the House, except the motion to go into Supply. Upon that motion I cannot direct that any particular line should be followed.

Mr. CONMEE. I shall ask the indulgence of the House in order to refer to this subject, as I believe that the statements made by the press as coming from the hon. member (Mr. Bennett), whose absence I regret, might militate very seriously against an important section of the riding which I have the honour to represent. They also reflect unfairly and inequitably upon a number of gentlemen whose names were mentioned, and I think also that they cast very unfair and unjust reflections upon myself. I refer to the debate which took place, in regard to the harbours of Port Arthur and Fort William. Before dealing with the hon. gentleman's remarks as they have been reported in the press, I wish to call the attention of the House to the importance of the harbours at the head of the lakes. I may properly do that by making a reference to the report of the Transportation Commission. In giving the view which they hold in regard to these particular harbours they say :

> The ports on Thunder Bay, and known as Fort William and Port Arthur, occupy the only ground on the west coast of Lake Superior suitable as an outlet for the products of the provinces of the west, and are of similar relative position and value to the Canadian Northwest as the ports of Duluth and Superior are to the United States Northwest. The harbours of Thunder Bay are, from their very position, of national importance.

I shall not detain the House by reading the whole report. In another paragraph they say :

> And in developing the ports of Thunder Bay through which, in the future, must flow so large a portion of the commerce of the great west, it is of great importance that they be developed on a comprehensive scale.

And so on. They point out the very great national importance of these two harbours. They deal with them together as the harbours on Thunder Bay for the reason that they are situated in Thunder Bay, the most westerly point of Lake Superior, but although they are dealt with by the commission as one harbour, they nevertheless divide themselves naturally into two harbours. Fort William is situated on the Kaministiquia river and may therefore be called a perfectly protected harbour. That stream divides itself, about two and a half or three miles from Thunder Bay into three branches, one known as the Mission river, the other known as the main channel and the third as the McKellars river, all of which are navigable. The bay itself is a protected harbour ; it may be said to be a land-locked harbour. It is protected on the northeast by Thunder cape, which is nearly twenty-one miles in length, jutting out into Lake Superior, and which rises 1,300 feet above lake level. To the southeast it is protected in the first instance by Isle Royale an American island about forty miles in length, which forms a very great protection to the harbour in that direction. But further towards the west shore occurs what is known as Pye island. another high mountain, rising to the same height as the cape, which further protects the harbour from the southeast and especially the outlet which is known as the Mission river. Still further toward the shore and in the gap beween Thunder cape and Pye island, occur the Welcome islands which afford further protection to the harbour. So that Thunder bay affords not only an inland harbour situate on the Kaministiquia river, but a land-locked harbour which is known as Thunder bay upon which the city of Port Arthur is situated. It is true that a breakwater is there, and that a breakwater is very much needed there, not so much for protection against storms on the great lake as against storms on the bay itself, which is a large sheet of water over twenty-five miles in length from north to south.

Now, Sir, having said that much as to the national importance of these two harbours, I think hon. members will agree that it would be unfortunate if anything should fasten itself on the public mind through misrepresentation that would militate against that necessary development and necessary improvement which alone can make these harbours meet the wants and requirements of the transportation passing to and from the north west of Canada. I do not know that I need dwell upon the conditions which exist at these harbours. But for the moment I may say that ninety per cent of the total grain of the Northwest is transferred from railway to vessel at these points. Fort William has at the present time by far the largest elevator capacity in this Dominion. It is a point of manufacture, it has the terminals of the Canadian Pacific Railway, and the Grand Trunk Pacific Railway, and the Canadian Northern Railway, and the Canadian dian Northern Railway has a terminus in that city. So it will be seen that it is of very great importance, not only to that particular locality but to the Dominion as a whole. About the same conditions prevail at Port Arthur. It, too, has the Canadian Pacific Railway. In that city are the main lake terminals of the Canadian Northern Railway. The Grand Trunk Pacific is under contract, and is now building its lines into that city as well. There is situated

there the Canadian Northern elevator, one of which is the largest elevator. I am informed, on this continent. The Canadian Pacific Railway has two elevators in that city; there are also the iron works and the largest coal docks, the largest plant for handling that class of freight in the Dominion of Canada, exist on the shores of Thunder Bay at this point. So it is of the very greatest importance that the development which has gone on there in the way of deepening and improving that harbour should continue.

Now coming more to detail in regard to the remarks of the hon. member for Simcoe. That hon. member saw fit to criticise the work that has been done there in the past, especially in the years 1903-4-5. I am not charging the hon. member with saying that these developments should not go on, but I am charging him (and I have the report before me here which I will refer to in a moment), with saying that there was a waste of money, that there was extravagance, that the condition of things there was not in the public interest, was not well managed, and for which not only the government but a good many other people to whom he made allusions, were blameable. Now, Sir, I take issue with these statements. I hope that I will be able to convince hon. gentlemen that there has been no waste of money, that there has been no extravagance, and that the charges which the hon. gentleman made were not founded upon fact but upon falsehood, that there was the grossest of misrepresentation, which never ought to have been made by an hon. member in this House. I may remind the House that the language used by that hon. gentleman——

Mr. SPROULE. I rise to a point of order. Is it permissible to refer to a previous debate?

Mr. SPEAKER. The rule is that it is not permissible to refer to a previous debate in the same session.

Mr. CONMEE. I am referring to reports in the newspapers, in the press.

Mr. TAYLOR. They are cut from the 'Hansard.'

Mr. CONMEE. I have some out of 'Hansard' and I have some out of newspapers, and I am referring to the newspapers.

Mr. SPROULE. The hon. member said that the statements he was referring to were a falsehood and a misrepresentation, and that they were made in this House during the present session, referring to a previous debate.

Mr. SPEAKER. The rule is quite plain. No reference to a previous debate which occurred in the same session can be made.

Mr. CONMEE. I did not make any reference to a previous debate, I did not use the word 'debate.' I made no reference to the 'Hansard.' I was making reference to the remarks made by an hon. member in this House as reported in certain newspapers; one of them is the Port Arthur 'News,' and the other is the 'Mail and Empire' of Toronto.

Mr. FOSTER. I think the point of order is well taken. We all heard the hon. gentleman refer to that debate. He may not have used the words, but he certainly referred to the member for East Simcoe, he referred to the charge made by the hon. member for East Simcoe, and declared his intention of proving that that charge was not founded, and that is what he now proposes to do. It seems to me that the point raised by my hon. friend is perfectly correct, and that the hon. member for Rainy River (Mr. Conmee) cannot get round it by a side wind. Besides that, we have some important business to do.

Mr. CONMEE. I submit that the hon. member has not quoted me fairly. I did perhaps use the word 'charge' but I have a right to use that word according to the information that comes to me. I was not in the House when the hon. gentleman made his remarks, but I have information in regard to what he said which appeared in the public press, and I think I am within my rights in making reference to that.

Mr. SPEAKER. I have only to repeat that if the reference is to what has occurred during a previous debate in the same session, it is out of order.

Mr. CONMEE. Well, Mr. Speaker, I must of course bow to your ruling. But I would desire first to understand the ruling, to understand where I am. I do not profess to be an expert in the rules of this House. I may say to the House that I delayed bringing this question up for the reason that I understood the rules allowed me, on the supplementary estimates, to make any reference I pleased. I may be wrong in that, but I do not think I ought to be cut out of a position which I occupied last night, nor do I think that it is quite fair for hon. gentlemen, after they have permitted me to go on, with the privilege of the House, in my opening remarks, to raise this question now. What I wish to say, if I may be permitted to go on.

Some hon. MEMBERS. Order, order.

Mr. CONMEE. I shall endeavour to keep within the rules. Now, for instance, here is the statement I am reading and I assume I have a right to read from a newspaper article.

Mr. TAYLOR. If it has reference to this session it is out of order.

Mr. FOSTER. If it is a Grit paper you may read from it.

Mr. SPEAKER. Order. Will the hon. gentleman (Mr. Conmee) proceed ?

Mr. CONMEE. Well, I do not know that I am a greater sinner than other hon. members have been during the session, and I would expect that they would give me the same fair play that has been extended to other members of the House. I do not know how I can get at the question without making some reference to this statement. It is reported from parliament, this statement says, that Mr. Conmee, member of parliament and Mr. A. F. Bowman, his partner, had put in a tender for dredging works with the fraudulent intention of withdrawing that tender if there were no intervening tenders, and that the Minister of Public Works would be dishonest enough to enter into that sort of conspiracy, to permit that to be done and to move the contract from the lowest up to the highest tender. Mr. Speaker, that statement is entirely false and without foundation. In the first place, I never was a partner of Mr. A. F. Bowman. I never had anything to do with a tender of that kind in any shape or form. But, I want to consider for a few moments the question of these tenders and the question of the work that was performed in 1903 and 1904. According to this information it is reported that there was favouritism in the years 1903 and 1904, that $108,000 worth of work was done without contract, and that the Great Lakes Dredging Company had obtained for the whole of the work a price of 25 cents a yard, whereas they were now doing the same work for 9 cents a yard. I just wish to point out that that statement is absolutely without foundation.

Mr. SPROULE. Who makes this charge against the hon. member ?

Mr. CONMEE. I will try my very best to enlighten the hon. member (Mr. Sproule) as to who made the charge. I submit that the prices paid in 1903 and 1904 were, in the Port Arthur Harbour, less than the prices paid in 1905. Now, Sir, according to this information which I have here, it is alleged that there was some criticism of the Department of Public Works, as the time for putting in tenders was extended and that the gentleman of the opposition deserved the congratulations of the country, that they had done their duty to themselves and to the government because it was their action that had brought about this great reduction in price from 25 cents to 9 cents, as the tenders that came in response to the extended advertisement were reduced in price from 25 cents to 9 cents. That is the allegation made here. I desire to point out that there are several inaccuracies and several statements that are absolutely false. In the first place there never was any work to the extent of $108,000 or half of it, or quarter of it, paid for at 25 cents a yard. Secondly, the comparison which is here made as between the work performed in 1903-4 and the work which is now being carried on, is not a fair comparison. It is a comparison not between prices that were paid in 1903 and the prices that were paid on account of the tenders in regard to which a postponement took place—not at all ; the prices of 9 cents that were paid later were paid in a different harbour and under different conditions altogether which I will be able to point out. But, before I do that I wish to point out that the price of 25 cents a yard which was paid—and that was not in 1905 but in 1904—was paid in Fort William harbour and under conditions which warranted that expenditure. There was a return brought down to the House in 1905 and it is shown by that return just what the character of the work was for which that price was paid. It is alleged in this article here that the Minister of Public Works admitted that work had been carried on for two years without contract, and the allegation is further made that he had resisted the change in the advertisement at the time that a request of that kind was made. That statement was quite untrue for the reason that the minister did not admit that there had been any such quantity of work done without contract, but, on the contrary, he makes a statement which hon. gentleman can find at page 4460 of 'Hansard.' I am not now referring to the debates of this session but to the debates of a previous session.

Mr. BLAIN. What year ?

Mr. CONMEE. 1905. Referring to the extension of time for the reception of tenders the minister denied the allegation that there was any favouritism in regard to the notice. He said :

> I have not heard of any request for an extension of time. The advertisement has been published for some time, and there has not been one recommendation to me to extend the time, but if there should be any request to the department for an extension of time, I have no objection to granting it.

There never was any objection to that at all. Then at page 4463, the minister goes on :

> The tenders that are invited are simply for the present season's work.

I wish to ask hon. gentleman to pay a little attention to that for the reason that it established the absolute falsity of the allegation which was made that the work which is now being done is being done at the price resulting from the tenders which were received in response to the notice which was under review in the debate to which I have referred in 1905.

The minister stated :

> I recognize that there is a very large amount of work to be done at Port Arthur. I hope that

the officers of the department will be able to make a thorough survey of the whole work there, allowing time to advertise for tenders for work extending over two or three years, in which case there is no doubt that the cost of the work could be materially decreased, for the reason that proper and up to date plant could then be supplied. At the present time the plants that are being used are not of the latest type of dredging plants. The dredging that has been called for is for the present season's work, but I understand that before we reach another season the department will ask for tenders for a more extensive work and giving sufficient length of time to enable those tendering for the work to provide plant to do it at the least possible cost.

Now I submit that that is evidence first that the minister did not object to the extension of the time, and second that he pointed out at that early day that the tenders then called for were for that season's work only, and that they intended to call later for tenders for a large amount of work extending over a period of years and that tenderers would have ample time to prepare the necessary and up-to-date plant. Now, the allegations made are intended to lead one to believe that it was the extension of time that brought about the change of prices from 1903 the prices paid in to what they are at the present time. I wish to show that contention to be unfounded, and also how these prices have ranged, and how the difference really arises. As I have shown, the contract price in 1903 and 1904 was 15 cents. That was the basis of the work being done, so far as the Great Lakes Dredging Company was concerned. It is true there were other prices paid, and it is necessary for me to refer to the return which was brought down in order to explain that matter. This return furnishes all the information that hon. members can desire, I have a copy of the report here, and it shows quite clearly that the dredging of the harbours in 1903-4.

Mr BLAIN Would the hon gentleman (Mr. Conmee) have any objection to stating who the members of the Great Lakes Dredging Company are ?

Mr. CONMEE. Not at all. So far as I know them, I will give the names before I sit down. The dredging that was required for 1903-4 was required for this reason : As hon. gentlemen know, dredging has been going on in these harbours for the last fifteen or twenty years. As in a great many other cases, 18 feet was supposed to be a good depth of water. But, as larger vessels came into the trade and as the great grain elevators were established and the traffic grew in volume, it became imperative that the depth of water should be increased to 22 feet. As a result of that, there had to be redredging of certain of the areas previously dredged and deepening of other sections so as to afford a uniform depth of 22 feet. Now, the basis of the contract for that class of work, so far as the Great Lakes Dredging Company was concerned, was 15 cents. The only change in that figure from 15 cents to a higher price was fixed, as this return shows, upon correspondence and contracts as between the dredging company and the Public Works Department after the fullest investigation and report of the resident engineer and afterwards of the chief engineer.

Mr. BLAIN. But without tender ?

Mr. CONMEE. I will explain that question of tender to my hon. friend (Mr. Blain). I have already alluded to it, but I will come to it in regular order, and I hope to put it so that my hon. friend will understand it. Now, I have just stated that these were contract prices, and they were entered upon by tender previously at 15 cents. Why was there a change from 15 cents to a higher price ? The explanation of that is to be found in this return which was brought down and which is at the disposal of any hon. member.

Mr. BLAIN. I understand that the increased price was given to the Great Lakes Dredging Company without tender. Am I correct in that ?

Mr. CONMEE. I will answer that in this way : There never has been any dredging done in that harbour or in any other harbour in this Dominion in which there have not been higher prices given without tender for certain works. If the hon. gentleman (Mr. Blain) knew as much about these works as he ought to know, and as he can learn if he will investigate them, he will be convinced of that. But that is the very trouble; some hon. members do not understand exactly what they are combatting or there would not be so much agitation. I submit that there is no justification for any fair-minded person to criticise adversely the work in these harbours since 1902 which is as far as I have investigated it.

Mr. BLAIN. If the hon. gentleman will allow me ; I do not wish to interrupt him——

Mr. CONMEE. I do not object. I want to get out all the truth of the matter.

Mr. BLAIN. Did I understand the hon. gentleman (Mr. Conmee) to say that no dredging had been done in any harbour in Canada when the price was not increased without tender ?

Mr. CONMEE. No, I did not say that.

Mr. BLAIN. Will the hon. gentleman tell me what he did say ?

Mr. CONMEE. I said there was no dredging done in any harbour that I know of without the government having to give some extra prices for special work, not under the contract but outside the contract.

Mr. BLAIN. In every case.

Mr. CONMEE. In every case so far as I know. I do not think it is practicable for any harbour to be dredged otherwise.

Mr. BLAIN. My understanding of the case is this: The government advertise for tenders——

Mr. CONMEE. Yes.

Mr. BLAIN. The contract is made fixing the prices—so much for clay, so much for rock, so much for sand. Now, are we to understand that, after these conditions are fixed, there are still other prices given by the government without tender?

Mr. CONMEE. No. Let me explain to my hon. friend. As he states, tenders are invited for classified work, or, if the conditions do not warrant classified work, a uniform price is fixed for the whole work. What the tender is based on is not the advertisements in the newspapers, but the plans and specifications which the engineers in the department prepare, and to which they invite attention by these advertisements. They show the soundings, the character of the material and the area that is to be let. The contractor tenders upon that information. If it turns out that he is required to go outside of that, as is very often the case, and the work is of the same character, he is not paid anything extra. If he has to deal with the same class of material he ought not to get any higher price, and he does not get it. But if he is asked to do something for the improvement of the harbour which is not in his contract, then I think my hon. friend will admit that he ought to be paid what it is worth.

Mr. BLAIN. Certainly, but my point is that that does not very often occur.

Mr. CONMEE. I am explaining to my hon. friend that it does, but I will convince my hon. friend that this is a very small thing. I grant that if anything large were to crop up in that way, there would be room for suspicion, but that is not the case. I do not pretend to speak of other harbours, because I do not know the conditions; but I know enough of that class of work to say that in my opinion no harbour in this Dominion has been dredged without it having been necessary to do some little work of a different class from that provided for in the contract, and for which it is perfectly right that the contractor should be paid a fair price. Let me refer to the prices paid in 1903-4, which were the prices of the contract for which tenders were invited in the previous year; tenders were not invited in 1903-4. In Port Arthur harbour in 1903 there were dredged under the contract 19,500 cubic yards and again 86,575 cubic yards at 15 cents a yard. Now, I will call attention to the correspondence of the engineer of the department to show why 23 cents was paid for a portion of the work. It was paid because the contractors were asked to go into a different class of work altogether, in a different section of the harbour, a mile or more from the place covered by their contract. Under the 23 cent price we find one item of 7,900 yards and another of 47,000 yards. Then, there is another price of 40 cents, at which 8,700 yards were done. There were also 7,334 yards at 90 cents. There was a still higher price, and I do not know how the correspondent could have missed such an opportunity—$1.25 a yard; but at this price there were only 454 yards. If you make the comparison you will see that the quantities for which the high prices were paid were very small indeed, a very inconsiderable portion of the work. In Fort William harbour, or the Kaministiquia river, which is the same thing, in 1903 the basis there was the same. The contracts were let at 15 cents, the price of the year previous. Then there was a price of 20 cents and a price of 25 cents paid for certain classes of work, having regard to the character of material and distance of haul. The quantity at 15 cents was 43,980 yards, and the quantity at 20 cents was 20,839 yards and the quantity at 25 cents, the price which has been made so prominent in these attacks, was only 9,000 yards. Under the head of Fort William again we find at 15 cents 19,000 yards, 190,000 yards, 70,554 yards, and so on; at 15 cents and at 20 we find 2,798 yards, and at $1.25 just 91 yards. The reasons why these prices were paid, the character of the material, and other particulars, are set out in the correspondence of the chief engineer of the department. So that I say it is absolutely incorrect, it is a misrepresentation, the grossest kind of slander and falsehood, to make the statements which have been made. Now, hon. gentlemen will understand that the harbour is dredged, according to the plans the engineer has prepared down to a certain line. There must be of necessity an entrance channel from that line to the harbour line. It was in connection with the new elevator which was built by the Canadian Pacific Railway Company that such a channel had to be made from the main harbour to a certain harbour line, and it was in that connection that this 90 cents a yard was paid. Why was it 90 cents? The return discloses the information, which was concealed in these references, that it was because the material was hard pan and boulders, where blasting had to be resorted to. Is it reasonable to assume that a dredge company should be taken away from their contract and set to handle a class of material where blasting was required for the same price that they would do ordinary work for? Nobody would contend that. I submit that that is a very low price. I do not believe you will find the same class of

hard pan handled anywhere else for the same money.

At six o'clock, House took recess.

After Recess.

House resumed at eight o'clock.

PRIVATE BILLS.

Mr. FIELDING. I would suggest that we go on with the unopposed private Bills and let the others stand. If there be any private Bills to which there is no opposition, it would not be fair to prevent their passing because the hour for private Bills may be taken up in the discussion of an opposed measure which has precedence on the order paper.

THE JORDAN-ERIE POWER COMPANY.

Bill (No. 115) to amalgamate the Jordon Light, Heat and Power Company, and the Erie and Ontario Development Company, Limited, into one corporation under the name of the Jordan-Erie Power Company.' —Mr. Campbell.

On section 1,

Mr. LANCASTER. I would like a short explanation as to what this is intended to bring about.

Mr. GERMAN. It is an amalgamation of the two companies, one of which has a charter of incorporation by Act of the parliament of Canada and the other is incorporated by letters patent of the Dominion under the Dominion General Companies Act. There was another company in the field, the Erie and Ontario Power company.

Mr. LANCASTER. Is that going out of existence ?

Mr. GERMAN. Not absolutely, but all the parties interested in both companies have agreed to amalgamate the two interests into one. It was found impractiable to have two companies operating over the same ground.

Mr. FOSTER. Do they ask any new powers ?

Mr. GERMAN. No, except that by clauses 6 and 7 they ask to have their capital stock and bonding powers made respectively $10,000,000 instead of $8,000,000.

Mr. FOSTER. There are no new powers as to construction and the like ?

Mr. GERMAN. No. Their powers formerly were to construct power canals from the Welland river to Lake Ontario, and they now ask power to construct from Lake Erie to the Welland river. The Erie and Ontario Power company had a charter allowing them to build a power canal from Lake Erie to the Welland river and thence north over the same ground as this company is operating on.

Mr. LANCASTER. Is it intended to go to lake Ontario or to stop at the Welland river going north ?

Mr. GERMAN. There will be only one company instead of two. It will go to Lake Erie and the Welland river and thence north to the mouth of the Jordan at Jordan harbour or the Sixteen Mile creek.

On section 4,

Mr. GERMAN. After the first clause in section 4, these words were added by the committee on railways and canals :

Provided also that the works of the company shall in no way interfere with the undertaking of the Erie and Ontario Power Company, as shown on the plans of the said company now on file in the Department of Railways and Canals, without the consent of the Erie and Ontario Power Company.

Mr. LENNOX. That is the company whose application was withdrawn yesterday.

Mr. GERMAN. It is the same company, and there is a signed agreement between the parties in both to settle their differences.

Mr. LANCASTER. Does subsection 2 of this section confirm new powers or is it merely re-acting the powers conferred by the previous charter ?

Mr. GERMAN. There are no new powers. The only power they get is that of amalgamating the two companies.

On section 6,

Mr. GERMAN. I would move to amend that by making the capital stock $10,000,000 instead of $7,000,000.

Section, as amended, agreed to.

On section 7,

Mr. GERMAN. I would also move to amend that by giving power to the company to issue bonds to the extent of $10,000,000 instead of $8,000,000. I have discussed this matter with financial people and they consider that this is advisable. I am free to admit that I know nothing about the financial end of it, but men in good financial standing say that in order to finance it and to make it a success, there should be a capital stock of $10,000,000 and $10,000,000 bonds. If this is gone on with it will be gone on with in absolute good faith under contracts which will be in the highest interest, in my opinion, of the people of the province of Ontario. I would move to strike out the word 'eight' before 'million' and substitute the word 'ten.'

Section, as amended, agreed to.

On section 10,

Mr. LENNOX. I think section 10 should provide that this will not affect any claims as well as pending litigation or actions.

Mr. GERMAN. There are no claims and that should perhaps be inserted.

Mr. LENNOX. I would move to amend the section so that it will read 'no claim, action or proceeding.'

Section, as amended, agreed to.

Bill reported, read the third time and passed.

CANADIAN NORTHERN RAILWAY COMPANY.

Mr. W. McINTYRE moved that the House go into committee on Bill (No. 154) respecting the Canadian Northern Railway Company.

Mr. CONMEE. I rise to a question of privilege. I find that Bill (No. 167) to incorporate the Port Arthur Power and Development Company has been shifted from its proper place, if I am not mistaken, on the order paper. That Bill has been on the order paper for a considerable time and stood next to the Bill just passed. I find that Bill (No. 158), which appears to-day for the first time on the order paper, has been given precedence and I would ask that Bill (No. 167) be given its proper place on the order paper.

Mr. SPEAKER. I can hardly see how that can be so. Order (No. 47) is ready for the Committee of the Whole, it must have gone to the committee and been reported; the other Bill, order (No. 48), has not had its second reading yet.

Mr. CONMEE. I submit that Bill (No. 154) passed the Senate after Bill (No. 167). This is its first appearance in the House.

Mr. SPROULE. No, it was on the order paper before and was sent to the committee and returned.

Mr. CONMEE. Not at all; I do not think the records will bear that out. Even if it is so, I do not see why it should have precedence.

Mr. SPROULE. Has not the Bill to go to the committee after it is read the second time? The hon. gentleman's Bill has not been read the second time and after that it would have to go to the committee and be considered and come back.

Mr. CONMEE. I would like to see the record where this Bill as had its second reading and to know how it comes to be placed where it is.

Mr. LANCASTER. Does the hon. gentleman suggest that the Bill never had a second reading?

Mr. CONMEE. Yes, I do. I have no recollection of it.

Mr. CAMPBELL. That Bill was before the committee and we discussed it for three hours.

Mr. LENNOX.

Mr. SPEAKER. Order.

Mr. CONMEE. I understand that it was before the committee.

Mr. SPEAKER. I think rule 28 would have application in any event. Rule 28 provides:

Bills reported after second reading from any Standing or Select Committee, shall be placed on the Orders of the Day following the reception of the report, for reference to a Committee of the Whole House, in their proper order next after Bills reported from Committees of the Whole House.

I find the second reading of the Bill took place on the 12th of April. I am afraid we will have to accept the record as it stands.

Motion agreed to, Bill considered in committee, reported, read the third time, and passed.

HAMILTON RADIAL ELECTRIC RAILWAY.

House went into committee on Bill (No. 158) respecting the Hamilton Radial Electric Railway Company.

Mr. CAMPBELL. In reference to the Bill that is now under consideration I desire to say a few words. It is a Bill that has evoked a great deal of discussion, not only in the House, but in the press of the country. I think in the criticisms of this Bill, the objects and motives of those who have been promoting it have been misrepresented in a way that is extremely unfair to those gentlemen. One paper in Toronto has characterized this as a most infamous Bill.

Mr. FOSTER. Which paper is that?

Mr. CAMPBELL. The Toronto 'Globe.' If this criticism had appeared in some of the Tory papers we would not have considered it of much account.

Mr. FOSTER. Will the hon. member kindly read the editorial, there are some of us who never read the Toronto 'Globe.'

Mr. CAMPBELL. Yes, I intend to read it. It was read once by the hon. member for South Toronto (Mr. Macdonell) the other night, and I propose to read it a little more. I was saying that if these criticisms had appeared in some of the Toronto papers, they would not have counted for much and would have had but little effect. But when we consider the high standing of the Toronto 'Globe', a paper that has a reputation of being the fairest and ablest conducted paper in the whole Dominion of Canada, it is almost inconceivable that such an article should appear in that journal. In its issue of April 23, in a very conspicuous place on the first page of the paper, under the heading 'A very grave issue,' appears the following:

The issue raised at Ottawa yesterday in the discussion of the Hamilton Radial Bill is the

most serious that has yet arisen between the city of Toronto and the federal power. Mr. Archibald Campbell, M.P., and those siding with him, bluntly take the ground that the 'sacred city limits' are as liable to invasion against the will of the citizens, when the Dominion parliament gives the word, as any remote territorial road or any private right of way in Canada. If the Dominion parliament can give one company power to build car tracks——

Notice this expression, Mr. Chairman.

—can give one company power to build car tracks and collect fares on the streets of Toronto, it can give that right to an unlimited number, and so utterly destroy the street railway franchise that the city of Toronto regards as its most valued possession.

Then it goes on to say :

If the Dominion parliament gives to any company the right to collect car fares and take up and put down passengers in the city of Toronto, it will confiscate in the most arbitrary and anarchistic fashion a franchise worth not less than eight million dollars to the people of Toronto. Surely the legislators at Ottawa do not know what is involved in forcing the Hamilton Radial Railway into the city without the consent of the city council.

Mr. FOSTER. That is not all the editorial.

Mr. CAMPBELL. The editorial is on the 'Hansard' now, and I need not read it again. Now, Sir, this editorial, coming as I say from a paper of the high standing, and reputation, and the ability with which it is edited, of the Toronto 'Globe,' is certainly startling to the people of Canada. If the claims made in this article are correct, I do not wonder that it would be justly characterized as a grave issue and an invasion of the rights of the city of Toronto. But if the writer of this article had read the copy that was furnished him by the able representatives of the 'Globe' in the press gallery, he never would have written that article. If he had read the Bill or knew anything about the subject at all, he would not have made any such remark as that. Now, Sir, in the Bill before the House, what do we find ? Here is a clause that I want to bring to your attention, subsection 3 of clause 4 :

Suburban lines of railway within the limits of the county of Wentworth and the city of Hamilton, but shall not construct or operate its railway or any extension thereof along any highway or public place, without first obtaining consent expressed by by-law of the municipality having jurisdiction over such highway or public place, and upon terms to be agreed on with such municipality.

Now, this writer would lead the public to believe that the Hamilton Radial Bill was asking the right to run along the streets of Toronto, to collect fares, and take up and put down passengers on the streets of Toronto, when there is not a solitary word in this Bill from beginning to end that gives them that right at all. Everybody knows that the Railway Act expressly prohibits that. Subsection 235 of the Railway Act says :

The railway may be carried upon, along or across an existing highway upon leave therefor having been first obtained from the board as hereinafter authorized; provided that the board shall not grant leave to any company to carry any street railway or tramway or any railway operated or to be operated as a street railway or tramway along any highway which is within the limits of any city or incorporated town, until the company has first obtained consent therefor by by-law of the municipal authority of such city or incorporated town.

Could anything be plainer than that ?

Mr. LANCASTER. What about villages and townships?

Mr. CAMPBELL. Or any municipality. We are speaking now about the city of Toronto. The article to which I have called the attention of the committee expressly leaves the impression that this railway company was asking the right to run along the streets of the city of Toronto and to take up passengers and put them down on the streets of Toronto by the authority of the Dominion parliament. It is plain to be seen from the Railway Act that this parliament, if it saw fit to do it, could not do it at all. It could not possibly give power to a railway company to run along the streets of Toronto or of any town or city without first getting the consent of the city and without the passage of a by-law embodying that consent. If the writer of that article had consulted, had even looked at the bill or if he had read the copy that was furnished by the reporters from the press gallery, he would have seen at once that there was not one single word either in the Bill or in the discussion that took place in this House that would warrant him in making such an assertion as that—not one. The charge that he has made regarding the action of the parties promoting this Bill, is, in my opinion, an insult to the parliament of Canada. I venture to say that in my experience, and it has been a pretty long experience in the House of Commons—I have always been a member of the Railway Committee, I think, ever since I have had the honour of a seat in this House, and I have had the very distinguished honour of presiding over the meetings of the Railway Committee for the last two sessions—there never was a Bill that came before parliament that there was less lobbying and touting about than there was about the Hamilton Radial Railway Bill. The charges which have been made about lobbyists filling the corridors of this parliament lobbying members are all moonshine. I have been here a good many years and I have never yet been asked or lobbied to support or oppose any Bill that came before this parliament.

Mr. LANCASTER. Does that apply to the Senate too?

Mr. CAMPBELL. I am not speaking for the Senate, I am speaking for the House of Commons, and I think it is due to the members of the House of Commons to say that they are not men who can be whipped around the post by everybody who comes here. Any man has but to look at this Bill and see how it has been cut to pieces and amended and altered to realize that the House of Commons gave this Bill its most careful consideration for about three hours, and when the Toronto 'Globe' or any other paper says that there were touters and lobbyists around the corridors of parliament lobbying and importuning members to support the Bill I say there is not one word of justification for a charge of that kind.

Mr. BERGERON. We always thought the Toronto 'Globe' was not correct.

Mr. CAMPBELL. The article to which the hon. member for South Toronto (Mr. A. C. Macdonell) called attention and which was headed 'Resisting Usurpers' was quoted at length by that hon. gentleman and placed upon the pages of 'Hansard' with a great deal of gusto. It seemed to roll under his tongue like a sweet morsel. The Toronto 'Globe' is a paper that stands at the very head of the journals of this Dominion, a paper, that, I am sorry to say, my hon. friend does not believe very much in, but if anything appears like that by some misadventure or through ignorance on the part of some obscure writer on that 'Globe,' then the hon. member for South Toronto rises in his might and with a great deal of gusto rolls that editorial under his tongue like a sweet morsel.

Mr. LANCASTER. Cannot the 'Globe' have a lucid interval once in a while?

Mr. CAMPBELL. I think it is usually most lucid but it sometimes, like my hon. friend (Mr. Lancaster), has lapses. I think that in justice to the promoters of the Bill I shall read the reply to that editorial. It appears over the name of the Hon. James Gibson and is dated, Hamilton, April 23. It is addressed to the editor of the 'Globe' and it reads as follows:

There is never much to be gained by any one entering into a controversy with a newspaper, but your editorial of this morning about 'resisting usurpers' is extremely unfair and unjust, and it is not the first time within the past two or three months that you have made, and circulated throughout the country, most erroneous and misleading statements about the Hamilton companies in which I am interested and I claim the privilege of a few words in self-defence.

You are wrong in referring to this company as a 'company operating an ordinary street railway,' and using the expressions with reference to the Hamilton Radial Electric Railway that have been so glibly used by the 'blockers' at Ottawa. The company is a railway under the Ontario Railway Act, and not under the Street Railway Act, and has never done a street railway business in Hamilton or anywhere else.

You are wrong in stating what you cannot possibly know, viz.: 'That the promoters have no intention of constructing a line from Niagara to Detroit rivers.' Other electric lines have such charters, and I do not remember that they were treated by the 'Globe' with the scant courtesy we are receiving.

You are wrong, and every one else is wrong who proposes that we should do as much as we can under the present charter; and, having completed the construction as far as our charter rights go, apply for an extension of charter powers. That is not the way railway lines are built; that is not the way they are financed; and that is an application of an entirely new departure in railway legislation, and we are, forsooth, selected by you as a proper subject to treat exceptionally.

You are wrong in leading the public to believe (as your editorial certainly does) that we ever proposed to operate cars along the city of Toronto highways. The Railway Act would prevent that, and the company never intended to get such power by this Bill, and would not have been given such power if the Bill had passed in its original form. We did ask the power to buy our way into the city of Toronto, just the same as any other Dominion railway has done; the route, plans, conditions, &c., all being settled by the Railway Commission.

Let me add that there is no intention to force the company's line into Toronto in opposition to any reasonable objection on the part of the citizens. Our engineers have not yet been able to definitely recommend a route into Toronto, but when our plans are ready we will be glad to consult the city council, believing that the fast electric transit we propose to provide will be to the advantage of the people of Toronto as well as those outside. Our plans entirely preclude the idea of doing business as a street railway, and I desire most sincerely to assure the people that the Toronto Street Railway franchise is in no danger from us. We believe that when our plans are matured and our proposals made public it will be found that our mode of entering the city, which may be by a tunnel, will be quite unobjectionable.

You are wrong in stating or conveying to your readers the impression that there was any authorized objection from the council of the city of Hamilton to the Radial Railway crossing public streets in connection with its private right of way into the city. The Railway Committee very naturally pooh-poohed any objection to the mere crossing of streets.

You are wrong in quietly ignoring in your editorial the fact that this Bill was carefully considered by the Senate Railway Committee and in the Senate before coming to the House of Commons, and that its various features were discussed in that branch of the parliament of Canada, and that in talking about the Dominion parliament 'granting rights by this Bill with a waive of its hand,' you are leading the pubilc to believe that both Houses of parliament are passing a Bill without knowing what they are doing, as to which you are wrong.

You are wrong, and insulting as well, in talking about the 'touts of the interested corporation haunting the lobbies of parliament.' I

have yet to learn that a person who is interested in legislation before the committees of parliament cannot be present when such legislation is up for consideration. Personally, I am not very fond of running down to Ottawa, but when in connection with questions that have been raised, or are likely to be raised, I have been specially required to go down, it seems to me that I ought not to be referred to by any such coarse language as you have used. I will venture to say that it is seldom that any contested Bill has ever gone through either parliament or the legislature in which there has been so little 'lobbying' or so complete an absence of anything at all approaching to improper procedure of any kind. Your criticism and insinuations are most foundationless and unfair.

You are wrong in making no mention of the embarrassing position in which this company finds itself by reason of the Dominion legislation of 1883 and 1888.

The Minister of Justice expressed the opinion yesterday that, under that legislation, when the company crossed the Grand Trunk tracks at Burlington it went under Dominion jurisdiction, and that there appeared to be no power in the British North America Act to take it out of the jurisdiction of the parliament of Canada.

Mr. A. H. Clarke, K.C., M.P., expressed the same views, and other able lawyers hold the same opinion; and, in view of this perplexity as to jurisdiction, where a company may be called upon any day to do things—either under the one law or the other—you were wrong in opposing the company securing any relief.

You were wrong, either editorially or otherwise, in basing arguments and attacks on false premises, and in forgetting the old adage, 'Falsehood flies and truth comes limping after.'

I do not suppose this letter will by any means remove the misapprehensions which your editorial will give rise to; but I think you will, in fairness, concede the right to have corrected some of the mistakes which you have made.

(Sgd.) J. M. GIBSON.

Hamilton, April 23.

Now, Sir, I think that answer to the editorial of the 'Globe' is so complete and so fair in its terms, and so true that there is no possible rejoinder to it. And the 'Globe,' although it has devoted two editorials to it, has failed to controvert one single assertion that Hon. J. M. Gibson made. The writer of the original article—I do not say purposely for, no doubt, it was in ignorance of the real facts of the case—wrote without any basis of facts for his conclusions. There is not one word of foundation in the Bill or anything said against it on the other side of the House. Now, my name had also been drawn into this discussion——

Mr. FOSTER. If the hon. gentleman (Mr. Campbell) keeps on two minutes longer he will have talked the Bill out.

Mr. CAMPBELL. I hope that when I get through the committee will pass the Bill without discussion. I hope that I shall be able to convince the committee that this is a good Bill. Now, Sir, the 'Globe' articles have stated that Archibald Campbell, M.P., was in favour of letting the Hamilton Radial Railway run on the streets of Toronto. There is not a word of foundation for that statement. The company proposes to buy its own right of way into the city of Toronto. There was a clause in the Bill which the promoters finally dropped—clause 6—which reads as follows:

The company may also issue securities to the extent of seventy-five per cent of its actual expense upon or in respect of a bridge, including the approaches thereto, across the old Welland Canal in the city of St. Catharines, a bridge, including the approaches thereto, across the Niagara river——

Now, mark:

—the purchase of right of way and the terminal station buildings in the city of Toronto.

Of course, when the promoters agreed to drop the first clause which authorized them to go into the city of Toronto and concluded to stop 'at or near,' then this clause 6 was not needed, and so it was dropped. But in the Bill as it was brought down, they proposed to issue securities for the express purpose of buying their right of way into the city of Toronto—not running on the streets at all. Now, I see I have five minutes more—it was ten minutes after eight when we started. I wish to say a word as to my own position. The 'Globe' said in justification of its assertion that this Bill proposed to give the company the right to run on the streets of the city of Toronto, that if they were to read the speech of Mr. Campbell they would find in it support for their assertion. I defy any man here to show in my speech one single word that justifies any such statement. On the contrary I expressly said that what I wanted was that the cars should run down into the city of Toronto, but let an extra fare be charged if desired or let the city authorities take control of the cars as they entered the city. Here are the words I used, as reported in 'Hansard,' page 7483:

We should insist on the same provisions being made that are made in every modern city in the United States. We should insist that whether you have come one hundred or five hundred miles, you should go in your railway car right to the centre of the city. I do not care whether they pay another fare. The city may take control of the cars if they like; that is a minor detail. But provision must be made that these people will not be put to that inconvenience, and be able to get right into the heart of the city.

Now, what are the facts with regard to the country around the city of Toronto? The cars from Scarboro and Highland Creek connect with the tracks of the Toronto Street Railway and are of the same grade, and why cannot these cars run on into the city of Toronto instead of dumping passengers as soon as they reach the

border of the city and make them change cars ? The same is true of the Weston line and the Lambton Mills line. Many times I have seen women and children standing for three quarters of an hour waiting to get a car into the city of Toronto, and when they come back from the city they have to wait again for their connection to any of these outside points. Something must be done to prevent that. Go to Detroit, Buffalo or any other modern city, and you will find cars for one hundred miles running right into the city. We voted last night hundreds of thousands of dollars of the people's money to go to the city of Toronto, and the people of Scarboro, Markham, Etobicoke, Halton and Peel all pay their proportion of that money. These people want to go to the city of Toronto to take the boats to Niagara Falls or to Montreal, and I say it is an outrage that they cannot be carried into the city. This Bill will come up at the next session of parliament, unless in the meantime the city of Toronto or the Street Railway Company make arrangements to overcome this difficulty. The people of the country around Toronto will not submit to it much longer. The county council of the county of York has been agitating this matter for some time. I say it is not in the interest of the city of Toronto. I venture to say that the Business Men's Association, the Board of Trade and Manufacturers' Association will all hold up both hands to remove all the obstructions, to take down the toll gates and to let these railways come into the city of Toronto. The hon. member for South Toronto (Mr. Macdonell) says that no railway or car shall cross the borders of the city of Toronto, although he is quite ready to give the city of London or the city of Brantford that advantage. Therefore I say—

Mr. MACDONELL. I rise to a point of order.

Mr. DEPUTY SPEAKER. The order for private Bills having expired, I leave the chair.

Mr. MACDONELL. Before you leave the chair I would like, to ask the leader of the House, in view of the notice of motion that appears on the order paper, for Saturday next, that from this date to the end of the session government orders have precedence on Mondays, and also in view of the fact that the government has already taken all the days for government business, whether the order for private Bills will again appear on the order paper this session ?

Mr. FIELDING. No, I should say not.

SUPPLY—DREDGING CONTRACTS AT PORT ARTHUR.

Mr. CONMEE. Mr. Speaker, before six o'clock I had made some reference to the prices that had been paid for dredging in the harbours at the head of the lakes during the years 1903 and 1904. I had shown that, generally speaking, the prices were under contract, except for certain special work, and I had quoted the figures to show that the special items were very small compared with the bulk of the work in the harbours referred to. I made the statement that the minister, when this question was up, on April 13, 1905, had made certain statements in regard to it. He repudiated the inference that the work was done without contract, and went on to say :

> It is quite true, I believe, that tenders were not called for last year, but it is quite untrue at the same time that no contract was made.

There the minister is defending the course that has been taken of excluding certain irresponsible persons in regard to tenders. Further on, at page 4463, he states :

> The tenders that are invited are simply for the present season's work.

He goes on then to make the statement which I read to the House this afternoon that he recognized that a large work was being done, and expected to call for tenders at a later date in another season for that class of work, and have the prices extend over a period of years. Now, Sir, the inference has been drawn, that there was some design in the advertisement to prevent fair competition, because it was said that the work should be started within ten days. The minister pointed out that that had been the original practice of the department, and said :

> The department would not expect any one to go and work there until such time as it was possible for him to do so.

Let me say this, and I think it will appeal to hon. gentlemen. Tenders were called for on the 14th of April, 1905. The time was extended until the 1st of May, on which fact a great deal of stress has been laid. I submit that no conditions could arise, or no information could be furnished or obtained, between the 14th of April and the 1st of May, that would make one iota's difference to any of the parties tendering. Under no circumstances and at no place that I know of would a company tendering look for information otherwise than from the plans and soundings exhibited by the department, covering the area to be put under contract and showing the character of the material to be dealt with. It is a fallacy to assume that there was any desire or could possibly have been any injustice to anybody who wished to tender. That could not possibly have been the case, although a good deal of newspaper notoriety has been given that particular feature of the matter. I think I can substantiate that upon other grounds. I think that the mere mention of the facts and the conditions and how these works are tendered for, should be sufficient to satisfy any reason-

able person that there could not have been any particular design or any particular advantage intended in favour of any one. It is said that the Great Lakes Dredging Company, had its plant upon the ground, would practically get the work at its own price. That could not possibly have been the case. They had no greater advantage than any other company. I am not finding fault with the opposition for criticising the particular advertisement to which I have referred; it was not that character of advertisement which an individual would have put out. I submit however that every branch of the different departments and every great railway company which published advertisements or invite tenders could be criticised in the same way. All these advertisements are one-sided like the handle of a jug, and the same criticism might be levelled at any of them. I want to show what did happen, and I think that will prove my position. According to the tenders that came in, in response to the notice on the 1st of May, to which I have made reference, no less than four local companies tendered for the work. It is not true that the Great Lakes Company was the only local company which tendered or could tender. There were eight tenderers altogether, namely, A. F. Bowman, Heckler & Macdonald, the Great Lakes Company, C. S. Bole, E. W. Davis & Sons, of Ottawa, The Fort William Dredging and Harbour Company, Robert Miller, of Ingersoll, and J. B. Haney, or Toronto. A great deal of credit was sought to be given to some particular political party and a great deal of discredit was endeavoured to be thrown upon the department and some other people including myself. It was claimed that there was a drop in the prices from 25 cents to 9 and 9½ cents. That is not true. There was no such drop in the prices, in fact there was no drop at all in the prices in Port Arthur harbour. It was said in the article to which I have referred that the reason for that was the course which had been taken in parliament and that the Weddell Company had come in and forced down the prices. That is not true. That company did not tender at all in 1905.

Mr. BERGERON. They were wrong.

Mr. CONMEE. They were very wrong. I have read the names of the different tenderers, and A. F. Bowman was the lowest. I am speaking now of 1905 and of the tenders that came in for the Port Arthur work. Now then for the Fort William harbour and dredging, number the tenders that came in in response to the postponed tenders. There were ten. The same parites tendered whom I have mentioned, but in addition there were William Davis, as well as Davis & Sons, and Randal McDonald, who is a dredge owner, and Mr. Heckler of the 'Soo.' So that the same parties tendered and besides them there were two additional tenders. The lowest tender for the Fort William harbour was A. F. Bowman, and the work was awarded to the lowest tenderer in each case. I may be permitted to refer to the prices in the Port Arthur harbour. I have shown that the prices were the previous year, speaking generally 15 cents, 23 cents and again 40 cents. The prices tendered in 1905 were these: 14 cents for clay, 22 cents for clay and boulders, 29 cents for quicksand and 50 cents for hard pan. I submit that these figures worked out higher than the prices of the previous year which have been so severely criticised. Then in the Fort William harbour, the prices were 12 cents for the short haul and 14 cents for the long haul. Let me call attention to the reason why there was a reduction in the prices in the Fort William harbour in the tenders of 1905 as compared with the prices in 1904. The drop in prices is very little. It only amounted to a few cents. The reason is this. The work previous to 1905 was going over the bed of the river which had been previously dredged or what is called scraping. In part it was at a point three or four miles further up the river, between the power house and the Canadian Northern Railway, upper docks from which there was a haul of six miles or a round trip of twelve miles and at which point the material was quicksand. Had work at that point been asked for in 1905, the parties would have asked a higher price than in the tenders they put in. That is what the return shows and what the facts are. It is absolutely untrue that there was a drop in the prices as represented. In the first place it was a falsification of the record and the facts, when the statement was made that 25 cents was the price. I have shown by the returns what the prices were. I have shown that they were very moderate.

Mr. SPROULE. I would like to draw attention to the fact that the hon. member is referring distinctly to a previous debate of this session.

Mr. CONMEE. No, I am referring to the debate of a previous session.

Mr. SPROULE. No, this has reference to a debate which took place this session. The hon. gentleman has been doing that right along. That is the debate brought up by the hon. member for East Simcoe (Mr. Bennett) on this question this session. The hon. gentleman is repeatedly referring to it and alluding that the statements there made were absolutely false.

Mr. SPEAKER. I cannot gather from the hon. gentleman's speech that he is making any definite reference to anything that occurred this session, and I have been listening very attentively since the first objection was taken. Since that point was

taken there has been no reference that I can gather to a past debate of this session.

Mr. CONMEE. I submit that I am referring to a newspaper report and to the debate of 1905.

Mr. SPEAKER. A newspaper report purporting to refer to a past debate in this House would be equally out of order.

Mr. CONMEE. I am not referring to a newspaper report of a debate in this House but to statements in regard to the work in these two harbours, which affect the constituency I represent and in which my own name was mentioned.

Mr. TAYLOR. And these statements were made in this House this session and quoted by the paper to which the hon. member referred. It has been that all through his argument.

Mr. CONMEE. I was not present at any such debate, I know nothing about that.

Mr. SPEAKER. If an hon. member points out any reference of that sort bearing on a former debate, I would have to rule it out of order. I cannot recall it at the moment.

Mr. SPROULE. His whole argument is controverting statements made a few weeks ago by the hon. member for East Simcoe, (Mr. Bennett). I wish to draw attention to the fact that what he cannot do directly he cannot do indirectly. Even although he pretends to hold a paper reporting the debates in this House, it is the debates of this House all the same. He reads the arguments given in that speech and controverts them right along.

Mr. CONMEE. I think my hon. friend is mistaken, there are no such figures given in the Hansard report of that debate.

Mr. SPROULE. Not with reference to the cost of dredging?

Mr. CONMEE. Not at all, there are no figures for the cost of dredging in 1903.

Mr. SPROULE. Is not the hon. gentleman trying to show that the price of dredging did not drop during last year?

Mr. CONMEE. I am trying to show that statements made in 1905 were untrue, that they are not founded on fact, that there were insinuations made in the debates of that year and since in the press of the country, accusing the department of extravagance, and in which the member will see I was myself attacked.

Mr. SPROULE. The statement was made by the hon. member for East Simcoe, (Mr. Bennett) that because so and so took place, the cost of dredging dropped in the last year from twenty-five cents to eight cents.

Mr. SPEAKER.

Mr. AYLESWORTH. Is not the hon. member referring to a past debate?

Mr. SPROULE. I am referring to the argument the hon. gentleman is advancing.

Mr. CONMEE. If any hon. gentleman has done that I did not hear it, and if that statement has been referred to elsewhere I submit that I am within my rights in refuting it.

Mr. SPROULE. The hon. member is not within his rights.

Mr. CONMEE. I am not discussing——

Mr. TAYLOR. We will have the ruling of the Speaker.

Mr. SPEAKER. Order. If any hon. member will point out that the hon. gentleman who has the floor, (Mr. Conmee) is referring to statements used in a debate this session he will be quite out of order. I cannot, of course, recall all the debates.

Mr. TAYLOR. He admits he is reading from papers.

Mr. CONMEE. The hon. member must not say that.

Mr. SPEAKER. I understood the hon. member to say he is dealing with a debate which occurred in 1905.

Mr. TAYLOR. No.

Mr. CONMEE. I am also dealing with a return brought down to this House on the 26th July, 1905, that is the return to which I have alluded in which these figures are all mentioned. Hon. gentlemen know all about the return, they have it. I assume I am at perfect liberty to refer to what is stated in that return. I say further that there was no such price as 9½ cents which it is alleged was paid. That statement is wrong, that is not the contract price at which work is being done to-day.

Mr. TAYLOR. When was that statement made and where ?

Mr. CONMEE. That was made in the Port Arthur 'News.'

Mr. TAYLOR. When?

Mr. CONMEE. I think the date was about the 7th or 8th of this month.

Mr. TAYLOR. And it refers to a speech made in this House this session?

Mr. CONMEE. I do not know whether it does or not, my hon. friend can look that up.

Mr. SPEAKER. I think it would be out of order to refer to that.

Mr. FIELDING. I submit that the newspaper might have editorial comment which would be perfectly legitimate to refer to, but if it reported the speech of any hon. gentleman it should not be used.

Mr. SPEAKER. I think it goes further than that.

Mr. CONMEE. I submit to that ruling; I will do my best to keep within these rules. Let me state the prices in the tenders in 1906. I will give the figures, perhaps hon. gentlemen will be interested in them. There was a large number of tenders and amongst other tenderers there was the Weddell Company. The price is not 9½ cents as represented; it is 9½ cents with the addition of 1 cent a yard——

Mr. TAYLOR. Represented by whom and where? Who says anything to the contrary?

Mr. CONMEE. Represented by the information which has come to me.

Mr. TAYLOR. From what source?

Mr. CONMEE. From these papers which I have obtained from the department.

Mr. TAYLOR. But who contradicts these papers?

Mr. CONMEE. I am not saying that any one contradicts them. My hon. friend is at liberty to contradict them if he wants to. The price is not 9 cents, it is 9½ cents in the Port Arthur harbour with the addition of 1 cent a yard for each mile of extra hauling, over 3½ miles. If you add that to the conditions which existed in 1903, you will not have so much difference in price. It is the same thing in Fort William harbour, the price there is 9 cents with the same condition for extra payment on extra haul, and thus if you have regard to these figures I am pointing out for the information of hon. gentlemen the difference in price is not so much when you have regard to the character of the work. Why? Because the work that is being done to-day in the Fort William harbour is six or seven miles away from the work done at any previous time. It is the opening of an entrance channel to the Mission river, practically a different harbour altogether. It is not scraping work, it is all bank work and that is the reason for the price being lower than on the previous occasions. It is so in the Port Arthur harbour. The area previously dredged had been gone over, had been brought down to a uniform depth. New erections, new elevators and new works, required the harbour to be deepened in another section to the south and new tenders were asked for a large block of work, covering an area there, and providing a turning basin. That is not scraping work but bank work. Every one will understand that deep excavations where there is face work is a different class of work altogether, so there is a reason for the change in the price. I think every one will admit that the prices for which the work is being done to-day are perhaps the cheapest at which any work of the same character is being done in Canada. I have already read to the House the statement of the minister in 1905 that the intention was to call for new tenders for a large block of work, extending over a period of years. That is what brought down the prices, it was the business-like method in which the department dealt with the question. Instead of letting it in little pieces and subjecting the contractors to a competition for their existence year by year, it was let on conditions which enabled them to properly equip their outfit. It is said that their contracts might be withdrawn at the end of any year. But while that may be so the advertisement showed that the intention was that these prices should extend over a number of years, in order, as the minister stated, that an up-to-date plant, efficient in its strength and equipment to do the work cheaply, might be provided. Now if there are congratulations. If credit is to be given to any one it must be given to the Department of Public Works for the business-like manner in which they dealt with this undertaking. If a large sum of money is to be saved, as I have heard stated, it is due to the business methods with which this matter was dealt with.

Now there were other matters that I might allude to. I might ask the hon. member for Peel (Mr. Blain), who asked me a question, what he meant by his question. He wanted to know who were the stock holders of the Great Lakes Dredging Company. Now if the hon. gentleman will tell me what he had in his mind by that question, I will do my best to answer him.

Mr. BLAIN. I do not wish the hon. gentleman to misunderstand me. I took no part in the debate and am not particularly interested in it. But my hon. friend seems to have a complaint because of the fact that his name has been used in connection with the dredging, and my point was that the members of the House were entitled to know the names of the Great Lakes Dredging Company, and for myself I would like to know.

Mr. CONMEE. Well, I will accept the hon. member's explanation, but I had assumed that he had quite a different purpose in asking his question, if I may be permitted to divine what was the purpose beyond that which the hon. gentleman has seen fit to divulge. It is true that my name has been connected with this tender, that was in the newspaper reports. Of course I need hardly tell the House that statement was absolutely untrue. I am no partner of A. F. Bowman, and never was. I joined in no tender with A. F. Bowman, either in 1905, or 1904, or since that time. I made a statement to the House in 1905, I do not know whether it was satisfactory or not.

In a debate at that time the insinuation was made that I was connected with this Great Lakes Dredging Company, and I used this language :

> I came here entirely within my rights. I do not owe my election to any person or corporation.

Then a little further on, after some comment by some other members, I said :

> I have already stated to my hon. friend (Mr. Bennett) that if he thinks I am here upon any wrong footing, if he thinks I am interested directly or indirectly in anything that I should not be interested in, it is his duty to get at that in a business way.

Now it may be insinuated that that is not a clear statement. I meant at that time that I had no interest, direct or indirect, that contravened the Independence of Parliament Act. That is what I meant, and what I mean to-day. I also stated this :

> I have no interest in or anything to do with the Great Lakes Dredging Company.

Now, Sir, if there is any further statement that any hon. gentleman can desire me to make that will make my position perfectly clear, I would be very happy to make it.

Mr. BLAIN. Are we to understand then that my hon. friend has no interest, direct or indirect, in the Great Lakes Dredging Company at the present time, or in any other company that is doing dredging for this government ?

Mr. CONMEE. Yes, Sir, I repeat the hon. gentleman's words exactly, I have no interest, direct or indirect, in the Great Lakes Dredging Company, and I have no interest in any other company, direct or indirect, that is doing any dredging in the Dominion of Canada. Now, Sir, I want to say something further along that line. I think I have answered the hon. gentleman's question. So far as I know, the owners of the Great Lakes Dredging Company are A. F. Bowman, James Whalen and C. M. Bowman. I believe there is another party, a Mr. Manion, who has some interest in it, but I do not know for certain, these are the principal owners, so far as I know. Now I wish to make a further reference to an insinuation that has been cast out from time to time in this House. I have seen the insinuation somewhere, I do not say my hon. friend from Peel made it, but it has been made. Insinuations were cast upon the good faith of the inspectors because, forsooth, it was stated that one gentleman, A. M. Eastwood, was before the Public Accounts Committee and admitted improper action. Now I believe that it is not a fair proposition to say that if one man commits a crime a whole community should be executed for that particular crime. Reference was made to the appointment of inspectors, as to how they were appointed, whether they were recommended by the member for Thunder Bay and Rainy River. Well, I want to meet every insinuation that can be made. I do not know that that information was given to the House, but I will give the information so far as I have it, speaking of these particular ports at the head of the lakes. The inspectors are appointed by the minister. There is no want of responsibility, because the minister has power to appoint the inspectors. They are only appointed by the minister, I believe, when they are recommended by the engineer as to their fitness and ability to perform the work, not only by the resident engineer, but by the chief engineer, as between men so recommended the minister may favourably regard a recommendation made by a member. I do not know that there is any better method of appointing them. I must say that so far as regards any insinuation made in this House, or through reporters or otherwise, no reflection can be cast upon the resident engineer. I want to tell hon. gentlemen opposite that this engineer is a capable man, that he has been twenty or twenty-five years in the service of this country that he is just as strong a Conservative as the hon. member for Hamilton (Mr. Barker) ; I think he has just as good an opinion of Liberals generally as my hon. friend has. But he is a competent and painstaking engineer, and every one who knows him respect him for his good qualities and his integrity. There is no reflection to be cast either upon the staff, or upon the efficiency of the work, or upon the price of the work that was done at the head of the lakes. It was said that the Waddell Company came in and reduced prices. The Waddell Company happens to be composed of Conservative gentlemen, Mr. Poupore, Mr. Randolph Macdonald, and other Conservatives.

Now, Sir, I know these men. I do not know Mr. Weddell, but I do know the other men and they are men for whom I have the highest regard. The question of their being Conservatives is no reason why they should not get a contract if they want it and that is the best evidence that the insinuations which have been made broadcast in this country that favouritism was shown towards some particular interest or individual are absolutely without foundation. Sir, I have the return here, I invite hon. gentlemen to look it over and if they do they will find that there is no favouritism to the Great Lakes Dredging Company. They were held to contract prices and the prices that were agreed upon from time to time. If the charge of favouritism can lie, if there is any shadow of justification for it, and I say there is not, it can lie, against Mr. Boone, a Conservative, and not against the Great Lakes Dredging Company because there happened to be some Liberals connected with it. Mr. Boone had his large dredge in that

harbour from 1902 up to last year—it may be there yet for all I know—it was there in 1905, Mr. Boone undertook work at fifteen cents a yard. I am not going to say anything disparaging of Mr. Boone. I happen to know him. I believe he is a good, energetic contractor, that he does good work and is satisfied with the terms of his contract if he gets fair-play. But, in 1904, Mr. Boone said: My contract is for 18 feet of water, you are making me increase the depth to 22 feet, you are putting me in closer to the shore where there is tougher material, it is not fair and I refuse to go on. How was that settled? It was settled by letting Mr. Boone go to work. This return gives the power and equipment of his dredge. It is a first-class machine, capable of doing the work well and cheaply. Mr. Boone was put to work at $10 an hour and some time later, when expenses had increased, the amount was increased to $12 an hour. I submit that that is a moderate figure having regard to the work and the outfit. But, while the same class of work was being done by the Great Lakes Dredging Company at 15 cents a yard, Mr. Boone's work by the hour process was costing 16 cents a yard. Therefore, I contend that there is no ground, in view of the information contained in these returns, for the suspicion or the statement that there was favouritism shown to the Great Lakes Dredging Company. In so far as I am concerned I want to make this statement: My name has been connected with these matters and it has been insinuated that I was connected with Mr. A. F. Bowman. I have already contradicted that statement. But Mr. Bowman was accused, if I am not mistaken—I do not say in this House—of wrong intentions because it was alleged that his was the highest tender. I have proven by the record that his was not the highest tender but the lowest tender. The question is asked: Why did Mr. Bowman tender because he was a stockholder of the Great Lakes Dredging Company and that company tendered too? Well, now, let me say this: Mr. Bowman is a well known owner of dredges. He owns an entire separate fleet on the great lakes. He had worked in that harbour with his dredges previous to the time that they were taken over by or included in the plant of the Great Lakes Dredging Company. Why should there be any suspicion because Mr. Bowman, a well known dredge man, put in a tender? In 1905, in answer to the advertisement, his was the lowest tender, not the highest tender, the work was awarded to him and it was completed under the contract. If he arranged with the Great Lakes Dredging Company or any other company to employ their dredges can anybody suggest any thing wrong in that so long as the work was done under the lowest tender?

Mr. SPROULE. If Mr. Bowman, as a member of the Great Lakes Dredging Company, tendered for the work there for that company, surely he would know the rate at which that company had put in their tender, and then, if Mr. Bowman individually is the owner of dredges outside of the Great Lakes Dredging Company and was tendering for himself he would know what this company tendered for of which he was a member?

Mr. CONMEE. No, I think the hon. gentleman is assuming quite an improbable case. Mr. Bowman was the owner of a separate set of dredges. He would naturally tender for himself if he tendered on behalf of the company. That may be a different thing. I do not know anything of that. I have no knowledge of it. The hon. member has no knowledge of it, why then should Mr. Bowman be under suspicion——

Mr. SPROULE. Did not the hon. gentleman try to controvert the statement that two tenders were put in, one by the Great Lakes Dredging Company in which Mr. Bowman was a partner, and one by Mr. Bowman individually for himself?

Mr. CONMEE. I did not do that. I read the tenders from the record. I gave the names. I am pointing out that his was the lowest tender in 1905, that the work was awarded to him and that he completed the work. How monstrous it is, how culpable it is that any member or individual should endeavour to cast suspicion in this way is in the judgment of the House. Is it dishonesty because a man being the owner of a dredging plant puts in a low tender or a higher tender either than a tender put in by company in which he was a stockholder. No such insinuation should be made by a member of parliament or anybody else who has any regard for fair dealing unless he has some evidence to establish it and follow it up. If he has no evidence such an insinuation should not be made. Why should the Minister of Public Works be slandered in that manner? Why should Mr. Bowman, a respectable citizen of this country, be subject to the slander which has been uttered simply because he put in a tender? Let me put it in another way. Mr. Bowman is a separate entity. I think I have heard that word in this House. I believe the hon. member for East Grey understood what it meant a week or so ago and if he does not understand it I believe that the hon. member for North Toronto (Mr. Foster) can pound it into his head. Mr. Bowman was a separate entity. Why should he be subjected to that suspicion? In so far as I am concerned I am quite conscious of the fact that I have many faults. Nobody can be more conscious than I am, and nobody can regret them more than I do, but to say that I am using my position for selfish purposes, or for my own advantage, or for the advantage of any relative of mine, is to say that which is

untrue. It does not lie in the power of any man on either side of this House to sustain a charge of that kind against me. I want hon. gentlemen to understand that. I stand on that statement and I say further that I have been 25 years in public life. No relative of mine ever held an office in this Dominion and no relative of mine is holding one to-day. So, these suspicions that have been cast out in so far as I am concerned I repudiate, and I think it is pretty nearly time that some hon. gentlemen ceased to do that sort of thing. What is the cause or motive for these slanders; is it because Mr. Whelan happens to be a son-in-law of mine and happens to be connected with the Grand Lakes Dredging Company.

Now, Sir, is there any rule of this parliament, or of any deliberative body in the British empire, making it a crime for a member to have a son-in-law? I do not know of any rule of that kind. Let me carry this argument just one step further. Is it wrong for such a person to have a contract with the government? I submit that it is not, if he got the contract fairly. If it can be shown that a member of this House could or did influence the government in making contracts, there would be some justification for fault finding. But I doubt very much if any member could assist a friend under these circumstances—I have more confidence in this government than to believe that. But, in any case, I submit that there should be some evidence supporting an insinuation, some evidence of the facts before the assertion is made to the injury of any member of this House. Unless a member could, or he did, influence a government contract in favour of his friend, why should the attacks be made upon him that have been made upon members of this House? Is there anything wrong in that position? I think those who know Mr. Whalen will agree that he is an active man of business, and that he would be just as active if he were somebody's else's son-in-law.

I hope I have stated enough at least to defend my reputation I am not here under any false colours. I have my faults —I know it. But I do not carry two faces; I am not built on those lines. Hon. gentlemen opposite have talked a good deal about double-dealing in tenders. And we heard something this afternoon about slipping votes. Let me give them one or two facts about slipping tenders. There was a Canadian Sault Ste. Marie canal built some years ago. Tenders were called for that work. And what did the Conservative government of that day do in relation to those tenders? Did they give the contract to the lowest tenderer? They did not; they gave it to the third lowest tenderer whose offer was $118,000 higher than the lowest. I have the tenders here, if any hon. gentleman would like to look at them. The lowest tenderer was George Goodwin, a pretty well known contractor. But, perhaps, I have special reasons to know that there was wrong-doing in this matter. The government gave this contract to the Ryan tender, which was higher not only than Mr. Goodwin's offer, but higher than the next. The second tender which was that of myself and associates. We were $56,577 below the successful tenderer. Nevertheless, without a word of reference, the contract was awarded to the Ryan tender.

The Conservative government of that time had a deposit in respect of the tender with which I was connected. But they had more, because we went to the then Minister of Railways and Canals and said: You have asked for a certain deposit, and we have given it; if you want more security, say how much you want and we will give it to you. But he gave no answer. And to whom did he give the contract? Not to the lowest tenderer; not to the next lowest tenderer; but to a gentleman who was in partnership with him in another business, the business of cattle raising. That is the kind of thing which the hon. gentleman for East Grey (Mr. Sproule) supported. There was a piece of public robbery, to the extent of $118,000 perpetrated by hon. gentlemen opposite in the face of public policy, and contrary to the public interest. These hon. gentlemen answer: Well, that may have been wrong, but we are not doing that now, and whatever was done wrong before is no justification for wrong-doing now—two wrongs do not make a right. I quite acknowledge that, and do not hold hon. gentlemen opposite responsible—at at least not all of them—some of them I do hold responsible because two men sitting on the front bench among hon. gentlemen opposite, one of whom (Mr. Foster) is before me now at this moment, were members of the cabinet that perpetrated that wrong. Just fancy my hon. friend from North Toronto (Mr. Foster) discovering such a condition of things in the affairs of this government. Fancy him turning himself loose on that subject. What a monstrous thing it would appear in the light of his denunciations. How he could ring the changes upon it. How he could tell this House where the deviltry came in and all that sort of thing. I have heard him at it, and he does it well. But, given a case like this and he would turn this parliament inside out. He would tear off the roof. And my hon. friend from East Hamilton (Mr. Barker) would be so shocked at the wickedness of these Grits that I do not think he would speak for a week. Now, let me show just where a little bit of the deviltry came in in that case of the Sault Ste Marie canal. It was said that the lowest tender was a little too low and that

the next lowest tender was also a little too low. But there was one item in the tender which made a great difference. This was the filling in of the trenches and tamping with puddled clay in the outlying trenches around the lock-pit to exclude the surface water from the walls. The advertisements for tenders—and this is where some of the deviltry came in ; they knew how to work it better than I did, and I only speak of what was done by them—stated that unless the tender was consistent and each item was put in at a price for which it could be done, the tender would not be considered. Now, Sir, I put in a price for which that work could be done. But the Ryan tender had a price on this item which was only about half enough for the work. Had the Ryan people been held to their tender, they would have lost $50,000. They did not do the work at all. Then, again, these gentlemen excavated a great lock-pit, and then the plans were changed ; instead of making it so many feet wide—say 100 feet—it was to be made longer and narrower. And the contractors were paid a bonus and extra price for filling the excavated space, with the material they excavated in lengthening the lock-pit. This matter was investigated, so that hon. gentlemen know something about it. Talk about scandal ! There is a scandal that hon. gentlemen opposite might well consider for a little while. They would then understand why it is that the people of this country feel that their interest would not be very safe in the hands of men who carried on such transactions or supported those who carried them on, and who, if given power, would repeat to-morrow what they did then. Why have they not done this kind of thing since 1896 ? They lost the key in 1896, and have not had opportunity. Nobody need thank them for their innocence since that time.

Now, I regret to have detained the House so long. And I regret also to have felt obliged to say some of the harsh things that I have said ; but I am in the judgment of the House as to whether I have not been provoked to take the ground I have taken. Hon. gentlemen wanted to know just where all these insinuations and statements come from. I have done my best to enlighten them. And I think they can make a pretty shrewd guess as to who the perpetrators of these lies and misrepresentations were. To borrow the phrase of the hon. member for East Hamilton these statements to which I have referred are reeking with falsehoods, misrepresentations and false accusations. Nobody would make these statements except for a political or malicious purpose. The gentleman who is responsible for these accusations is in the judgment of the House and the country.

Mr. BARKER. With the permission of the House I will occupy just a moment. I would ask the leader of the House (Mr. Fielding) whether he can give the House the assurance that, until the cabinet has considered the question as to the form of oath in elections, there shall be no further issue of what I have called the emasculated oath in any election in the Dominion ? I do not mean to ask the hon. gentleman to judge the question, but I do ask him not to issue that form of oath for any other election until the subject has been considered by the cabinet.

Mr. CONMEE. Mr. Speaker, I crave for one word. I had intended to make some reference to the hon. member for Glengarry (Mr. J. T. Schell). That hon. gentleman is now in his place and as I see in the press some statements that fell from him, I think it is only fair that we should hear from him.

Mr. FIELDING. I am happy to answer the question of the hon. member for Hamilton (Mr. Barker) as the Minister of Justice, whose department it rather concerns, is not in his place. I would be surprised if it turned out that there was any real departure from the Act, but of course in view of what the hon. gentleman has said it will be our duty to look into the matter very carefully. Certainly I will give the hon. gentleman the assurance that the matter will be inquired into and the Act carried out in its proper letter and spirit.

Mr. F. L. SCHAFFNER (Souris). Mr. Speaker, I would not have delayed the House one minute at this stage of the session had it not been that the hon. member for Portage la Prairie (Mr. Crawford) saw fit this afternoon to attack the Franchise Act of the province of Manitoba. It is strange that so many of these questions have been left to the last days of the session. Earlier in the session it would have given me a great deal of pleasure to have refreshed the memories of the members from my province on the other side of the House, and perhaps to have given them a little information by going over the different Franchise Acts which we have had in that province during the last twenty years. I would have liked to show this House the kind of Franchise Act we had under the late Greenway government, and how difficult and almost impossible it was for the Conservative party to carry on an election in that province when that government had the making up of the lists, how many names were added, and the large amount of money that the Conservative party had to expend in order to get the least fair-play. I may say, Mr. Speaker, that it was a most difficult task to follow the hon. member for Portage la Prairie this afternoon; he spoke in such weak and faint tones, so characteristic of one who is saying something of which he is ashamed or which he does not

want others to hear. But I have some idea of the motive that caused the hon. gentleman to make these remarks. I gathered from his remarks that he was paving the way for a Franchise Act to be produced next year, at least with regard to the western provinces, different from the one which we had at the last Dominion election. It is well known to the members of this House that the franchises of the various provinces were utilized in the Dominion elections of 1904. It is also very well known to this House, or to those of us from the west, that a great effort was made by the late Minister of the Interior to do away with the Franchise Act of the province of Manitoba, and I am glad to be able to say that it was due to the fairness and the justice of the late Minister of Justice that the late Minister of the Interior was prevented from doing so. Our Liberal friends in Manitoba were sure that they were going to have a new Franchise Act. They went so far as to say to us when we were revising our lists: 'Why do you bother with that list? We have no intention of running the election on it.' But it was due to the honour and fairness of the late Minister of Justice that they were compelled to run their election on the Manitoba Franchise Act. The praise of that Act has not all come from the Conservative party. The Toronto 'Globe' and Liberals all over this Dominion have not ceased to praise it. That Act provides for personal registration. It is a most fair and just Franchise Act. It is one which I think cannot be very well improved upon. Now, when the late Minister of the Interior was unable to carry out his sinister purpose in regard to that Franchise Act, what was the next thing to be done? The situation had to be met in some way, and it was met in this way. As you well know, the voters' lists were reprinted at the Dominion Printing Bureau in Ottawa, and should in all fairness and justice have been sent to the different returning officers. This was not done in Manitoba, but they were sent to a man named Leach in the city of Winnipeg, who was not even an election official. They were sent to him with his instructions, and it came out afterwards, a fact we did not know at that time, that this gentleman had been engaged in this undertaking for some time. He had found from that list who were the friends of the Liberals and who were the friends of the Conservatives, and he had taken pains, with his staff of officers, who were in two important buildings in Winnipeg, to draw a red line through a large number of names, and I am surprised that a Liberal member from the province of Manitoba, who owes his election to these thin red lines, would be brave enough to say anything against the Franchise Act of the province of Manitoba. Now, let us see for a moment how that thin red line worked out. It is a wonder, Mr. Speaker, that there are in this House any Conservatives at all from the province of Manitoba; it is a wonder that three men were ever elected in that province to represent the Conservative party, when it is remembered what the Conservative party had to go up against. I am not going to refer to all the constituencies, but I will take the constituency of Provencher, in which the Liberals had a majority of ten, and that thin red line went through 568 names. Take the constituency my hon. friend represents, Portage la Prairie; he had a majority of 385, and that thin red line did its work on 1,395 names. The hon. member for Selkirk had a majority of 507, and in that constituency the thin red line cut through 1,406 names. Take the constituency represented by my hon. friend from Lisgar (Mr. Greenway). He had 180 majority and the thin red line went through 1,131 names.

In the face of these facts, how is it any man from the province of Manitoba can stand up and find fault with our Franchise Act, which I believe to be the very fairest Act possible. And he does not live very far from the west, for that transaction was carried out in the election of Prince Albert. There was no need for them to bother with stuffing ballot boxes there because the returning officer in that province is authorized to fix polling places where the proclamation does not establish them. So this returning officer fixed three. What was his duty? His duty was to notify, not later than six o'clock on the day of nomination, the two candidates, that these polls were so fixed. Was that done? No, he went out thirty-five miles from the town of Prince Albert, to a small town from which only two mails a week go, and there he posted up these new polling places. And although he was meeting the Conservative candidate every day in the town of Prince Albert, he was neither honest nor fair enough to tell him where these polling places were. What was the result? They did not need to fix the ballot boxes. This Mr. Moberley—and I would like very much to go on and describe the kind of man he is—sat down in a quiet nook, there pitched his tent, and began to vote everybody in sight, men, boys and children. Is it to be wondered at that Mr. Scott said, on the evening of the election, when the places which were adjacent, were giving a Conservative majority: Wait until you hear from the back townships. He knew exactly how they would vote. In the face of so much fraud in connection with the franchise in that western country, practised by the Liberal party, I am surprised that any Liberal member from Manitoba would get up here and find fault with our Franchise Act. I want to tell hon. gentlemen opposite that although there are but three men here from Manitoba, and although their voices have not been much heard during this session or even during this parliament, when this government, this year or

next, attempts to substitute a machine franchise, such as the one described by my hon. friend from Hamilton (Mr. Barker) this afternoon in connection with the London Hyman election, for our franchise, which is one of the fairest that could be made, those three men will hold this House up, if necessary, ten long months before we allow any such franchise to be substituted for the one we have at present.

Mr. J. T. SCHELL (Glengarry). I intend only taking up the time of the House a few minutes by briefly referring to the remarks of my hon. friend from Rainy River (Mr. Conmee) on the dredging question. I do not wish to discuss this question on the same lines that he did but simply to refer to the discussions that take place in this House yearly, since I have been here at all events, and almost invariably promoted by one gentleman. When the Finance Minister (Mr. Fielding) delivers his budget speech, he is usually answered by a man conversant with finance. But I have noticed since I have been here, that when this question of dredging comes up, which is a technical matter, it is always discussed on the opposition side by a lawyer or a person equally ignorant—and I use the word advisedly—of the conditions attaching to contracts of this kind. And the result is that we have language used which is not at all necessary in discussing public matters in this House. If I may be permitted just to refer to what took place a few days ago, I would say that I then rose upon my feet to call in question some remarks made by an hon. gentleman on the subject of dredging, I did so, not for the purpose of discussing it in a general way, but simply to give him a chance to state the conditions which were not then stated, but which have been stated to-night, although my hon. friend from Rainy River (Mr. Conmee), in discussing the transactions of a few years, finally led up to the contract of 1906. All I propose to say about that, in this connection, is just this. Throughout the length and breadth of the country, the public press have been probably dealing this session more than for many years in the epithets of graft, lobbying, and casting insinuation which do not at all tend to give the public a high opinion of the standing of members of this House. And I think that one reason for this is the criticisms such as as we have been listening to year after year, and in that connection I would instance the dredging contract because it has been brought up to-night. I knew the figures and the conditions at the time that statement was made in the House, and I knew what the impression was which the hon. gentleman who made it sought to convey, and I notice that he was very successful, in so far as some members on the opposite side are concerned, because when he indulged in his most extreme statements and made the most damaging insinuations, he was always applauded most loudly. I do not think that that method of discussing public subjects should be encouraged ; and I hope that when dredging contracts or railway contracts or wharf contracts and matters of that kind come up in the future, hon. members opposite will, for the sake of the good name of this country, put up some expert to discuss them, who will talk from the knowledge that is in him, and I trust that his knowledge will be absolutely correct before he proceeds to criticise. In that way hon. gentlemen opposite would avoid many of the false accusations in which they are ever too ready to indulge, and we would be thus spared these allusions and comparisons which have no basis in fact. They were not correct this year and they have not been correct any year since I have been in this House. They have been shown to-night to be entirely incorrect according to the record. I knew they were incorrect at the time they were made. Let me give this advice to members of the opposition, that when they undertake to criticise technical matters, whether of finance or dredging or the construction of public works of any kind, they will leave that duty to an expert who is conversant at least with the ordinary conditions of the work, and let the lawyers and the doctors do the applauding, for as a rule, I do not think they are competent to do much else in discussing such matters.

INTERMEDIATE TARIFF NEGOTIATONS.

Mr. FOSTER. Before the motion is put I would ask the Minister of Finance if he can give the House any information as to the items that have appeared in the newspapers referring to statements in another place a day or two ago as to pour parlers with reference to the introduction of the intermediate tariff with certain European countries. I notice that this is attracting a good deal of attention and some very positive statements are being made about it in the press.

Mr. FIELDING. There are no formal negotiations on that subject. We are occasionally brought in contact with gentlemen interested in foreign trade who offer suggestions to us as to what might be done in the way of exchange between Canada and other countries. We are always glad to discuss these matters. But there are no formal negotiations of any sort, nothing that could be put before the House, in fact nothing formal at all.

Mr. FOSTER. I suppose that the gentlemen referred to are not accredited, they are business men from these countries.

Mr. FIELDING. If they were accredited, so much the better; but in either case

it would be so very informal that it could not possibly be presented to the House.

Motion agreed to, and House went into Committee of Supply.

Mr. FIELDING. To facilitate progress I shall move that the committee report progress and ask leave to sit again this day. I propose to drop the Bill to amend the Department of Railways and Canals Act. I have information that there are some matters of controversy in it and at this stage a Bill of that kind could only get through with consent. We will discuss the Quebec Bridge Bill and afterwards I shall ask the House to again resolve itself into Committee of Supply.

Progress reported.

QUEBEC BRIDGE COMPANY.

Mr. FIELDING moved the second reading of Bill (No. 169), to authorize a loan to the Quebec Bridge and Railway Company.

Mr. L. ROBITAILLE (Quebec County). I am sorry that such an important Bill is brought up at such a late stage of the session but I shall make my remarks as brief as I possibly can. During the past few years this bridge and railway company has been the subject of much newspaper criticism, and efforts to obtain information about it from the government have failed, because it was said that the bridge company was supposed to look after its affairs and the government did not know or did not seem to know anything. The Quebec Bridge Company was by chapter 69 of the statutes of 1897 revived and confirmed in certain powers which were conferred on it by this House in 1887. Those then promoting it were Hon. S. N. Parent, then mayor of the city of Quebec. Premier of the province of Quebec and president of the bridge company. I shall show how his association with these three corporations gave him easy access to sources of revenue for the support of this wonderful scheme. There were interested with him at that time, Hon. John Sharples, Gaspard Lemoine, and several others not of special interest. In 1899 this same company, owing to pressure which it brought to bear on this government, succeeding in getting a subsidy of $1,000,000 as an encouragement for the building of this bridge. In 1901, after having secured this subsidy, a company was formed called the Quebec Terminal and Railway Company. Associated with Mr. Parent were Hon. John Sharples, E. Taschereau and Gaspard Lemoine. The fifth director required by law is Mr. D'Arcy Scott, the present mayor of Ottawa. To show the close connection existing between the two companies, I shall refer you to the statutes of 1901 and 1903 and to the agreement which they were empowered by parliament to make. One company has the right to deal with another according to the statutes and the powers of both companies are similar.

The second point to which I wish to call the attention of the House is the estimated cost of the bridge. In August 1899, as reported at page 9574 of 'Hansard,' Sir Wilfrid Laurier said that the cost of the bridge would be $4,000,000. This figure was given as the result of the investigations of an expert, Mr. Cooper. Later, in 1903, a statement was made by statute that the estimated cost was not $4,000,000 but $6,866,882. Later on, in 1907, the Minister of Finance stated a day or so ago that the estimated cost would be $7,500,000 to $8,000,000. How is it that the estimated cost for the completion of the bridge on the same plans has varied so at different times? It was even stated that the $8,000,000 would not be sufficient, that something additional might be needed for terminals, and, as I shall explain in a few minutes, the terminals are the most interesting subject of discussion in the city of Quebec. What was the prospect of financing this company? In 1903 they admitted having a subscription list of $200,000 and an authorized capital of $3,000,000. The province of Quebec voted a subsidy of $250,000, the city of Quebec a subsidy of $300,000, and the federal government a subsidy of $1,000,000. That gave a total prospective amount of $1,750,000 in exact figures. What was the actual amount received for construction? A statement is filed somewhere in the sessional papers that the actual paid up capital was $65,000 by the then shareholders. Of that $65,000, $50,000 was actually paid in cash, and some $15,000 represents the paid up shares that were given to the promoters for their attendance, and the trouble they took in forming this company. They were given part of this stock which permits its entry in the books as capital paid on $200,000 of subscribed stock on a million of authorized capital, on a million of federal grant, on a municipal grant of $374,353, with a Quebec city municipal subsidy of $300,000, and Quebec provincial subsidy of $250,000. They have negotiated their own bonds to the extent of $472,000, which they have passed through a local contractor, M. P. Davis, who is well known to be receiving favours of all kinds in the construction of the Transcontinental and of the Quebec bridge, also the Quebec harbour, cribwork, &c.

Mr. TALBOT. When the hon. gentleman says that Mr. Davis is getting all sorts of favours in connection with the construction of the Transcontinental, I would like him to explain what he means.

Mr. ROBITAILLE. I do not wish to delay the House, nor the hon. member for Bellechasse (Mr. Talbot). It is useless for me to discuss with him these points, because there is no good faith in any thing he asks, it is merely to try to sidetrack the

subject. But anybody who reads the newspapers and sees the contracts that are given, whatever you call them, they are favours just the same. You buy a hat from a friend of your own, you give him $3, it is a favour to him to buy the hat. Business is business, a fair exchange is no robbery, and any kind of transaction is a favour to the party with whom you deal. At all events, this is a very minor subject, as well as the hon. gentleman who interrupts me. Now, this M. P. Davis took $472.000 worth of bonds at a discount of 40 per cent, thereby causing a loss to that company of $188,-800 the actual money received was $283,-200, and on a finance of $1,273,217.70 they admit having a floating debt of $779,550 in 1903. Now the value of the work was then estimated at about $1,400,000. That was the estimate of the government engineer, and it is natural to suppose that he was given a hint to make his estimate excessive rather than exact. If on a sum of a million and a quarter there is a difference of $779,000, the shrinkage it about fifty per cent. What guarantee has the government to-day if it lends $6,000,000 ? Judging the future by what we see in the past, a shrinkage of fifty per cent will represent a floating debt of three millions on the six or seven million dollars granted to this company as is proposed by the present Bill.

Now the mismanagement of these funds is due to either of two causes, one is boodle or graft, and the other is incompetency. I am charitable enough to suppose that the latter is the chief cause. What care did the government exercise over the work? It seems to me that if the government lends money, guarantees bonds, &c., it should exercise a supervision over the expenditure of that money. We are told that the Governor in Council is supposed to ascertain the truthfulness of the statements that are brought before him. I do not want to cast any reflection on the government, but I know for a fact that in every business, let it be politically or otherwise, there is always a question of confidence in a minor official by a higher one. The Governor in Council says it is all right, and naturally it is all right in his eyes, and that is all the supervision you have. The government engineer is supposed to exercise the next degree of supervision. Now I have been acquainted with several government employees for eight or nine years, and I know for a fact that it is not advisable for any man holding a public office to show an excessive zeal in the performance of his duties, because he risks his own position by the fact that he probably tramples on the ambitions or on the little schemes that may be floating in the minds of his superior officers.

Mr. TALBOT. How old is the hon. member ?

Mr. ROBILTAILLE. Old enough to know of one case, where the member for Bellechasse was a little while opposed to S. N. Parent, but to-day he is glad to support not only his bridge and its pillars, but any dirty work that needs to be done.

Mr. SPEAKER. The statement that the hon. member for Bellechasse (Mr. Talbot) is ready to support any dirty work, is not parliamentary.

Mr. ROBITAILLE. I will withdraw it. The second point I wish to call to the attention of the Finance Minister, is his own statement which I find in the 'Hansard' of a few days ago, that there was no permanent officer at the works, and no official was sent to look after the works. Well, we know an official who is a brother of the president of that company, a man who keeps a small retail grocery store in my own parish, and who does not know the difference between a cross beam and a purlin in bridge work. He is a very worthy man, but he allows the wool to be pulled over his eyes, and is ready to sign any report that is presented to him. I do not believe that he even gives himself the trouble to go to the bridge, but the papers are sent to his place to be signed.

Another important question. The company has power to work with terminals, this company has the power as I said before, by statute to transact business with that Quebec Terminal Company. Now what is the operation ? Both are interested parties, the one company is the same as the other. The Quebec Bridge Company gets a guarantee from the government, gets money from the government, and buys property from the Quebec Terminal Company, who has options all along from the bridge to the entry of the city, and they will buy at an enhanced price which the said terminal company will fix, and the bridge company will be too glad to purchase, because the chief officials will be buying their own property. And what control has the government over its own buying their own property. And what control has the government over its own moneys paid out to these people? What guarantee have they got that their money will be well expended ? Now they have to come to parliament, as in 1903, and ask parliament to help them out of a floating debt of $779,000. I can guarantee that the floating debt will be found much greater. The government has no correspondence relative to the terminals. It was also stated by the premier himself in January that the entry to the city of Quebec was left to the good-will and discretion of the Bridge Company who actually naturally operate things more to their advantage than to the general advantage of Canada.

Not very long ago the president of the company came down to one of my most loyal supporters and as they were walking along St. Peter street in Quebec, he was depicting to him the speculative possibilities if such and such a property were pur-

chased, trying to draw him into the ring. What is the use, he said, of lagging behind and supporting a man who cannot give you anything? We see in the local newspapers a discussion relative to the disadvantages of the proposed entry and terminals in the city of Quebec which the railways do not want to support. The fact that the railway companies do not approve of the proposed plan explains why the Minister of Finance not long ago stated in this House that the scheme by which the railway companies were to have full control of the bridge had not proved successful, and that the government found it necessary to finance the project in order to execute the work. The real reason was that the railway facilities which the bridge company want to give the city of Quebec are not adequate having regard to what the port is going to be. The entry which is now used by way of the valley of the St. Charles and leading down to the river front where the Louise docks and the immigration buildings are, and where the Allan and Dominion liners and the Empress land is the natural entry which has been chosen by the railway and steamship companies instead of coming by a roundabout way and bringing the tracks down by way of the St. Lawrence river front where all kinds of topographical and engineering difficulties are encountered, where they have to cut away the rock, where they have to construct cement work, iron and channel work in order to get down to the river front. Any one who will go down to Quebec city and drive in a caleche along the proposed terminal line will find there are places at which two rigs cannot pass side by side, and how can you expect the wonderful traffic which is predicted for the future and which will be handled by eighteen or nineteen railways having their own sidings and tracks to come into the city if natural space be so limited? A grant of fifty feet of land to the Ross Rifle Company has stirred up the city of Quebec, and has caused a huge deputation to come here to remonstrate with the government. The city of Quebec is aware of the speculative provisions of this bridge company. As to the line of the bridge company the government will have no more control over it in the future than it has had in the past. If the country is disposed to hand out $20,000,000 for the development of the port of Quebec, the government should see that the money is expended advantageously with respect to railway facilities because it is possible that the money may be squandered to such an extent that the amounts required to finish these works may not be granted and when the railway companies decide to make the port further down where to-day a large amount of business is handled then Quebec may find that they have lost their opportunity as being a national port. Why have not these bonds been negotiated? We know that they have not been offered for sale. It is because there is no financier abroad who will take the prospectus of a company which says that with $65,000 of capital actually paid up by the subscribers they can incur a liability to the extent of $8,000,000. Before long you will see whether my words come true that the bridge and the terminals will not cost very far from $15,000.000 to $20,000,000. At all events, I desire to enter my protest against the adoption of this proposed loan and ask the government to take over the works and complete them. It is not my intention to extend my remarks on this question. I have placed before hon. members as succinctly as I could the reasons why I object to this grant. The government have the right by statute, if they are not satisfied with the present operation, to take the bridge over and not ask the permission even of the bridge company. It states in this special statute, chapter 54, 1903, that:

> Notwithstanding anything contained in the five next preceding clauses, the undertaking, assets, property and franchises of the company shall at all times be and remain the absolute property of the government and the sole right of control and management shall be and continue absolutely vested in the government.

If the government is really interested in giving to Quebec satisfactory railway facilities such as independent engineers will recommend and not allow the terminal system to be controlled and handicapped and operated by a private concern which is more graft than a real advantage to Canada, it should proceed upon the lines which I am now suggesting. I am aware that the railway companies will never use the tracks which are now being constructed. They will not oppose them because that would not be a wise policy for them to pursue. Every day they have to deal with the Railway Commission and with the Transcontinental Railway Commission, the chairmen of these commissions are vested with large powers and these commissions can make things uneasy for these railways in the daily transactions that they have with them. These two boards seem to have absolutely autocratic power in this country. I know that these arguments are useless notwithstanding the fact that we are supposed to be enjoying constitutional rights in this country. There is no country in the world where despotism is more prevalent than it is in this parliament. In Russia or anywhere else where the people have not representative government and constitutional rights they are aware of the methods of legislation and of government and they therefore expect harsh treatment, but here in Canada to-day we have only a sham constitutional or representative government. It is not according to the ordinary conceptions of what

constitutional government means. So, I say that it is useless to discuss any of the issues if you differ from the majority on one side, or another, let it be Liberal or Conservative. It is immaterial. Whichever party is in power secures a good strong majority and it is satisfactory to them to retain a certain policy irrespective of whether it is to the advantage of Canada or not if it favours the interests of certain party supporters, certain men who, at election time, can hand out funds to be used against a particular candidate, and, if it favours any particular politician by giving him an opportunity to invest in companies under a blank name and to make a few dollars for himself, so that if he comes into the ministry in four or five years afterwards he can say, I am going out of politics a poor man, but when he dies we find that there is $400,000 or $500,000 on his balance sheet. I hope the House will excuse me for having delayed it a little longer than I expected. At all events my duty is performed to my city and to the riding in which these works are located. I am not against the work but I want it to be done to the advantage of Canada as well as to the advantage of the city and at a cost compatible to proposed work——

An hon. MEMBER. Oh.

Mr. FOSTER. That is all right.

Mr. ROBITAILLE. I know it is all right. But some words that are not customarily used in the prize ring or on the street strike the hon. member as wrong. With these critics even a slip of the tongue is not permitted, or an unconsidered remark is met with a threat to slap the mouth of the man who makes it. I am satisfied with what I have said.

I desire to ask the Postmaster General (Mr. Lemieux) this: When he took part in an election in Quebec county and supported a gentleman running in opposition to one who is now a member of this House was he aware that he was supporting the schemes and plans of this same man whom he (Mr. Lemieux) was so eager to guarantee federal support for local ministers to force a rival out of the provincial premiership. Was he willingly a party to these schemes of saw-offs and legal whitewashing of political friends by which this man sought to establish himself as a dominating influence in his party. Was he among those who said that this same man had to be translated to a higher sphere in order that he might do more work and better for his party in organization, wire pulling and collecting funds for election in the province of Quebec? We know that this man has been translated to a higher sphere, and that he has been increasing in popularity with parties whom he has assisted in obtaining political patronage, both federal and provincial. Is the Postmaster General a party to promoting the following of this man a following made up of blood suckers and money grabbers? I fully realize the effect of my present attitude on the next general election. But I am indifferent to these considerations which seem so important to the hon. gentleman. If the people of Canada do not believe in choosing a representative who will claim his rights as a man to express his personal views, to declare his own convictions in this parliament, to support what he honestly believes to be to the advantage of the public, then, for my part, I have no wish to represent them. And if I am to learn that my views of the duties of a public representative and those of the people do not now coincide it is better that I should learn it now when I am young and drop out of public life when I can do so with no injury and little disappointment. Far better so than to go on, as so many have done until at forty-five or fifty years of age, having devoted themselves to politics as a career, and have abandoned other business, they find that, for some little cause of dissatisfaction they have given the leaders of their party, they are forced out of public life. If my utterance here means my political death, I am ready; I would rather meet it as a young man than later. I know the efforts, the strategy, the pull, the weight, the financial backing of this organization. But it is immaterial to me. I have done my duty. Next session this question will be brought up again and I shall have engineering figures and other statistics to show that what I contend for in the case of this work is true—that the work will cost three, four or five times the present prevision for both bridge and terminals. And all this has to be paid for. The money does not all come out of the city of Quebec nor out of the province of Quebec; the burden must fall upon the whole Dominion.

Mr. SPROULE. When this subject was discussed on a former occasion, the acting Minister of Railways (Mr. Fielding) was good enough to promise to give us some information with regard to it.

Hon. W. S. FIELDING (Minister of Finance.) I took note of the questions asked by the hon. gentleman opposite—which were fair and reasonable questions—and procured a report to be made by the inspecting engineer of the Department of Railways and Canals covering the ground which, as I understand it, hon. gentlemen desire to have covered. This is the report of Mr. E. V. Johnston, inspecting engineer as follows:

Ottawa, April 22, 1907.

M. J. Butler, Esq.,
Chief engineer,
Department of Railways and Canals.

Sir,—I beg to submit, for your information, the following statement in connection with the Quebec Bridge and Railway Company's works.

This statement embraces the approaches on both sides of the St. Lawrence river and the superstructure of the main bridge.

Total cost of works to March 31, 1907	$4,415,598 01
Made up as follows :	
Phœnix Bridge Company's estimate	$3,053,023 77
M. P. Davis' estimate for work on approaches	734,136 96
Engineering pay-rolls, right of way and contingent expenses.	628,437 28
Total	$4,415,598 01

Details of Phœnix Bridge Company's estimate:

Metal rolled at mills, pounds, 70,303,547	$1,828,411 83
Metal manufactured at shops, pounds, 63,081,529	647,011 49
Metal delivered at bridge site, pounds, 33,649,344	168,145 85
Metal erected, pounds, 31,540,451.	427,687 00
Timber delivered	2,667 60
Total	$4,073,923 77
Less retained for unbolting riveting, &c.	20,900 00
Amount of estimate	$3,053,023 77

Details of M. P. Davis' estimate :

Earth excavation, cubic yards, 330,075	$ 82,518 75
Rock excavation, cubic yards, 116,905	196,050 50
Concrete arch culverts, cubic yards, 3,461	34,610 00
Other line works	49,838 70
Chaudière bridge	208,052 08
St. Nicholas road bridge	22,778 56
Highway bridges in north approach	79,693 97
Materials delivered	60,594 40
Total	$ 734,136 96

The third item, $628,437.28, includes salaries of staff, office expenses, cost of right of way, customs' duties, &c.

The Phœnix Bridge Company's estimate I have regularly checked with the monthly statements of our own checking officer, Mr. Tomney, stationed at Phœnixville.

The M. P. Davis' estimate comprises work done on the two approaches, amounting to about nine (9) miles of very expensive railway construction, that on the south side being about 2½ miles, extending from the bridge abutment to the junction with the Intercolonial Railway, and that on the north side about 6½ miles from the north abutment to Quebec city.

Work on the south approach consists of a large amount of rock excavation, very heavy embankments ; the costly steel bridge over the Chaudière river, a 20 feet concrete arch, and several smaller concrete arches, the high bridge over St. Nicholas road with massive concrete abutments and steel superstructure and other works entering into railway construction. This work is practically completed.

On the north approach there is also a large amount of rock cutting and heavy embankments. A number of highways are crossed by overhead bridges of steel and concrete. This work is well advanced, rock work being nearly completed and concrete abutments built in a number of the road crossings.

Mr. FIELDING.

I have verified these estimates by examining the engineers' field notes and office records, from month to month, and by periodical inspections of the works, as far as practicable, once each month during the progress of construction.

As to general expenses under the head of engineering pay-rolls, &c., &c., the company furnished each month original vouchers for every item of expenditure. These I have personally examined and checked with the company's monthly statement submitted to the department, and found them to cover, in my opinion, only reasonable and necessary disbursements in connection with the bridge and railway works.

During the last year good progress has been made in the erection of the main bridge, the heaviest of its class ever undertaken.

The two shore spans, the south anchor span and canteliver arm are completed and there remains now to erect the north anchor span, cantilever arm and the suspended span.

The amount—$4,415,598.01—given as the total cost of works to March 31, represents the gross cost ; from this has been retained as drawback ten per cent (10 per 100) from M. P. Davis' estimate and $100,000 from the Phœnix Bridge Company's estimate, hence the actual net expenditure, on which the bond issue has been based, as follows :

Phœnix Bridge Company's estimate	$2,953,023 77
M. P. Davis' estimate	660,723 26
Engineering pay-rolls, right of way and contingent expenses.	628,437 28
Total net expenditure.	$4,242,184 31

I have the honour to be, Sir,
Your obedient servant,
E. V. JOHNSON,
Inspecting engineer.

I gave instructions that the various questions put should be inquired into, and, as far as I know, this furnishes all the information that was asked for.

Mr. SPROULE. I have only this observation to make, that a statement handed to us at the last moment, when we had no time to look into it or analyse it, is hardly satisfactory. That is scarcely fair to the House or to those who desire to look carefully into the Bill.

Mr. ALEX. MARTIN. Will the minister give us the total length of this bridge ?

Mr. FIELDING. 3,300 feet is the length of the bridge.

Mr. J. T. SCHELL. I would like to ask the hon. minister why the government do not take over the bridge, under the powers conferred on them by the Act of 1903, and build it as a government work; because they will be obliged to take it over after this money is spent? That would stop all cause for remarks such as those made a few moments ago.

Mr. FIELDING. I may say to my hon. friend that I explained that very fully at a previous stage—I do not know whether he was in the House or not. The reason why

we have not done that at once is that the government have entered into negotiations with a number of the railway companies with a view to forming a terminal company in which the various railways which may use the bridge would be interested; and if that company be formed, the government will either take over the bridge and lease it to the terminal company or transfer it to them in some other way. The idea of the government is that the terminal company, if formed, should have the management and operation of the bridge, and that pending the accomplishment of that end, we should assist the bridge company by becoming its banker and lending it the money instead of guaranteeing its bonds.

Mr. ARMAND LAVERGNE. What guarantee has the government for the repayment of the loan that it proposes to make instead of endorsing the bonds?

Mr. FIELDING. Instead of issuing the bonds, we propose to put them into our treasury, and we will lend the company the money just as we do in the case of the Harbour Commissioners of Montreal.

Mr. ARMAND LAVERGNE. Would that not be a good argument for taking over the bridge as a government property?

Mr. FIELDING. Ultimately, when we have time to mature the scheme, the government will no doubt exercise the power to take over the bridge; but the question will then arise whether the government will undertake the management and operation of the bridge themselves, or whether it would not be in the interest of the trade of the country to lease it to a terminal company which it is hoped will be formed. It seems to me that if we could induce the various railway companies, with their experience and practical knowledge of such things, to form a terminal company to take the bridge by lease or in some other way and manage and operate it, that would be a desirable thing. We may not be able to accomplish it.

Mr. MORIN. I would like to tell the Minister of Railways that the government would be saving money if they would take the bridge over now. Some years ago the minister stated in this House that the government had the right to take over the bridge before its construction or during construction or after its completion, by paying the company 6 per cent of interest on their money and 10 per cent of a premium. The two would equal 16 per cent, which the government would save if they would take the bridge over now.

Mr. FOSTER. Mr. Speaker, before you leave the chair, I wish to protest as strongly as possible against a piece of legislation like this being brought down, and late too, in the night preceding what is expected to be the day of prorogation.

Mr. FIELDING. It is not brought down to-night. It has been on the order paper many days.

Mr. FOSTER. I suppose it is possible to put a measure on the order paper a week after the session opens, and then leave it until the very last before giving any explanation or information, and then plead that you have done your whole duty because you gave notice that a Bill would be brought in.

Mr. FIELDING. It was discussed many days ago.

Mr. FOSTER. And without any information. To-night is the first time that any specific information has been given. The other night the Minister of Finance had not the information and when we asked him for it, he had to promise that he would get it. He agreed that it was perfectly proper that this information should be given, but he had not taken the precautioin to get it.

Mr. FIELDING. It was not necessary.

Mr. FOSTER. If the government had been dealing with this legislation as they should have been, would it not have been like business and treating this House with respect, for the Finance Minister, or whoever was charged with it, to have had this information months ago and laid it before the House, so that the House would have been informed with regard to the whole matter? But he comes without a shred of information that is authentic until just five minutes before he wishes to go into committee on the Bill, and until we are within the shadow of prorogation.

Mr. FIELDING. That is a very unfair statement. The hon. gentleman will find that I gave plenty of information.

Mr. FOSTER. The hon. gentleman need not say that. My statement will approve itself to the country. The other evening the Finance Minister, while he made a note of the questions asked, admitted that he had not the information, but that it was fair that the information should be given and promised that he would get it. He did not even bestir himself to give us the information a day or more before the matter came up for final decision, but throws it on the table just five minutes before we are going into committee on the subject. No man can take a statement like that and analyse it sufficiently to discuss that question as it should be discussed unless there is some little time to do it. Here you are proposing to do a most extraordinary thing. Here is a company without any capital. What is a capital of a few thousand dollars as compared with the $8,000,000 or $10,000,000 which it will take to complete the work? The men who went into the undertaking, for whatever purpose they went into it, put

nothing adequate into it. All they put in was a few thousand dollars compared with $8,000,000 or $10,000,000. Surely the investment of a few thousand dollars is no substantial basis on which to warrant their going to capitalists or to the government and asking for a vast amount such as $10,000,000. These gentlemen went into this as a private speculation. They have their own ways of doing it; they have their own purposes; they have sufficient influence with the government to get their bonds guaranteed, and after proceeding a certain length of time they have sufficent influence with the government for getting a loan of $6,000,000 or $7,000,000. It is a tremendous undertaking. And now, at the dying hours of the session, we are called upon to discuss and decide as to whether under the conditions laid down in this Bill we will make a loan of $7,000,000 to a few men who have subscribed in capital but some few thousand dollars. What do we get in return ? My young friend (Mr. Robitaille) asked what was the security? The security is simply paper. All you have is a paper security. And a security represented by what? Represented by something which is not built, and you are giving the money in order to build it. You are not even taking the supervision of it, which is essential and fairly protective. You are putting the whole expenditure of this money into the hands of a few people, and they are not under the same bond with reference to you that a commission would be. Here is a company which has subscribed a little money and then has influence enough to get $6,000,000 or $7,000,000 from this government. The government have no reply. They know they are furnishing all the money. They are building the bridge although they are not making the profit. Somebody else who steps in between makes all the profit. My hon. friend has made some statements which I think are worthy of investigation. I thought they were worthy of a reply by members of the government, but not one of them has felt it worth while to reply to these statements made by an hon. gentleman who professes to have knowledge of the circumstances and who has made his statement in good faith as a member of parliament. We have on this slender basis the credit of the country pledged and the money of the country poured out to the tune of $8,000,000 or $9,000,000, and yet there is no finality in the plans or the purposes of the government. When asked a simply question by one of the members of their own party, when asked why, since they are furnishing all the money, they do not build the bridge themselves, the answer was that their negotiations were not complete. They might get this kind of a company and they might get that kind, but what they will get they do not know. Whether they will get any company at all or not they do not know. This thing has been before the government for years. They have known for years that these men were not putting their own money into it; that they were working for their own profit and advantage, on the credit of the government; that whenever they wanted the money of the government all they had to do was to ask for it, and they could go on working with the money of the government as they are doing to-day—yet not a single thing has been brought to a completion as regards this terminal question and no negotiations have been brought to completion with the railways which will use it. It is well known what railways, if any, will use it, yet the government has not a complete plan with reference to it. They shove out the people's money, $6,000,000 or $8,000,000 put it into the hands of a company who have invested only a few thousand dollars of their own in the undertaking and who get all the profits, who have all the management, and, so far as we can see, manage it as they please. The government is going to try to make some arrangement with a terminal company, but in the meantime independent people are managing this as they please, and the government simply provides the money and has in return some little certificate provision with reference to engineering supervision. I would ask the Minister of Finance whether in all this expenditure made with the government's credit and money there is any audit of these gentlemen's accounts by an officer of the Dominion government, or are they simply allowed to dispose of their bonds at what prices they please, and to expend the money in whatever way they please without any audit except their own? Surely if there ever was a case for having the expenditure of government money thoroughly audited by a government auditor this is one. It may be that the Minister of Finance has arranged for such an audit. I would like to know whether that is so or not.

Mr. FIELDING. I will let the hon. gentleman finish.

Mr. FOSTER. I think I have finished until we go into committee. I rose to make a protest against this kind of legislation. I do not know that ever we have had similar legislation in the history of this parliament, and it does seem to me that, particularly in this instance, there is complete disregard of all the safeguards of proper legislation. Certainly the safeguards of proper legislation are thorough information and plenty of time to digest that information so that we may come to wise conclusions. But what conclusions can we come to now on any basis of wide or digested information? My hon. friend from Grey has a quick intellect and a ready grasp of information, but when we throw before him a statement such as this, within a few minutes of the decision of the question, I do not think he

is able to come to a conclusion on that information.

Mr. SPROULE. The information here given simply consists of estimates. This document does not give the actual figures of the work done. It reads as follows:

I beg to submit, for your information, the following statement in connection with the Quebec Bridge and Railway Company's works. This statement embraces the approaches on both sides of the St. Lawrence river and the superstructure of the main bridge.

Total cost of works to March 31, 1907, $4,415,-598.01.

Made up as follows :

Phœnix Bridge Company's estimate.$3,053,023.77

There is no data of the actual expenditure, but simply an estimate. What I want to know is the actual expenditure that went into the work, because if the information we get is correct, a great deal of the money said to have been spent never went into the work at all, but into the hands of interested parties. What I desire to know is the amount of money that went into the work.

Mr. TALBOT. You get that a little further.

Mr. SPROULE. That is all estimates. The Phœnix Bridge Company's estimate is $3,053,025—$3,000,000 out of $4,000,000 is made up of an estimate.

Mr. TALBOT. There are details further on.

Mr. SPROULE. Mr. M. P. Davis' estimate is equally vague.

Mr. TALBOT. You will get explanations further on.

Mr. SPROULE. Yes, I am going to deal with them further on. What we required was definite information of the actual expenditure on that work up to the present time. There is nothing like detailed information such as we would require in order to verify the expenditure. In the details of M. P. Davis' estimate we have such items as earth excavated, cubic yards, 330,075, an estimate not giving any accounts of what was actually done, and it is the same with other parts of this estimate. Here is an item, 'other lines of work, $49,838.' 'Other lines of work'—that is valuable, definite information which would enable one to judge whether there is a return for every dollar.

Mr. TALBOT. Is not that certified by a government engineer ?

Mr. SPROULE. What is the value of a certificate when I see 'other lines of work, $49,830.' We should know something about this, so that we would be enabled to judge whether the expenditure was properly made or whether it was greater than it should have been.

It refers here to nine miles of very expensive railway construction. We are told that if a proper route had been taken it would not have been nine miles of very expensive railway construction but nine miles of moderate railway construction.

Mr. TALBOT. Who says that ?

Mr. SPROULE. I am not going to tell the hon. gentleman who says that. It is as far as I know, reliable information from parties living in the locality who ought to know.

Mr. TALBOT. No reliable man ever said that.

Mr. SPROULE. No reliable man ever said that ? That is a venture without knowledge which is absolutely valueless because the reliability of that man may be quite as good as that of the hon. member who is denying it, and his intelligence may be very much better.

Mr. TALBOT. Let us have the name.

Mr. SPROULE. I have been told—I do not know whether it is correct or not—that the whole design was that friends of the government and friends of the enterprise managed to secure property in a certain locality and then they afterwards, with their influence, brought the railway along through it at very much greater expense to the country, with the result of enhancing the value of that property out of which they hoped to make money in the future.

Mr. TALBOT. You are referring to the St. Charles branch of the Intercolonial Railway ?

Mr. SPROULE. I am referring to the statement I have made. I want to get some information so that I can verify my information, but I regret to say that I have not obtained it. Reference is made farther down to verifying statement by the engineer's field notes. Is there no better criterion than that ? Are there not the actual accounts paid for work done ? Engineer's field notes—these things do not always pan out in accordance with the engineer's field notes. How do we know the work was done exactly as laid down in the engineer's field notes ? Surely we have not been given the information the House should have to enable us to ascertain whether the money has actually been put into the work that is represented to have been. The pay-rolls ought to have been copied instead of estimates of them being given. We ought to have other things as well. I asked how much of this is actually paid how much bonds have been issued for the payment, how much has been lost on this bond issue, where it has gone to, who has received it, and whether there was anything put into this work, which will ultimately I presume belong to the country, which represents a loss that has

been sustained on that bond issue; is there any debt hanging over it? I asked what is the difference between the estimated cost of the bridge itself and the actual cost as ascertained up to the present time. We have no information on these points, therefore we cannot determine whether the enterprise has been wisely or unwisely conducted. I asked again for an estimate from some reliable source as to what was required to build this work provided it was taken over by the government, but we have no information about that. So I say we have no information that would justify us in acceding to the proposal of the government to provide $6,000,000 for this bridge. In the absence of this information we could not do our duty as we should, and we are left under the conviction that there has taken place here the most scandalous work that has ever been done on a public work in the Dominion of Canada.

Motion agreed to, and House went into committee.

Mr. FIELDING. The fallacy running through the whole speech of the hon. member for North Toronto, and it is a very serious fallacy, is that we are now entering upon some new obligation in regard to the Quebec bridge, that we are shovelling out money, that we are imposing upon this country some tremendous obligation at this midnight hour which the country never heard of before. There is not one penny added to the obligations of Canada by this Bill before the House. If the Bill did not pass, the obligations of Canada are precisely the same. Now there is the vital point. If we were coming here with some new project, with a matter that had not been heard of before, and asking the country to commit itself to some large obligation, there would be some force in the hon. gentleman's observations. But when the fact is that there is no new obligation, when the fact is that there is an obligation resting upon the government for some years, and that we are merely changing the form of that obligation without adding one cent to it, how very ridiculous the speech of the hon. member for North Toronto must appear.

Mr. SAM. HUGHES. In both cases, we do not assume responsibility while the other party has the control and the profit?

Mr. FIELDING. Nobody has shown here that the other party has made any profit. As to the question of control, that also is one of the delusions of hon. gentlemen opposite. I say again, and that is the most important point in the whole transaction, that practically we are not to-night, by this legislation, adding one cent to the obligations of the Dominion of Canada.

Mr. SPROULE. But are we ensuring the completion of the work by this obligation? Have we any assurance that they will not come back a year or two hence asking us for aid to complete?

Mr. FIELDING. Possibly, but that would be no reason why we should not do this thing to-night. We are committing ourselves to the exact number of dollars and cents that we committed ourselves to four years ago, and not one cent more.

Mr. SPROULE. What was the estimate of the cost of this bridge when we committed ourselves to this obligation?

Mr. FIELDING. When I presented the Bill three or four years ago I gave the figures from an authority in the department, and the estimate furnished then was $7,503,725. That was an estimate of the probable obligation. We have a statement now that the cost will somewhat exceed that; the present estimate is, in round numbers, about eight million dollars, and I gave in a previous discussion the reasons for the increase. But suppose we have to come forward, by and by, and ask for a further grant; it is quite possible. Large works of this kind often cost more than was anticipated. Is that any reason why we should not meet the situation to-day? It is about as reasonable as to say that a man should not order his breakfast on Monday morning for fear that he might not get a bill made out of what he was going to eat on the following Saturday night.

Mr. SPROULE. Ought we not to know how that money has been applied before we undertake further obligations?

Mr. FIELDING. Perfectly reasonable, if my hon. friends would confine themselves to that. But when they start in here talking about the new obligations, about shovelling out money, when they tell us of grave scandals in connection with these improvements and are not prepared to point to a single fact indicating scandal, I say that is not a fair way to discuss a measure of this kind. Take one or two more points. The hon. member for North Toronto said, there is no provision for supervision. Is that a fair statement? What are the facts? Before they can commit the country or this fund to one dollar, plans and specifications have to be submitted to the government and approved. Then there is no provision for a competent engineer, he says: A gentleman who has been thirty-seven years in the service of the government of Canada, and who has dealt with many millions of dollars of works, is exercising supervision over this work. But will the hon. gentleman define what kind of supervision he means? Does he mean supervision to see that the work is properly constructed, or does he mean a supervision over the expenditure?

Mr. FOSTER. Supervision of both.

Mr. FIELDING. The largest item in this whole transaction is for the manufacturer of the steel bridge, which is done at a place in the United States. It is a question of weight. You pay for the bridge according to weight. The only thing to supervise is to see that you get the exact weight, and for that purpose we have an officer of the government who camps at the works and weighs every pound of steel that is charged against this fund. What better supervision can you have than that? So much then with regard to the biggest item. Then with regard to the substructure. That is a matter of inspection by the railway engineer, who goes from time to time and examines the work, who measures the work, and can tell you in the ordinary way of engineers whether the value is that which is placed upon it. This gentleman, who is a competent engineer, goes down from time to time and examines the work, and if he certifies, in the light of his thirty-seven years experience, that every dollar of the expenditure correct should they not be entitled to their money? Then, there remains the question of engineering, pay-rolls and various other charges, and he tells us that he has examined every voucher, that he had an opportunity to examine them, that he did examine them and he certifies that they are all right, that they cover only such reasonable and proper charges as should be made against a work of that kind. So, you have all reasonable and proper supervision and the statement that there is no supervision is entirely unwarranted.

Mr. SPROULE. I would like to ask the hon. minister if he remembers an engineer who was supervising the business on the Cornwall canal and who recommended the payment of a certain sum of money and that by the action of the Auditor General it was cut down by some $29,000?

Mr. LENNOX. And it was the same Mr. Davis.

Mr. SPROULE. The same Mr. Davis.

Mr. FIELDING. Suppose it were so, there is no evidence here that the engineer had done wrong. The engineer who certified to that was the engineer of the Department of Railways and Canals, Mr. Collingwood Schreiber, and if the hon. gentleman wants to assail the record and standing of Mr. Schreiber I want to say he is not justified in doing it.

Mr. SPROULE. But the minister gives the fact that an engineer belonging to the government supervises this work as a guarantee that it must be right.

Mr. FIELDING. There is no system of human supervision that will not depend upon the honesty of the officer. You cannot conduct public business without trusting some one, and if you have the certificate of a man of high standing and long experience in the public service you would be justified in accepting it. Suppose that Mr. Schreiber were a scoundrel and that he would be guilty of rascality in connection with the transaction to which my hon. friend refers, is that any reason why you should cast a reflection upon another man? I do not understand why a man who has been thirty-seven years in the public service should be challenged or why you should say that he is not beyond suspicion. Then the hon. member for North Toronto said that they may dispose of the bonds as they please. May they? Does he know that they have not disposed of a dollar of the bonds? Does he not know that this Act says that they shall not dispose of a dollar of these bonds, but that they must put these bonds in the hands of the Minister of Finance? Why has he tried to mislead the country by saying that we leave them to deal with the bonds as they please? It is not a fair criticism. The hon. member for East Grey is apprehensive about the use of the word 'estimate.' He says that it is not a certificate, but that it is only an estimate of the Phœnix Bridge Company and he asks what such an estimate is good for. My hon. friend falls into a mistake there. The word 'estimate' in this respect is an engineering term which refers to actual expenditure on the work.

Mr. SPROULE. Why did the engineer find it necessary to say in one case: I have verified by the actual pay-roll these items and vouchers and in the other that it is an estimate?

Mr. FIELDING. The reason why he would examine the pay-rolls and vouchers in relation to the engineering and clerical service is because you can get at the facts by examining the vouchers, but in the case of the great body of this work, which is a steel superstructure, all you want to know is how many pounds of steel went into the work and nothing else, and if you have the certificate of the man who stands in the place at Phœnixville, Pa., and sees every pound of steel that goes on the scale, that is all you want.

Mr. SPROULE. Apply that to the right of way.

Mr. FIELDING. My hon. friend's complaint comes down to this, that we have not in this report given a copy of every voucher and every single dollar separately.

Mr. SPROULE. I do not ask for anything of the kind.

Mr. FIELDING. Surely when a statement of this kind is asked for, it must be a general statement, classifying the differ-

ent works and services, and when the engineer says that so much work has been done on the superstructure and so much on the substructure, I think that is a fair and reasonable statement. If there was any ground for suspicion that there was anything wrong, my hon. friend would be justified in seeking another statement. But, there is nothing to warrant any such suspicion. I thought the information which I gave at first was all that was necessary for the purpose, but my hon. friend asked a question which seemed fair and reasonable and I was happy to answer him. I did not think this information was necessary because we were not creating a new obligation. We owe this money and whether we owe it in the shape of a loan or an endorsed note it makes no difference; our obligation is the same. All we do is to allow them to place their bonds in our strong box and loan them money on them just as we did with the Harbour Commissioners of Montreal. Our obligation is no more and no less. We retained good security before and we are not doing anything more now. There is no change in the present situation as far as the government of Canada is concerned.

Mr. SPROULE. Do you think it would be well for the House to consider whether it would not be wise for the government to take over the work and control it and know that every dollar that the country raises will go into it ? We may have to do it in the future.

Mr. FIELDING. Yes.

Mr. SPROULE. And we are going on with this expenditure, allowing it to drip through the hands of others who may misapply it, and if there is any misapplication of that money the country will lose it. We might be obliged to take it over and raise more money by bonds or a loan to finish the work.

Mr. FIELDING. I think we shall probably take it over later.

Mr. SPROULE. If that is in anticipation, the earlier we do it the better. The more money we will save and the less risk we will run.

Mr. FIELDING. I thought I gave my hon. friend good reasons for it, but perhaps he was not convinced.

Mr. ROBITAILLE. How can the minister explain the different estimates ? There are three different estimates. One was made by Sir Wilfrid in 1899 from the report of an engineer named Cooper that it would cost $4,000,000, and it was estimated in the statutes of 1903 that it would cost $6,866,882.

Mr. FIELDING. I will answer my hon. friend at once. I cannot give any information as to an estimate made by Sir Wilfrid Laurier years ago. But of course the hon. gentleman knows that all great enterprises of this kind are likely to be under estimated at the beginning. When the matter was first taken up and represented by hon. members from the city of Quebec, we were willing to make a grant of $1,000,000, which was thought at that time to be a large and generous grant. At that time, apparently, the engineers had not fully estimated the cost of the work. When we found that the work was going to be a very expensive one, we saw that our grant of $1,000,000 would not be any help. We cancelled it after paying $370,000 and adopted the new form. I do not know the source of the information given by Sir Wilfrid Laurier in the words which the hon. gentleman (Mr. Robitaille) now reads, but he must have got them from some engineer—Sir Wilfrid, not being an expert in these matters could not have undertaken himself to make an estimate of that kind.

Mr. LENNOX. We must only hold the minister responsible in this matter, and it will probably have to be gone through with. But I would like to ascertain some facts, and if they were stripped of eloquence they would be none the less welcome to me. I understand that the total amount said to have been paid up to 31st of March last, was $4,415,000. I understand that that covers every disbursement in connection with this bridge and the terminals. Is that correct ?

Mr. FIELDING. I would have to have the figures to answer that.

Mr. LENNOX. But the figures have been given, and I want to know what they cover. Does this include all the expenditure up to March 31 ?

Mr. FIELDING. I would rather answer in the words of the engineer's report. It says :

> This statement embraces the approaches on both sides of the St. Lawrence river and the superstructure of the main bridge. The substructure had been completed when the Bill of 1903, was passed. So, without the substructure, the expense was $4,242,184.31 net.

Mr. LENNOX. And with the substructure ?

Mr. FIELDING. The company's statement of the total outlay, including balance due to the banks on March 1 showed a total expenditure of $5,422,238.38. If you compare that with the amount of the bond issue, you will find that there is a difference of about $1,255,000 which is the sum that will be available under this arrangement for carrying on the work for the next year or so until further steps are taken.

Mr. LENNOX. This $5,422,238.38 represents all the moneys that have been paid out, as I understand ?

Mr. FIELDING. Yes. That covers the total outlay, including the indebtedness to the bank.

Mr. LENNOX. That is, they got their money out of the bank and paid it out ?

Mr. FIELDING. Yes.

Mr. LENNOX. But I understand that outside of this there are liabilities ?

Mr. FIELDING. I understand that represents everthing.

Mr. LENNOX. Everything ? Are there no liabilities ? For instance, is there not a further amount to go to contractors ?

Mr. FIELDING. For work to be done—yes.

Mr. LENNOX. No, but for work done up to the present time ?

Mr. FIELDING. As the work progresses more money will have to be paid.

Mr. LENNOX. Is there in addition, a certain amount of drawback, 10 per cent or something like that ?

Mr. FIELDING. No, in Mr. Johnson's report he alluded to the drawback, but in the memorandum I have, showing the total expenditure that is not mentioned, and I am not quite sure how that stands.

Mr. LENNOX. I would like to know that. What I want to know is this : Is the minister perfectly sure that he has the information which will justify him in saying that, up to the present time, the money which is represented to have been put into the construction of that bridge has actually gone into it fairly and honestly.

Mr. FIELDING. I am bound to tell my hon. friend in all frankness that I have no reason to doubt. Some work was done years ago before the present officials had charge of it. I never heard that it was not done in the same way as that under the present officials. If hon. gentlemen opposite know anything to the contrary, their knowledge is greater than mine.

Mr. LENNOX. I know nothing of it. But I understand it to be my duty to have some basis of information for my action in this matter. And I venture to suggest that it is the duty of the minister, before bringing this matter before us, to ascertain that the money which was represented as having been expended in the construction of this bridge has not been frittered away on other objects. Having first granted that subsidy and then, within a very short time, guaranteed the expenditure it is the duty of the government to keep close watch upon what was being done, so that they might be able to tell parliament that the money we have guaranteed, every dollar of it, has gone honestly into this work. If the government does not know that, it is not in a position to come before parliament and ask it to pass this Bill. The minister might as well understand that he will not be in a very fortunate position if, when this matter is looked into—as it must be looked into at last—it appears that of this $5,422,238 a considerable portion has not been expended bona fide upon this work. That is what I would like the minister to answer specifically—can he assure the committee that he has sufficient knowledge to enable him to say that there has been an honest expenditure of this money ?

Mr. FIELDING. Will the hon. gentleman (Mr. Lennox) tell me how it is possible for me, as acting Minister of Railways and Canals, or how it could have been possible for my predecessor to know these things except from the reports of the engineers ? If the engineers who are in the public service have deceived us, if somebody has put up a job on us, and it so turns out by and by, I can only say that I shall be much surprised. But, as a minister, I have done all I could do. If we employ honest, capable men and give due weight to the reports of those men, what more can we do ?

Mr. LENNOX. If the government were constructing a work of this kind directly it would be their duty to scrutinize with care every item of expenditure. And if in this case the same precaution is not taken, then the ministry are going it blind and they are asking the members of this parliament to follow them in voting this money. They have not taken any pains to find out whether this money is expended bona fide in carrying on this work——

Mr. FIELDING. The hon. gentleman (Mr. Lennox) must not say that we have not taken any pains in this matter. I am sure that the information in the department on this subject is as thorough and complete as it could be if we had to do the work ourselves. But, suppose we were carrying on the work ourselves, how could the minister know anything about it except from the reports of his officers ? My hon. friend is a reasonable man, and he must see that. In nine cases out of ten the minister is not an engineer. How, then, can he know anything of these matters except on the advice and information of those under him whose business it is to understand them.

Mr. SPROULE. Can you not know by accounts and vouchers actually before you?

Mr. FIELDING. My hon. friend is not content with them. We say, as respects the largest part of this transaction, the steel superstructure, that we have a man there who watches the weight of every ounce that goes into it. What more can we do ?

Mr. SPROULE. The minister is unfair in that. I quoted the amount of steel put into it, and, if the amount is right, it indicates quite clearly the price of that. But in nearly all the other lines, you take one of the items, and the engineer says, this is the result of an examination of the vouchers and the accounts. If the whole of it had been like that, it would be all right. That is one way you can get knowledge, and the other way is by the estimate.

Mr. ROBITAILLE. Has the government had an engineer since the work started, from the first dollar spent to the present day ?

Mr. FIELDING. The government engineer is not stationed there all the time. As in the case of other public works, he visits it often enough to enable him to measure and certify to the character of the work. We do not have an inspecting engineer for all the works the government is carrying on. An engineer visits a work from time to time, varying the number of his visits according to its importance.

Mr. ROBITAILLE. Does the minister admit that every dollar of expenditure should represent a dollar of actual value ? For example, certain excavation costs $200,000, and the government engineer should estimate the work done as worth $200,000. How does the minister explain the deficit of $779,000 in 1903, if according to his statement every dollar of expense represents a dollar of value ?

Mr. FIELDING. I do not understand about that deficit; but I can say that where there has been a work of excavation done, an engineer can examine it and report the quantity of material taken out and what its value is; and I am assured that the engineer has done that and is able to certify in every such case that the quantities are correct and that the work has been done.

Mr. ROBITAILLE. Then the estimated value of the work done must have been under the actual expense since there was some kind of deficit. Another question I would ask the minister is this : In view of the past administration, which admits its incompetency, from the fact that it admits a deficit in its finances, and also in view of the close connection of the two companies which I mentioned a few minutes ago, what guarantee has the minister that once this bridge and its approaches are completed, the bridge company will not take the government money and buy the Quebec Terminal Company, which is their own, at an enhanced value, which its buildings and other properties. Even supposing that a valuation of the land and the buildings thereon should be considered as actual value, what guarantee has the government that it will cost less or more to cause the railway to pass one way instead of another way ? I am not so much discussing the past operation of the bridge company as its present disposal of things, especially the fact it is causing the approaches to the bridge by the St. Lawrence to be more expensive than by the St. Charles valley. When these expenses have been made, the engineers will certify that the works have cost so many thousands of dollars; but what guarantee have we that they will not have cost four or five times what they would if there had been proper engineering, unless private speculation or political influence caused these expenses to be made at certain stipulated places. There are certain rumours circulating in Quebec, and I have been discussing the matter with several railroad officials, one of whom has told me : 'They cannot oblige us to pass over a bridge and enter into the city if we cannot get the facilities for loading and unloading the steamers.'

Mr. POWER. Is the hon. gentleman aware that there is no such company in existence as the Quebec Terminal Company ?

Mr. ROBITAILLE. It may have changed its name. It is in the statute, and you can see its name on St. Peter's street in Quebec. I must tell my hon. friend before long that he shall have some interest in that speculation, and there will be full disclosures of this.

Mr. POWER. I regret the language that has fallen from the lips of this young man, the member for the county of Quebec, who stands in this House to-day and dares to cast a slur upon hon. gentlemen in the city of Quebec, men in my own division, men like the Hon. S. N. Parent, whose character stands above reproach in this country, who has enjoyed the confidence of his fellow citizens of the city of Quebec for twelve or fifteen years. The hon. gentleman also dares to asperse the character of a man like Rudolphe Audette, a member of the old established firm of Thibaudeau & Co., and president of the National Bank, who has raised that bank to the high standard it maintains to-day, as if a man who possesses the confidence of the French-Canadian people to the extent of handling their money cannot be trusted to handle this bridge company. The hon. gentleman also dares to asperse the character of a man like the Hon. Edward Garneau, whose ability and energy has established one of the largest industrial works, not only in the province of Quebec, but in the Dominion of Canada, giving employment to thousands of people. This young man, who is presumptuous enough to cast slurs on men of the highest character in our community and who, from the height of his inexperience, passes judgment on them and says they are unworthy to handle the funds of

this country, has a good deal yet to learn. And I think I can safely predict that when the day comes when this bridge will be completed and the work of that company has stood the test of experience, that most severe of audits, it will be found a credit to the country, and the country will have reason to congratulate itself on having had this work under the control and management of such men as the directors of the Quebec Bridge Company.

Mr. ROBITAILLE. The hon. gentleman has allowed himself to be led away by his extreme partisanship. I have not said anything against the members of the board or any one else but have simply stated what is said openly in the streets and in the daily newspapers. There is an extraordinary similarity between the names of the directors of the Quebec Terminal Company and the Quebec Bridge and Railway Company. The hon. gentleman made the statement that the Quebec Terminal Company never existed. Does he deny the existence of the statute? In the statutes of 1901 he will find the incorporation of that company.

Mr. POWER. I said it did exist but that it has ceased to exist.

Mr. SPROULE. I made the statement that I was quite sure there was a company and the hon. gentleman emphatically denied it. I have the statutes here showing its existence.

Mr. POWER. I did not deny that it did exist, but I said the company was not in existence to-day.

Mr. SPROULE. He said there never was such a company.

Mr. POWER. The hon. gentleman is quite wrong.

Mr. SPROULE. There is the statute which brought that company into existence, and which shows by whom it was controlled up to the time it may have been merged into something else, and it was only by virtue of that statute that it could build one mile of that railway. So that the company always has existed in some way or another or the terminus could not be built to-day.

Mr. POWER. I have never denied that it did not exist at one time. All I say is that there is no such company now.

On section 1,

The Governor in Council may from time to time advance by way of loan to the Quebec Bridge and Railway Company, hereinafter called 'the company,' a sum not exceeding six million six hundred and seventy-eight thousand two hundred dollars, for the purposes of the undertaking of the company as set forth in chapter 54 of the statutes of 1903, and the agreement a copy of which forms the schedule thereto, which loan shall bear interest at the rate of three per cent per annum, payable half-yearly on the first day of April and the first day of October in each year.

Mr. FOSTER. I notice the rate is 3 per cent.

Mr. FIELDING. Yes.

Mr. FOSTER. That will entail a direct burden on the country.

Mr. FIELDING. Yes, we treat it the same as the Montreal Harbour Board.

On section 3,

The remainder of the said sum may be advanced as the undertaking is proceeded with to the satisfaction of the Governor in Council, and in such sums as the chief engineer of government railways, or such other officer as the Governor in Council appoints for the purpose, certifies to be justified.

Mr. FOSTER. What audit is there to be over this expenditure?

Mr. FIELDING. It has the close audit indicated in Mr. Johnson's report. The greater part of the whole undertaking is in the steel.

Mr. FOSTER. Less than half of it.

Mr. FIELDING. That large item has the best possible audit one could desire. We have an officer whose duty it is to be present at the weighing and to certify to the full weight.

Mr. FOSTER. The hon. gentleman is very partial to that steel part of the contract. But that is not quite one-half of the total expenditure. He clings to that as being very clear and definite as regards the audit, and I have no fault to find in that particular, provided you have a proper man at the steel company's works who will oversee the whole matter, who will weigh the steel and make the calculations and give his certificate. But there is about $4,000,000 more to be expended outside of that. It is with reference to the audit of that expenditure, that I wanted to ask the minister. In the explanation he gave the other night, he said, he had two things. In the first place, you send your engineer. The engineer, he said, was not a resident there, but went there occasionally.

Mr. FIELDING. That is right.

Mr. FOSTER. And this engineer gave his certificate; and in his explanation the minister made use of a good deal of unnecessary thunder and lightening. Were we going, he asked, to attack the bona fides of such men as Mr. Schreiber and Mr. Johnson. But it is not necessary, in discussing these questions, to throw any doubts on the good faith of the engineers.

Mr. FIELDING. My hon. friend did.

Mr. FOSTER. We have engineers who certify to almost every item in the different departments, yet, notwithstanding that, each

item goes to the auditor and the auditor makes a thorough examination into it. My hon. friend's own department would not go upon the certificates of its engineer, but refused to pay to the Grand Trunk Railway, on account of the Grand Trunk Pacific, a very large sum, and have not paid it to this day. In numerous instances it happens that even though you have the best and most reliable engineers to give certificates, that is not considered enough and you require to have your independent audit over and above that. We had an example a few years ago in the case of a subsidy for a bridge down in the province of Quebec. I forget just now the name of the bridge. Certificates of engineers were given and even accountant's figures, and the report went to council and a subsidy was voted by council, yet afterwards it was found out, when an independent engineer was sent by the Audit Department, that the engineer's certificate was all astray and that the subsidy which had been authorized by council was far too great, and it was afterwards either taken back or was not paid. These cases occur in a multiplicity of instances. It is not sufficient to say you have the certificate of an engineer who makes occasional visits of inspection. Another point which has not been explained is this. Granted that the $3,000,000 of steel is all-right, there are $4,000,000 more to be expended, and probably more than that, before the bridge is through. We want not only the measure of steel but the measure of the other $4,000,000 or $5,000,000. Before bonds were guaranteed at all, there was $1,000,000 of subsidy by this government, and an amount of stock and the money paid for it, and a subsidy paid by the province of Quebec. All these amounted to pretty nearly a million of dollars which were actually paid in, a part having been taken back of that million dollar subsidy and changed on to the bond system. What knowledge has the government or what steps were taken to get that knowledge that the million dollars of this previous expenditure, before any bonds were granted at all, actually went into the work? Was there any constant supervision of the earlier building of that work into which that amount of from $900,000 to $1,000,000 went, and what was the nature of that supervision?

Mr. FIELDING. Just the same as we have now, but by a different officer. The officer in charge was Mr. Douglas, of the Department of Railways and Canals, who was selected because of his particular knowledge of the work going on. We had from Mr. Douglas the same class of certificate as respects that as we now get from Mr. Johnson for the present work.

Mr. FOSTER. And that was also occasional visitation.

Mr. FOSTER.

Mr. FIELDING. Yes, because on all public works it is found that we do not need to have an engineer there constantly; he can measure the work that has been done in his absence. We have to trust the engineers and we have no reason to believe that in this case everything is not right.

Mr. FOSTER. Why should you not have, over and above all this, a government audit? It is to all intents and purposes a government work. The Minister of Finance said the obligations were exactly the same under a guarantee of bonds as under a direct loan of the money. I think there is a difference but we will not discuss that at the present time. Does the Finance Minister see any objection to a government audit?

Mr. FIELDING. No. The manner in which the bridge shall be taken over, the degree of compensation to be allowed to the company and the manner in which the city and province of Quebec are to be dealt with in respect of their interest, my hon. friend will find set forth in the Act of 1903. As a work of this character approaches completion and the time approaches when we may take it over, I quite agree that it is well to have it audited. I do not think that class of work has ever come under the Auditor General, but that is no reason why some competent auditor should not be sent down; so far from objecting to what my hon. friend says, I think it is reasonable, I would not oppose his view.

Mr. SPROULE. It would seem to me to be better to have the auditing when this money is being expended rather than wait until the completion of the work.

Mr. FOSTER. If any irregularities were found it would check them and they would not probably be repeated.

Mr. FIELDING. I see no objection to that view.

Bill reported, read the third time, and passed.

SUPPLY.

House in Committee of Supply.

Yukon Territory, living allowances, judges, $15,000.

Mr. FOSTER. Have any changes been made in the living allowances of the judges?

Hon. A. B. AYLESWORTH (Minister of Justice). No, they are just the same as last year.

Mr. FOSTER. Has the minister made any further investigation into the living allowances generally with a view to revising them? I remember last year we had some discussion on it and the minister quoted from

a newspaper to show the local prices of different commodities. I am afraid it will be found that the authority the minister gave for the prices he quoted from a newspaper will hardly fill the Bill. I am informed that the newspaper was defunct about two years and a half before we discussed the matter last year, consequently it would be a pretty antediluvian authority for discussing the cost of living in the Yukon in the year 1906.

Mr. AYLESWORTH. I have communicated, since the last sitting of the House, with Judge Craig on the subject, and I have before me a detailed statement from this gentleman. He enters a mild protest against the regular recurrence of the apparent necessity to give the same details annually with regard to these expenditures. He gives some data with respect to the prices of the necessaries of life in the Yukon. The statement I have from this gentleman is that the cost of living in the Yukon to-day is at least three times what it is in the province of Ontario. Mr. Justice Craig had spent, I think, the whole of his life in the county of Renfrew prior to his appointment in the Yukon. In the matter of necessaries for the table alone he makes the following comparison :

—	Ontario.	Yukon.
Flour, per brl.	$4.50	$14 to $17
Potatoes, per bush.	40c.	$10 often $20
Eggs, per doz., fresh.	15c. to 20c.	$3 to $4
Eggs, packed.	10c.	50c. to 75c.
Fowl, per lb.	10c. to 15c.	50c. to 75c.
Milk, per qt.	5c.	35c.
Wood, per cord.	*a* $4 to $5	*c* $15
Beef, mutton, pork, per lb.	10c. to 15c.	50c.
Coal, per ton.	*b* $5 to $6	$15 lignite
Fish, per lb.	10c.	30c. to 40c.
Fruit—		
Oranges, per doz.	25c.	$3
Strawberries, per box.	5c. to 10c.	$1

a Hardwood. *b* Hard coal. *c* Soft—useless.

Other details are given about in the same proportion. Apples, for instance, are $2 a barrel in Ontario, and $30 in the Yukon. Servants whom you pay $8 or $10 in Ontario per month are $75 to $100 in the Yukon. A charwoman, 75 cents a day in Ontario, is 60 cents per hour in the Yukon. The servant question is a very vital one for men occupying a judicial position. The conditions in the Yukon, as he states them to me, are that for servants they must depend mainly upon Japanese who will do cooking, but will not do laundrying or other work, which either has to devolve upon the women of the family or additional help must be hired. He deprecates the necessity for going into such details and speaks of his own efforts to live within his salary and the fact that he is unable to live within his allowance and have a second servant within the house. He refers to the amounts he has to pay for laundry charges. A gentleman's collar would be laundried in Ontario for 10 cents a piece cost 50 cents, the regular charge in the Yukon. Water, 10 cents a pail, or if it is taken from the tap, $7 per month for each tap. His electrical light bill was $174 for the year, with the most economical use. I suppose six months of the year he would use it about twelve hours a day. Then with regard to the luxuries of life, a daily newspaper is $48 per annum; magazines, 75 cents to $1 a piece, which can be bought here for 10 cents. Rent of post office box, $8 a year, whilst it would not be a quarter of that in Ontario. Medical service, $10 a visit. Nursing, $10 to $15 a day, if one has the misfortune to have illness in the family. In regard to apparel, the prices are so high and the finances so low that it is necessary to bring in ladies' clothing, at all events millinery and any luxuries of that character, from the outside, and then the express charges are almost prohibitive. The judge tells me that in the week of writing this letter in January last, he had been obliged to pay $28.85 for express charges on a parcel containing simply a woman's frock and some other little articles. If he has to hire a horse, the charge is $15 per day for a single horse, or $25 a day for a team, where it would be $2 or $3 in Ontario. Every charge is of a like character except the single item of rent. Rent, he says, has decreased since he went there, by reason of the fact that there are plenty of houses now, the supply of residences exceeding the demand. But in his own case, at all events, and probably the case of each one of the judges, they are not living in rented houses, but in houses they have built for themselves when they first went into the Yukon ; built when prices were high and when material was very high, upon which they are paying to-day interest at the rate of 12 per cent per annum. In these circumstances he certainly seemed to me to make out a very strong case for a continuance of at least the living allowance which is contained in the item in the estimates. Since I have been on my feet I see the hon. member for Yukon (Mr. Thompson) is in his place and I think he could give a statement which will bear out what I said.

Mr. MARSHALL. I would like to ask the minister if he knows the freight on potatoes which he says are worth $14 a barrel. The freight is about $55.

Mr. AYLESWORTH. The freight is certainly high. The judge says that the freight from Vancouver to Dawson is from four to five cents a pound.

Mr. MARSHALL. If the freight is $55 a ton the potatoes would not cost any more than $11.40 if there are three bushels to the barrel.

Mr. AYLESWORTH. $10 and even $20 per bushel.

Mr. THOMPSON. Ten cents a pound is the usual price at Dawson. Potatoes are a very perishable article and they shrink as well as rot and in the spring of the year they often will be as high as ten cents a pound and everything else in proportion. A freight rate of $55 a ton has prevailed on some of the heavier articles such as nails, flour and hay and things of that kind until recently. The freight on furniture would be anywhere from $75 to $250 a ton. It is impossible to compare the living in Dawson with the cost of living in any of the other provinces of Canada.

Mr. FOSTER. It undoubtedly is high.

Mr. THOMPSON. It is extremely high. That holds good with respect to practically all the things that go to make up the necessaries of life. Besides that we must not overlook the fact that these gentlemen are living in what is at best an isolated community and the wage they get is I consider not at all too large.

Mr. FOSTER. I would like to ask the minister if any commissioner has been appointed yet for the Yukon ?

Mr. AYLESWORTH. I think I may say no ; not to my knowledge.

Penitentiaries, $552,300.

Mr. FOSTER. Generally what changes are there in these estimates ?

Mr. AYLESWORTH. What increase there is, is due practically to the increases of salaries to the officers throughout the Dominion which took place under the statute of last session, and by reason of which there has been some increase in expenditure as the items, item by item, will show. Other than that there is no substantial difference between the estimates of this year and the preceeding year.

Grant to the imperial government to cover Canada's portion of probable losses in connection with the operation of the Pacific cable, $125,000.

Mr. FOSTER. What is the comparative condition of that as to revenue and expenditure ? Is the gap lessening between the expense and the government ?

Mr. FIELDING. I am advised that the conditions are about the same. There is a considerable loss, I am sorry to say.

Expenses of litigated matters between the Dominion of Canada and the provinces of Ontario and Quebec (payments on account of services rendered may be made to any member of the Civil Service notwithstanding anything in the Civil Service Act), $3,000.

Mr. SPROULE. I thought that item was to stop and that we had got through with that litigation ?

Mr. AYLESWORTH. There are different items of that litigation cropping up continually.

Consolidation and translation of Dominion Statutes, which may be paid notwithstanding anything in the Civil Service Act respecting the Departments of Public Printing and Stationery, $4,000.

Mr. SPROULE. I see that there has been a distribution of one copy of the Revised Statutes to each member. Is there to be the same distribution which is usually made of the statutes ; that is two copies ?

Mr. AYLESWORTH. Each member of the House is to receive three sets of the Revised Statutes. Only one for each member has yet been distributed, because the number bound and ready is not very great, and it was thought better not to wait until there were enough to send all at once.

Mr. SPROULE. Then each member gets three copies ?

Mr. AYLESWORTH. Three sets of four volumes each.

Printing 5,000 copies of the evidence taken before the Royal Commission on life insurance, $9,500.

Mr. BERGERON. I observe that in another place they have reported against having this evidence printed in French. I do not wish to insist upon the point, but I would call attention to the fact that the committee in this House recommended that it be printed in both languages. I do not suppose we shall have any difficulty about it.

Mr. FIELDING. As it stands, under the order of this House, we shall have to print it in French. When it is being printed for one House there will be little or no expense in printing it for both. Therefore, the economical action of the Senate will not save us very much money.

Mr. BERGERON. I understand it will be printed in French ?

Mr. FIELDING. Certainly—that was the order of the House.

Legislation House of Commons—to provide for the promotion of a third-class to junior second-class, $50.

Mr. FOSTER. Who is that ?

Mr. SPEAKER. Mr. Asselin in the post office.

To provide for increase of salaries of nine translators of debates from $1,500 to $2,000 each, $4,500.

Mr. BERGERON. This has something to do with a matter which I mentioned in the House the other day—that the Com-

mittee on Debates has not made a report for the last two sessions. I am very glad to see this amount here, because it was recommended by the Debates Committee, though that report was not put before the House and was not accepted. This is an act of justice to a class of employees who do good work. But I regret that the report of the Debates Committee was not accepted when it was made, because it comprehended another class of officers to whom, I am sure, the House desires to do justice as it is doing to the officers for whom this vote is intended—I refer to the reporters of the House. I understand that the reporters submitted a request to the Prime Minister (Sir Wilfrid Laurier) and, no doubt, my hon. friend the leader of the House (Mr. Fielding) has heard of it. Their request was that the report of the Debates Committee should be adopted. They have been employed for many years, without an increase of salary. I do not wish to take up the time of the committee just now with reading the memorial of the reporters, but I may mention some of the points covered by it. They say that there has been no increase in their salaries for over twenty years.

Mr. FOSTER. What are they getting now?

Mr. BERGERON. Two thousand dollars a year. They are about the only officials whose salary has not been increased during that time. They refer to the fact that the cost of living is a great deal higher than it was. They also point out that their work is much heavier than it used to be, the average length of the sessions having nearly doubled as compared with what it was in 1887, and the business of parliament has vastly increased in volume and is conducted under greater pressure. We can judge of that for ourselves, because where we used to have two volumes of 'Hansard' we now have four or five. The reporters claim that they are underpaid, considering the work they do. The work is of a technical nature and—this is a point they do not mention, but I think it will be generally admitted—it would be hard to find in the whole Dominion a set of men who could do the work they have to perform. They are old newspaper men, and most of them have had training in the press gallery before being appointed to their present positions. All old members of the House will understand that no man could do the work required of our reporters unless he had had a training as a parliamentary journalist. I do not want to insist upon the comparison, but these gentlemen point out that in England, although 'Hansard' is published by contract, the stenographers are paid nearly double what they are paid here; in Australia they are paid $3,500 a year, and in the United States $5,000 a year.

Mr. LEMIEUX. How much are parliamentary reporters in France paid?

Mr. BERGERON. I have not that information at hand. The reporters, for the last three weeks have been working from eleven in the morning until one or two the next morning. In their memorial they mention the fact that their corrector of proofs does a great deal of work, and is underpaid. Altogether their demand is that their salary be increased in proportion to the increase given to the translators, which I think is proper. They also ask that Mr. Boyce, their proofreader, be given a salary of $1,500 a year. I call the attention of the leader of the House to this memorial. I do not know whether he has seen it or not.

Mr. FIELDING. I have seen it.

Mr. BERGERON. We have been told by the Prime Minister more than once, and have generally followed his opinion, that reports of committees should be accepted by the House unless there is some strong reason against that course. The Committee on Debates has recommended twice, last session and this session, an increase of salaries, although the report has not been put before the House, and therefore has not yet been accepted. I regret that very much. I have been pressing on the chairman of the committee very often to make this report, even if only as a matter of dignity. The translators have taken another means of getting what is being voted to-night. They went straight to the Committee on Internal Economy, and I am very glad they have obtained it, and I would thank Mr. Speaker for what he has done in that regard. But I regret very much that the reporters have been omitted, and if there is yet time, I would ask the leader of the House to see that justice is rendered to them.

Mr. ETHIER. Mr. Chairman, I wish to make a few remarks in addition to what my hon. friend from Beauharnois has said. As a member of the Debates Committee, I agree with his remarks concerning the translating of the debates. Two years ago the Committee on Debates passed a resolution recommending such increase as has been recommended to-day by the Speaker, and I may add my thanks to Mr. Speaker for this increase, which was recommended by the committee in June, 1905, and also in July, 1906. I am not disposed to compare the merits of the translators with those of the reporters; but I would say that the special qualifications required to be a good and reliable translator for the House of Commons of Canada are such that it would be difficult to duplicate in the whole country, such a staff as we have now. I wish to take this occasion to enter my protest against what was said in this House a few days ago, I think on the

24th of April, by the hon. member for Victoria, concerning the translators of the Debates of this House. The hon. gentleman is absent, and I would not like to attack him in his absence; but I wish to protest against his words when he says:

> There has been a good deal of complaint about the translators. I am told they engage in other work.

I am sure that the hon. member, when he said this, was misinformed. In answer to this statement. I here refer to what took place only at the last meeting of the Committee on Debates, and if the committee had had the opportunity of making a report to this House, he would not have pronounced those words. At that meeting, at which I think my hon. friend from Beauharnois was present, and also the hon. whip of the Conservative party, Mr. Dawson, the King's Printer, was asked if there was any complaint in regard to the translators, and he answered that there was nothing against them, that they were up-to-date with their work, and were performing their duties as well as they possibly could. I think the hon. member for Beauharnois will join me in saying that that statement forms part of the minutes of the Debates Committee in the hands of Mr. Panet. The declaration of Mr. Dawson is an answer to the statement made by the hon. member for Victoria, made I am sure not in bad faith, but because he was misinformed. I join with the hon. member for Beauharnois in thanking the Speaker of the House and the Minister of Finance for having put in the supplementary estimates this recognition of the special qualifications of the staff of French translators. As to the reporters, I have not made any comparison. I have nothing to say against them. They have a salary of $2,000. It is the right of anybody to ask for more salary, and I think it is something very proper now in the civil service to ask for more. Without interfering with the rights of the reporters, I may say, in comparing the services and qualifications of both officers, that the translators we have are just as qualified as the reporters we have now, and that if the translators are put on the same footing as the reporters, the reporters should not be jealous of the increase in the salaries of their confreres, who deserve the same as they have.

Mr. BERGERON. But my hon. friend will remember that at the meeting of the Debates Committee to which he refers, it was recommended that the salaries of the reporters should be increased as well as those of the translators, and if we ask the House to accept the report of the committee with regard to the translators, we must also ask it to accept the report with regard to the reporters.

Mr. ETHIER.

Mr. ETHIER. The Debates Committee made such a suggestion, but, as my hon. friend stated when he first spoke, no report was made by the chairman of the committee. So that the House has before it no official report of the Debates Committee making such a recommendation, and I suppose some other course was taken on behalf of the translators which the reporters did not take. If the Chairman of the Debates Committee had taken the proper steps or made the proper report, perhaps the reporters would have received from the government the same attention as the translators had.

Mr. FOSTER. A query that comes to my mind is why there should be a difference in this matter as between the reporters and the translators ? Why should the Committee on Internal Economy raise the salaries of the one staff, whilst the Debates Committee makes the recommendation and this House says whether or not the salaries of the others shall be raised? Has it always been so that the Committee on Internal Economy have taken charge of the translators? I do not think so, and it seems to me as though a portion of the duty which properly belongs to the Debates Committee and to this House has been transferred in some arbitrary and undemocratic way to the Committee on Internal Economy. I would like to know why this change has been made.

Mr. FIELDING. My hon. friend is hardly correct in saying that it is the practice to allow the committee to settle the salaries of anybody.

Mr. FOSTER. I did not say so at all. I said that the committee reported to this House and this House decided whether to adopt that report or not.

Mr. FIELDING. I do not agree that the House can settle money questions in that way. These matters have to be dealt with in proper form and that is by a money vote submitted by the government.

Mr. FOSTER. The House can deal with it as far as giving an expression of opinion is concerned, and that it may do it by either adopting or rejecting the report of the committee. My hon. friend cannot object to such a report being adopted. It would be taken and laid on the table and then it would be for the government to decide what course it should take with reference to it. This year there has been no report presented of the Debates Committee, and the reports of that committee of the previous year was laid on the table and not adopted. The Debates Committee have still the power to make a recommendation which the House may or may not adopt.

Mr. FIELDING. It is considered objectionable to adopt a report recommending

expenditure. The proper way is for the government to submit a vote.

Mr. BERGERON. The salaries of the reporters were increased before on a report of the Debates Committee adopted by the House. These official reporters and translators of the official debates are employees who belong entirely to the House, and this is the first time that a part of them has passed under the Board of Internal Economy. I do not object to the translators having done this in so far as they have obtained justice and in that way have been granted what the Debates Committee recommended. But it is a new departure. What I complain of however is that justice has been rendered only to one section of the staff. Only one part of the report of the Debates Committee has been accepted by the Internal Economy Committee, and that is the part which recommends an increase to the translators. I would ask now that the report be accepted in toto.

Mr. SPEAKER. The Board of Internal Economy has had under consideration the suggestion to increase the salaries of the 'Hansard' reporters as well as the translators. But in that connection, there is the question of reporting for government purposes in the interim between sessions, and that question the board considered should be taken up and considered at the same time as the increase of salaries of the 'Hansard' reporters. Some members of the staff do reporting for the government during recess and earn something in that way and others do not.

Mr. FOSTER. Are they paid extra for that?

Mr. SPEAKER. Yes.

Mr. FOSTER. Did we not formerly have their services during recess?

Mr. SPEAKER. No, never free of charge. It was thought by the board that if this proposal to increase their salaries to $2,500 were entertained, it was only fair that the government should have use of their services during recess. Some negotiations did take place but unfortunately did not come to completion in time to submit any recommendation for an increase. In the meantime perhaps the matter may be adjusted and a satisfactory arrangement come to. If we increase the salaries to $2,500, the question of reporting during recess should be dealt with at the same time. After being given a substantial holiday at the close of the session, which they are entitled to owing to their arduous duties during the session, the remainder of their time should be at the call of the government, subject to some additional compensation which would be reasonable.

Mr. FOSTER. Do the translators give up their time to the government during recess?

Mr. SPEAKER. No, only during the session. It is suggested that it is hardly fair that we should call upon the reporters to do work during recess without giving them something in addition to the $2,500, or perhaps we might give them a less advance, say $2,300, and then fix a certain definite sum to cover the estimated cost for this extra reporting during recess. That extra sum could be divided among the members of the staff who do the extra work. That question is being worked out, and I think we shall be able to arrive at some satisfactory adjustment.

Mr. FOSTER. No doubt the translators require somewhat different qualifications from the reporters, but I doubt very much, when we take everything into consideration, the qualifications are not quite as onerous in the case of the reporters as in that of the translators. They must have special knowledge. They require a wide range of knowledge of parliamentary affairs and to be well versed in our political history, and that is a knowledge which cannot be gained in a short space of time. Besides while the translators do their work more leisurely, by themselves so to speak, the reporters have to do theirs at full speed as long as the House is in session. Their work is harder while it is going on than that of the translators. The translators have had two increases within a few years of $500 each, and I do not quite see the justice of an increase in the one case and not in the other. I would rather myself be a translator than a reporter from the point of view of hard work.

Mr. LEMIEUX. I am an old journalist myself and have a great deal of sympathy for both the official reporters and the translators. I fully concur in what has been said regarding the official reporters, and would be pleased to see them receive a substantial increase at the hands of the Committee on Internal Economy. As regards the French translators, if the House will accept my views as it has accepted those of the hon. member for Beauharnois (Mr. Bergeron) and the hon. member for Two Mountains (Mr. Ethier), I will say that no abler translators could be found in the province of Quebec. The nine gentlemen who do the work of translating our debates have given us, during the last five or I should say eight years, very good translation indeed. It is by no means an easy task to give a fair version in French of speeches pronounced by such men as the Minister of Finance (Mr. Fielding) or the hon. member for North Toronto (Mr. Foster) or some of the hon. gentlemen who admittedly are masters of the English language in this House. With the knowledge I have of the French language, my mother tongue, I am pleased and proud to say that the French 'Hansard' is a most creditable work and is

appreciated as such by all the lovers of that language.

Mr. BERGERON. You seem, Mr. Speaker, to forget, that when 'Hansard' was established some years ago, these gentlemen were named employees of the House. They are not ordinary employees of the government. They are not supposed to be on duty after the session, although whenever the House is sitting their time belongs to it completely. I have heard discussions on that point very often. When their services are required by the House, they belong to it, but as employees of the House, they are only supposed to work when the House is sitting. The translators are not supposed to do any work after the House is prorogued.

You might say that the translators may be called upon to translate the revised statutes for the Minister of Justice. They are the best translators to be had, they have never been called upon to do that and I do not think they should. I think when they have been at work six months, they should not be called upon for further work. That was not the purpose when we created the 'Hansard.' The reporters are in the same position. When they have been working for six months in the House, I am sure if the government needed them they would be at the disposal of the government, they belong to the House and I do not think that should be brought into consideration at all in the discussion. The basis of my remarks is this. The Debates Committee have made a report, it has not been accepted, which I regret very much, and I can tell the leader of the House that at the next session we will bring that before the House, because I think it is a slur upon the Committee on Debates that for the last two sessions no report of that committee has been laid before the House and accepted or even discussed. The translators have taken a short way about it, I congratulate them on their success. They went to Mr. Speaker and he rendered justice to them although the recommendation made in the same way by the Debates Committee in reference to the reporters has been ignored. That is the position and I say it looks unjust. The work of the reporters is very hard; I am told by reporters, not only by members of the 'Hansard' staff but those who do similar work outside, that a man cannot last very long at it, they are working on their nerves all the time and when they have been working here for six months it would be a very hard thing, I think it would be, if I may use the word, cruel to ask these men, at least for a month or two after they have finished their work, to do something else. This part of the discussion to my mind should be eliminated altogether and we should discuss only the question whether the report of the Debates Committee, having been accepted in part by the Speaker, should not have been accepted in full, and that the reporters should have been treated in the same way as the translators. Their salaries are higher. Some seem to think that because the salaries of the reporters and the translators are the same to-day, that is correct. It has never been that way, the reporters have always had a higher salary than the translators and any one who reads what was said at the time of the creation of 'Hansard' would understand immediately that the work is not at all of the same class. Without belittling the work of the translators, I may say that the work of the reporters is supposed to be different entirely and it is supposed to be more remunerative. You can get translators anywhere in the country for a certain price but you cannot get a reporter for the same price.

Mr. LEMIEUX. I beg to differ from my hon. friend.

Mr. FOSTER. Fight it out somewhere else.

Mr. FISHER. I must say I do not agree with my hon. friend that translation is inferior work to stenography.

Mr. BERGERON. I do not think it is inferior.

Mr. FISHER. And I venture to think to-day that in Canada it would be easier to find good stenographers than it would be to find thoroughly competent translators. My hon. friend, I think, has rather tended to prejudice a future increase of salaries for these gentlemen in my mind. He has said that their salary is for six months' work, that they must only be expected to work six months in the year. I think that $2,000 a year for half a year's work is good pay.

Mr. BERGERON. If they cannot earn more in the recess—

Mr. FISHER. Then they get a good rest and I know a lot of people who would be glad to work for half the year and get $2,000 and rest the balance of the year. The work I think is trying while it lasts. The reporters are excellent officers, do their work excellently well, but when we come to consider as my hon. friend seems to think it right we should, that this is $2,000 a year pay for six months work and that for the rest of the year they are not to be called upon to do any thing, and if they do it for somebody else, they can earn what they can get for that, it does not seem to me there is a very strong argument for an increase of salary, and if by this arrangement the translators are put upon the same footing as the stenographers and given the same pay, I think it is perhaps but a measure of justice to put them on the same footing because their work is quite as important.

Mr. HENDERSON. I sympathize with those men as I do with any hard working man who does his duty faithfully, but I

recall to mind the very severe lecture that was read to us this morning by the Minister of Finance for having favoured increases of salary from this side of the House. Remembering that, I hesitate to offer any suggestion that anything should be done for those deserving men. I must throw upon the Finance Minister the full responsibility if anything is done, because he called us to account very severely to-day, charging the entire party here with advocating a general increase of the salaries of the civil servants when I think that what he might have urged was that we are advocating increases for the outside service. The argument has been advanced by my hon. friends here on this side of the House, and it is an old argument, that the cost of living has increased and that these men should be remunerated to a larger extent. I often wonder when I hear that argument what advantage the preferential tariff has been to this country if it has caused the cost of living to increase so much. It seems to me it is a very strong argument for its repeal. If it is becoming so extremely costly to live in this country I think the Finance Minister had better take some action along that line and see if he cannot make it more convenient for the people to eke out an existence in the country on a reasonably moderate salary. I am not going to say whether I approve of any increase in the salaries of these gentlemen for whom an appeal has been made because I do not want to have the same lecture read to me again by the Finance Minister that was given to us this morning and, having that view, I will defer expressing any opinion and throw the responsibility entirely on the government.

Militia and Defence, chargeable to income, $152,233.35.

Mr. FOSTER. Here is a tremendous increase. I do not see how we are to get information about this, there is no Minister of Militia and Defence.

Mr. FIELDING. I have the officials here.

Mr. FOSTER. I do not see that at this hour of the night and at this stage of the session, we can do anything more than pass it.

Mr. BERGERON. What is the total expenditure of the Militia Department now ?

Mr. FIELDING. The main estimates include capital charges of $5,249,000.

Mr. BERGERON. Has my hon. friend the figures of 1896 ?

Mr. FIELDING. Those were the days when we were too poor to indulge in a militia system.

Mr. BERGERON. There is a difference of about $4,000,000.

Mr. FIELDING. We were not so safely guarded then as now.

Mr. FOSTER. Does the item for gratuities include Lord Aylmer.

Mr. FIELDING. No, these are gratuities, not pensions.

To provide for the expenses of the Prime Minister in connection with the Colonial Conference, $8,000.

To provide for the expenses of ministers in connection with the Colonial Conference, $16,000.

Mr. FOSTER. I thought the British government were paying the bill.

Mr. FIELDING. They will pay some of the bills, but it is well to have a little margin. The British government will no doubt pay the hotel bills in London.

Mr. FOSTER. But why do you need $16,000 ?

Mr. FIELDING. At the time that item was inserted it was contemplated that four ministers might go to London. At present there are only two, and if the others do not go, one-half of that amount will not be used. The hotel bills of the Prime Minister and his associates who are now living in London, will no doubt be paid by the British government. But there are always a good many other expenses.

Post Office Department—outside service, $253,990.

Mr. SPROULE. Has the Postmaster General reached any conclusion yet as to what percentage of increase he is going to give the postmasters ? We have been trying to get some definite information to-day, and it seems to me that he could give it without difficulty.

Mr. LEMIEUX. I have been so busy recently that I have had no time to give proper consideration to this matter. But I informed the House the other day that immediately after the prorogation of parliament I intended to prepare a schedule myself that would be a substantial increase to these salaries. I do not think I should be asked to commit myself any further.

Mr. HENDERSON. The minister informed us the other day that he had made up his mind as to the principle on which this would be done. I think it would relieve the minister of a good deal of work if he would enunciate the principle, and we will work out the details.

Mr. LEMIEUX. The minimum salary paid to postmasters throughout the country is $25 a year, being a increase from $12, as it was some years ago. Surely I could not go very far in doubling that amount as a mimimum, saying that without committing myself definitely. It is to

be remembered that there are nearly 14,000 postmasters in the country.

Additional to cover expenses of a Royal Commission to investigate matters in connection with the grain trade of Canada, $20,000.

Mr. FIELDING. The Grain Commission was appointed in response to petitions of the western grain growers, and on the recommendation of the Committee of Agriculture, to inquire into the whole question of the grain trade and the manner in which it is being handled. They have held a number of meetings, and are likely to have to go to the United States and perhaps to Great Britain, and it is necessary to have this further sum to pay their expenses.

Some resolutions reported.

Mr. FIELDING moved the adjournment of the House. If the present anticipations that we have now are realized, and if no difficulty occurs in the forwarding of the messages between the Senate and House of Commons, we expect that His Excellency will attend to prorogue parliament at three o'clock to-morrow afternoon. In the morning we shall proceed with concurrence and close up the business.

Mr. FOSTER. There will be nothing but concurrence ?

Mr. FIELDING. Nothing but concurrence except to attend to messages passing to and fro.

Motion agreed to, and House adjourned at 1.45 a.m., Saturday.

HOUSE OF COMMONS.

SATURDAY, April 27, 1907.

The SPEAKER took the Chair at Eleven o'clock.

PROROGATION.

Mr. SPEAKER. I have the honour to inform the House that I have received the following communication from the secretary of His Excellency the Governor General :

Ottawa, 27th April, 1907.

Sir,—I have the honour, by command of the Governor General, to inform you that His Excellency will proceed to the Senate Chamber, this afternoon at three o'clock for the purpose of proroguing the present session of parliament.

I have the honour to be, Sir,
Your obedient servant,
(Sgd.) C. J. JONES,
For the Governor General's Secretary.

The Honourable
The Speaker of the House of Commons.

Mr. LEMIEUX.

QUESTIONS.

PRINCE EDWARD ISLAND RAILWAY—PAYMENTS TO MR. WILLARD KITCHEN.

Mr. A. MARTIN asked :

What amounts, if any, have been paid Mr. Willard Kitchen, railway contractor, for extras in connection with the construction of (a) the Murray Harbour Branch Railway; (b) the Montague Branch Line ?

Hon. W. S. FIELDING (Acting Minister of Railways and Canals) :

1. Ten thousand two hundred and ten dollars and thirty-one cents ($10,210.31) was paid to Contractor Willard Kitchen for additional work done on the Murray Harbour Branch, which was not included in the schedule contract. No extras were paid on the Montague branch.

TRACKS ON MILL STREET, MONTREAL.

Mr. AMES asked :

1. Has the government granted to the Montreal and Southern Counties Railway the privilege of laying railway tracks on Mill street, Montreal ?
2. If so, when was said concession given and have the privileges been embodied in the form of a lease?
3. What length of track and between what points on Mill street does the lease cover?
4. At whose demand was the same granted?
5. Were there any protests on the part of persons doing business on Mill street, and were they given an opportunity of stating their views in opposition to the granting of the said lease?
6. Will the minister furnish the House with a copy of said lease?

Hon. W. S. FIELDING (Acting Minister of Railways and Canals) :

1. Yes.
2. The privilege of laying railway tracks on Mill street, was granted the above railway company, under lease dated March 7, 1906.
3. From a point marked 'B' on plan submitted, being the interesection of Riverside street with Mill street, along the middle line of Mill street, 1,700 feet, to point 'C' on the said plan.
4. The Montreal Southern Counties Railway.
5. Yes.
6. I now lay on the table a copy of the lease for the information of the hon. gentleman (Mr. Ames).

INSURANCE COMMISSION—FRENCH TRANSLATION.

Mr. ARMAND LAVERGNE (Montmagny). Before the Orders of the Day are called, Mr. Speaker, I call the attention of the Minister of Justice to a decision reached in the Senate yesterday, that the evidence given before the Royal Commission on Life Insurance shall not be printed in

French. I desire to ask if this means that the evidence is not to appear in French ?

Hon. A. B. AYLESWORTH (Minister of Justice). I was not aware of the action of the Senate. But action was taken in this House in the form of an order that this evidence shall be printed in French, and that, I have no doubt, will be complied with.

IMMIGRATION—ACTION OF LIEUTENANT GOVERNOR OF BRITISH COLUMBIA.

Mr. ARMAND LAVERGNE (Montmagny). I have a question to put to the leader of the House. A despatch was printed in the Senate this morning saying that the Lieutenant Governor of British Columbia has refused to assent to a Bill respecting immigration passed by the legislature of that province. I would like to know if the government intends taking any action on the subject.

Hon. W. S. FIELDING (Minister of Finance). The matter has not been brought to the attention of the government.

INQUIRY FOR RETURN.

Mr. R. L. BORDEN (Carleton, Ont.). I mentioned, yesterday, three or four returns which are rather urgent. One of them has already been brought down,—that from the Department of the Interior relating to grazing leases or timber leases. But the others have not yet been laid on the table.

Hon. SYDNEY FISHER (Acting Minister of Public Works). The Deputy Minister of Public Works promised to have three returns here this morning. I have not received them yet, but I have no doubt they are on their way.

COAL STRIKE IN THE NORTHWEST.

Mr. R. L. BORDEN (Carleton). Has any further news been received as to the strike condition in the west ?

Hon. W. S. FIELDING (Minister of Finance). I would not like to answer in the absence of the Minister of Labour (Mr. Lemieux). But I think the situation is as described by him yesterday.

Mr. R. L. BORDEN. No change since then ?

Mr. FIELDING. There had not been up to the time when I last spoke to my hon. friend (Mr. Lemieux) last night. There is nothing new, unless he has received a telegram this morning.

SENATE AMENDMENTS.

On the order

Consideration of an amendment made by the Senate to Bill (No. 174) respecting the Manufacture of Binder Twine in Canada.—Mr. Fielding.

Hon. W. S. FIELDING (Minister of Finance). This amendment is purely of clerical nature. The sentence should read ⅝ of 1 cent per pound. The word 'per' was inserted, making it read '⅝ of 1 per cent per pound.' I move to strike out the word 'per.'

Amendment agreed to.

Mr. T. S. SPROULE (East Grey). Are these amendments to the Senate made simply by second reading and concurrence ?

Mr. SPEAKER. That is all that is required, we concur in these amendments in the case of Bills originating in this House.

Mr. SPROULE. Are we to pass a long amendment like that without explanation from the government? In the Railway Act there is a very long amendment of which no explanation is offered.

Mr. AYLESWORTH. I did not offer any explanation as none was asked, and I supposed that none was asked because hon. gentlemen had the measure before them and saw for themselves what its provisions were. The amendments made by the Senate are additions, nothing is struck out, and the additions which have been made by the Senate really reduce themselves to two. The first is a provision with regard to mortgages upon rolling stock in the same lines and of the same general effect as the second clause in the Bill when it left this House. That is to say that mortgages of that character, if filed with the Secretary of State for Canada, shall be valid as against subsequent encumbrancers upon the property without the necessity of filing such mortgages in the various offices of the counties in which the rolling stock might be. It is a provision not only on the same lines as the provision which was made the second clause of the Bill while under consideration in this House, but perhaps of greater practical importance because of the extreme difficulty there would be in determining. in the case of rolling stock, what particular county it was in which the property was situated and in which the mortgage ought to be filed if it were to be filed in the county of location of the property.

The other provision is a very minor amendment to the clause of the Railway Act which provides that bonds of the company must be signed or countersigned in the handwriting of the secretary. The Senate has amended the clause by adding the words 'or assistant secretary,' the reason being, i understand, that in some instances where a bond issue consists of a great number of documents the signing of 40,000 or 50,000 instruments by the hand of the secretary himself would be a very tedious and burdensome piece of labour.

Motion agreed to, and amendments concurred in.

SUPPLY—CONCURRENCE.

House proceeded to consider resolutions reported from Committee of Supply.

Building and maintenance of wireless telegraph stations, $23,310.

Mr. FIELDING. The House will observe the substitution of the word 'wireless' for the word 'Marconi.' The object is that we do not confine ourselves to any particular wireless system, although we are using the Marconi.

Harbours and rivers, Quebec, $747,450.

Mr. TAYLOR. Before this item is concurred in, I do not know whether any of this refers to public buildings at Ottawa or not, but I might as well say what I have to say now. There are some improvements being made to the public buildings at Ottawa and I want to draw the attention of the hon. acting Minister of Public Works (Mr. Fisher) who, I expect, will be the Minister of Public Works when we meet next year, that the whips of the opposition are not provided for. We have a little room about 7 x 9 which is not large enough to hold the whips of the opposition. There is only room for three, and two of them are out in the corridor. I want to ask of the acting minister the special favour of providing another room for the extra whips. The chief whip should have that little room to himself. There are other rooms which could be secured with very little inconvenience to some of the servants of the House in the same corridor and these should be set apart for the whips of the opposition. The government have two or three rooms for their whips and I think, although we fight the government pretty hard sometimes, that we are entitled to better treatment than we receive. Therefore I hope the acting Minister of Public Works will take a survey of the situation, that he will look at the room which is at present set apart for the whips of the opposition, ask himself if five or six men should be huddled in there during the winter time when they cannot get any ventilation, and see if he cannot make any better arrangement than that under which we have been suffering without much complaint in the past.

Mr. FISHER. I sympathize with my hon. friend (Mr. Taylor) but I confess I do not know the room he refers to.

Mr. TAYLOR. It is room No. 3½.

Mr. FISHER. I will try and see what can be done. There should certainly be proper accommodation.

Mr. A. MARTIN. I would also draw the attention of the hon. acting Minister of Public Works to the needs of the members from the province of Prince Edward Island. We have never succeeded in getting a room. I think there is an addition to be made to the building this year and I trust that the members from Prince Edward Island will be provided with a room.

Mr. FISHER. No doubt more accommodation around the House is required. We will have to see what can be done.

Department of Agriculture—development of live stock products, $5,000.

Mr. SPROULE. Before that item is concurred in, I want to draw the attention of the Minister of Agriculture to a matter concerning his department, and which I think he should look into. I have a letter from Kemptville, N.S., which states that one, Rufus Starr, placed a cow to be sold at auction and which was afterwards found to be suffering from tuberculosis. That cow was purchased by B. W. Benjamin. A few weeks afterwards Benjamin received a letter from one Cleveland of Wolfville, telling him that the cow was affected with tuberculosis, and that Starr, the vendor, had so informed him. Benjamin acknowledged this to Starr, but said he did not think Cleveland was fool enough to tell. On February 16, a firm of lawyers at Kemptville wrote as follows to the Minister of Agriculture :

Dear Sir,—B. W. Benjamin of this town purchased a cow a short time ago at a public auction and discovered she is affected with tuberculosis. He is anxious to have the cow examined at once, and if so affected to have her destroyed. There is the regular army veterinary here (Sir Frederick Borden will know him), B. H. Illsley. Could you authorize him to make an examination as the party does not wish to be at too great expense. Kindly telegraph instructions on receipt of this letter. We intend prosecuting the party from whom the cow was purchased as soon as we find she is affected.

On February 21, the following reply was sent from the Veterinary Director General at Ottawa, by telegram :

Letter received. Cannot take action.

The writer of the letter then comments on this telegram and asks it to be pointed out where the difficulty lies. I take up the statute with reference to diseased animals (Consolidated Statutes, chapter 75) and I find that tuberculosis is given amongst the contagious or infectious diseases. Section 3 says :

Every owner of animals and every breeder of or dealer in animals, and every one bringing animals into Canada, shall, on perceiving the appearance of infectious or contagious disease among the animals owned by him or under his special care, give immediate notice to the minister and to the nearest veterinary inspector of the Department of Agriculture of the facts discovered by him as aforesaid.

Any veterinary surgeon practising in Canada shall, immediately on ascertaining that an animal is labouring under an infectious or contagious disease, give similar notice to the minister and to the nearest veterinary inspector.

Section 5 provides that the minister may from time to time cause to be slaughtered animals suffering from infectious and contagious diseases. Section 6 provides for compensation. Section 11 says:

Inspectors or other officers appointed as aforesaid, on receiving information of the supposed existence of any infectious or contagious disease among animals shall proceed to the place mentioned with all practicable speed and execute and discharge their duties pursuant to the regulations made under the authority of this Act and the instructions received by them.

Now, that is the law and it appears to be that Mr. Starrs has taken the proper steps under that law to get the animal examined by a veterinary representing the Agriculture Department, and yet the department answers that they cannot take any steps in the matter. He asks that the animal be examined with the view of having it destroyed, or returned or some disposal made of it, because it would not be legal for him to sell it, knowing it to be diseased. I would like to ask what explanation the minister has to give, and whether he thinks the department did its whole duty in connection with this case, or whether he does not think that the veterinary surgeon representing the department was derelict in his duty when, on receiving that notice, he refused either to examine the animal or to go to the place, much less destroy it or give compensation for it.

Mr. FISHER. This question of the treatment of tuberculosis as a contagious disease has been threshed out in the House year after year. It has been proposed that we should deal with it, as with other contagious diseases, by destroying all animals found to be affected and paying compensation; but the cattle men will not submit to that. The difficulty is to persuade people that an animal is affected with tuberculosis, even when the tuberculine test shows it to be.

Mr. SPROULE. But this man desires to have the animal tested, and is quite willing to be controlled by law.

Mr. FISHER. Still, we have to deal with the matter on the general feeling of live stock owners, and not on any individual case. We have not undertaken to pay compensation for tuberculous animals at all. We have only gone so far as to supply tuberculine where an application is made for a test. The regulation is that when an animal is tested with tuberculine and is found to be affected, it must be earmarked or cached, so that anybody buying it will know that it is tuberculous. I would like to go further if it were possible, but we have not been able to see our way to doing so. I think the disease is decreasing somewhat in the country.

Mr. SPROULE. Is the law not compulsory on your veterinary surgeon?

Mr. FISHER. Part of it is compulsory and part of it is not. It is not compulsory on the minister to pay compensation. It is compulsory upon any individual who knows that he has an animal affected with tuberculosis not to offer it for sale. One difficulty in the way of dealing with this disease is that, as the letter says, a man is supposed to be a fool to say anything about it. I do not mean to say that what we are doing is the ideal, but it is as far as we can go in the present state of public opinion among livestock men. Any attempt to go further would probably render the whole work ineffective.

Mr. SPROULE. May I be permitted to draw attention to clause 11, which is compulsory upon the owner of an animal to give notice, and upon the inspector, when he receives that notice, to go with all possible speed and inspect it. The inspector refused to go, in obedience to the law. I frankly confess that if that is the way the law is carried out, it had better be repealed entirely.

Mr. FISHER. I would point out to my hon. friend that we proceed under the regulations.

Mr. SPROULE. You can only regulate in accordance with the law. You cannot regulate to do away with the provisions of the law.

Resolutions reported and agreed to.

WAYS AND MEANS—TUBERCULOSIS IN CATTLE.

House went into committee on Ways and Means.

Mr. FIELDING. The officials of the House in accordance with the established custom have taken these resolutions which the House has now concurred in, and having made the necessary additions and calculations have prepared the following resolutions which I beg to move now:

1. Resolved that towards making good a supply granted to His Majesty on account of certain expenses of the public service for the period of nine months, ending March 31, 1907, the sum of $2,101,022.08 be granted out of the Consolidated Revenue Fund of Canada.

2. Resolved that towards making good a supply granted to His Majesty on account of certain expenses of the public service for the financial year ending March 31, 1908, the sum of $68,279,774.75 be granted out of the Consolidated Revenue Fund of Canada.

Mr. R. L. BORDEN. Before the resolution is adopted, I would like to refer to a matter which has been mentioned by my hon. friend from Grey (Mr. Sproule) concerning the administration of the Department of Agriculture. I understand that the Minister of Agriculture is acting apparently on the idea, that although there is a statute which provides that he and his officials shall take certain action with

regard to animals suffering from tuberculosis, he is enabled by some regulation entirely inconsistent with the provisions of the statute, to set the provisions of the statute absolutely at naught. I do not think the statute means that at all. I would venture to think that if any person should contract tuberculosis and lose his life in consequence of failure to enforce this law, the minister would be guilty of a criminal offence for which he could be sent to the penitentiary. I think that is perfectly clear, and Sir John Thompson, when Minister of Justice, so advised one of his ministers with regard to a certain matter. That minister went to Sir John Thompson with the owner of a steamboat for the purpose of ascertaining whether or not the minister could permit the steamboat owner to run his steamer in defiance of the regulations enacted by this parliament. The minister afterwards told me that Sir John Thompson said: You can grant permission if you see fit, but if any accident happens you and the owner can be sent to the penitentiary. There is not the slightest difference in principle between one statute and the other so far as I can understand. The minister must carry out the statute. There may be some question as to whether or not it is imperative; I think it is imperative. But whether it is imperative or not it has to be acted upon and when we find correspondence by which the minister apparently takes the ground that he is not obliged to carry out the statute at all, I think it is time some vigorous protest should be made in this House.

Mr. FISHER. I quite agree with my hon. friend that the regulations have to be in exact conformity with the Act. The regulations which I have alluded to, and which we are carrying out, have been passed upon by the Department of Justice, and agreed to as being in strict accordance with the provisions of the Act. I am not going to express a legal opinion contrary to that of my hon. friend. I am willing to accept his statement, but I have to be governed by the opinion of the Department of Justice. We have been acting under the regulations and I believe in strict conformity with them. However, as my hon. friend says that I am liable to be sent to the penitentiary, I am bound to look into the matter, and I will consult the Department of Justice again.

Mr. R. L. BORDEN. All I have to say is that I spoke somewhat impressively in order to impress upon the hon. minister that where the safety of life and the prevention of disease are concerned, it is absolutely impossible for any minister to ignore with impunity the imperative provisions of a statute. Executive irresponsibility, if I may call it so, does not go that far. It does not relieve any one from the operation of the criminal law, and the state of affairs which exists in King's County, N.S., is described with great earnestness in the letter which I have in my hand as a devilish state of affairs. Here is this man with this animal, suffering from tuberculosis, which, as the information comes to me, a prominent Liberal sold to him, and the facts seem to indicate that when he sold the animal he knew perfectly well that it was suffering from tuberculosis. I must do him the justice to say that it is said that he probably would be wiling to take the animal off the hands of the purchaser now that trouble has developed about it; but Mr. Benjamin has been advised by his solicitors that he could not permit the animal to be taken back without rendering himself amenable to the criminal law. So there he has this animal in his stable. He has advised the officers of the department about it, and the only answer he has received from them is: 'Letter received; cannot take action.' It seems to me that this is a case in which the department should take action. Here is a man with a diseased animal in his stable, liable to spread contagion not only through his own herd, but through those of his neighbours; and although this has been known to the department for months, no action has been taken. I am quite aware that the minister cannot be expected to bear all these facts in his mind; but I do most earnestly desire to impress upon him that this matter should be looked into at the earliest moment.

Mr. FISHER. To one remark made by my hon. friend I must take exception. He states that this animal had been sold by a prominent Liberal, as if that had some bearing on the case. I wish to say that that had nothing whatever to do with it. Every person, whether he is a Conservative or a Liberal, is treated in exactly the same way.

Mr. SPROULE. I cannot understand why we are keeping up a large number of veterinary surgeons all over the country, and paying them each $1,000 a year and expenses, if they are not allowed to examine animals suspected to be suffering from contagious disease. My understanding of the law was that any one had a right to call on them to examine a suspected animal at any time on giving them a reasonable notice, and that if, on receiving that notice, they did not come and make the examination, they would be regarded as not doing their duty and be amenable to the law. I would like to ask the minister if that is not his understanding of the law?

Mr. FISHER. I cannot allow my hon. friend to think that we undertake to send government veterinarians to examine every case of a diseased animal reported to us. If we did that, I am afraid that we would have to augment the staff and change our

organization very materially. I grant that when the officers are freed from their ordinary duties, they do a great deal of that kind of work, but we do not undertake to examine into every case.

Mr. SPROULE. Does the minister pretend to say that when any person, in compliance with the law, notifies the department or a veterinary surgeon belonging to the department that he has reason to believe that an animal is suffering from an infectious or contagious disease, there is no obligation to go and make an inspection?

Mr. FISHER. As I have explained, the regulations govern that.

Mr. SPROULE. I do not think the regulations exonerate them. I think the statute law is to be obeyed. I am not complaining of the veterinary surgeons of the department; I think they are good men; but I cannot see the use of having them all over the country and paying them $1,000 a year and expenses, if they are not to examine diseased animals when notified to do so. What are they for, and what are we paying them for?

Resolutions reported, read the first and the second time and agreed to.

Mr. FIELDING moved for leave to introduce Bill (No. 179) for granting to His Majesty certain sums of money for the public service for the period of nine months ending March 31, 1907, and for the financial year ending March 31, 1908.

Motion agreed to, Bill read the first time and the second time, considered in committee, reported, read the third time, and passed.

At 1.30 o'clock, House took recess.

House resumed at three o'clock p.m.

PROROGATION.

A message from His Excellency the Governor General by the Gentleman Usher of the Black Rod:

Mr. SPEAKER:

His Excellency the Governor General desires the immediate attendance of your honourable House in the Chamber of the honourable Senate.

Accordingly, Mr. Speaker, with the House went up to the Senate Chamber.

IN THE SENATE CHAMBER.

His Excellency was pleased to give, in His Majesty's name, the Royal Assent to the following Bills:

An Act to incorporate the Manitoba Radial Railway Company.

An Act to amend the Militia Pension Act.

An Act to incorporate the Collingwood Southern Railway Company.

An Act respecting the Canadian Northern Ontario Railway Company.

An Act respecting the Quebec Oriental Railway Company.

An Act respecting the St. Mary River Bridge Company.

An Act to incorporate the Winnipeg and Northwestern Railway Company.

An Act to incorporate the St. Leon Railway Company.

An Act respecting the Ontario, Hudson Bay and Western Railways Company.

An Act respecting the Manitoulin and North Shore Railway Company.

An Act to incorporate the Abitibi and Hudson Bay Railway Company.

An Act respecting the Algoma Central and Hudson Bay Railway Company.

An Act to amend the Inspection and Sale Act.

An Act respecting the Inspection of Meats and Canned Foods.

An Act to regulate the exportation of electric power and certain liquids and gases.

An Act respecting the Winnipeg Terminals of the Canadian Northern Railway Company and the Grand Trunk Pacific Railway Company.

An Act to amend the Immigration Act.

An Act to incorporate the Central Canada Manufacturers Mutual Fire Insurance Company.

An Act respecting the Atlantic, Quebec and Western Railway Company.

An Act to incorporate the Eastern Canada Manufacturers Mutual Fire Insurance Company.

An Act respecting the Traders' Fire Insurance Company.

An Act respecting the Accident and Guarantee Company of Canada, and to change its name to 'The Sterling Accident and Guarantee Company of Canada.'

An Act in amendment of the Railway Act.

An Act to incorporate the Ottawa Life Insurance Company.

An Act to amend the Gold and Silver Marking Act.

An Act respecting a certain patent of Philp J. Green, Melvin Hunt and John D. McMurrich.

An Act for the relief of Victor Harold Lyon.

An Act for the relief of Arthur Leon McPherson.

An Act to incorporate the Rock Life Assurance Company of Canada.

An Act to incorporate the General Animals Insurance Company of Canada, Limited.

An Act to amend the Adulteration Act.

An Act to amend the Act of the present session incorporating the Residential Fire Insurance Company.

An Act to readjust the Representation of the provinces of Saskatchewan and Alberta in the House of Commons, and to amend the Representation Act.

An Act to incorporate the Fidelity Life Insurance Company of Canada.

An Act to amend the Schedule A to the Revised Statutes, 1906.

An Act to amend the Criminal Code.

An Act respecting the Inspection of Electricity.

An Act to incorporate the Prudential Life Insurance Company of Canada.

An Act to incorporate the Ottawa Terminals Railway Company.

An Act to amend the Yukon Placer Mining Act.

An Act to amend the provisions of the Criminal Code respecting the preservation of the peace in the vicinity of public works.

An Act to amend the Winding-up Act.

An Act to amend the statute law in its application to the provinces of Saskatchewan and Alberta.

An Act to amend the Customs Act.

An Act to provide for further advances to the Harbour Commissioners of Montreal.

An Act respecting Bounties on Iron and Steel made in Canada.

An Act to amend the Exchequer Court Act.

An Act to amend the Canada Shipping Act.

An Act to amend the Judges Act.

An Act to amalgamate the Jordan Light, Heat and Power Company and the Erie and Ontario Development Company, Limited, into one corporation under the name of 'The Jordan-Erie Power Company.'

An Act respecting the Canadian Northern Railway Company.

An Act to increase the borrowing powers of the Quebec Harbour Commissioners.

An Act to create a Department of Mines.

An Act to amend the Railway Act.

An Act to repeal the Act of the present session intituled 'An Act respecting the surveys of the public lands of the Dominion and the surveyors entitled to make such surveys.'

An Act to amend the Act respecting the manufacture of binder twine in Canada.

An Act to authorize the granting of subsidies in aid of the construction of the lines of railways therein mentioned.

An Act to authorize a loan to the Quebec Bridge and Railway Company.

An Act to amend the Post Office Act.

To these Bills the Royal Assent was pronounced by the Clerk of the Senate in the following words:

In His Majesty's name, His Excellency the Governor General doth assent to these Bills.

Then the Honourable the Speaker of the House of Commons addressed His Excellency the Governor General, as follows:

May it please Your Excellency:

The Commons of Canada have voted the supplies required to enable the government to defray the expenses of the public service.

In the name of the Commons, I present to Your Excellency the following Bill:

An Act for granting to His Majesty certain sums of money for the public service of the period of nine months ending the 31st March, 1907, and the financial year ending the 31st March, 1908.

To which Bill I humbly request Your Excellency's assent.

To this Bill the Clerk of the Senate, by His Excellency's command, did thereupon say:

In His Majesty's name, His Excellency the Governor General thanks his loyal subjects, accepts their benevolence, and assents to this Bill.

After which His Excellency the Governor General was pleased to close the Third Session of the Tenth Parliament of the Dominion with the following:

SPEECH:

Honourable Gentlemen of the Senate:

Gentlemen of the House of Commons:

In bringing to a close the third session of the tenth parliament of Canada, I desire to express to you my thanks for the care and assiduity you have shown in the discharge of your important duties, the results of which are apparent in many important Acts which must prove of great benefit to the country.

I am glad to observe that the fiscal period terminating on the last day of March was, in proportion to its length, the most prosperous in the history of the Dominion, and that the present indications are that the expansion of the country's trade and revenue will continue during the year that we are now entering upon; a fact that is particularly gratifying in view of the important undertakings to which Canada is committed.

The stream of immigrants entering the Dominion continues yearly to expand, and it is very satisfactory to note that a larger number is coming from the British Isles than in former years.

The recent revision of the tariff will, it is believed, meet with the general approval of the trade, removing as it does many inequalities heretofore existing.

One of the most important of the subjects which have engaged your attention is that of the subsidies and allowances to be paid out of the Dominion treasury to the several provinces. I trust that the proposed changes in the imperial legislation respecting which you have adopted an address to His Majesty will, if enacted, go far towards removing the grievances of which the provincial governments have complained as to the insufficiency of their revenues.

The substantial aid now offered towards the establishment of cold storage should stimulate the erection of those necessary adjuncts for the preservation of perishable foods.

I have observed with gratification the passage of an Act having for its object the maintenance of industrial peace in all public utilities. This legislation has already been applied with success. It is confidently expected that when the provisions of the Act for the settlement of industrial disputes are fully understood, both employee and employers will be ready to refer their differences to boards of investigation and conciliation and thus avoid the evils following strikes and lockouts.

The arrangements lately made between the imperial and Canadian postal departments, providing for a substantial reduction on newspapers and periodicals coming from the United Kingdom, have, I am glad to know, been received with much satisfaction as a measure likely to promote a freer communication between the mother country and Canada.

Gentlemen of the House of Commons:

I thank you in His Majesty's name for the liberal supplies you have granted for the public service.

Honourable Gentlemen of the Senate:

Gentlemen of the House of Commons:

In now relieving you from your duties let me express the fervent hope that when we meet again at the next session, an equally prosperous condition will prevail throughout Canada, and in the meantime let us not forget to express gratitude to a kind Providence for the many blessings conferred upon our country.

The SPEAKER of the Senate then said:

Honourable Gentlemen of the Senate:

Gentlemen of the House of Commons:

It is His Excellency the Governor General's will and pleasure, that this parliament be prorogued until Saturday, the first day of June next, to be here holden, and this parliament is accordingly prorogued until the first day of June next.

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THIRD SESSION—TENTH PARLIAMENT, 1906-7.

Abbreviations of well known words and Parliamentary expressions are used in the following :—1°, 2°, 3°, First Reading, Second Reading, Third Reading ; 3 m. h., 6 m. h., 6 w. h., Three Months' Hoist, Six Months' Hoist, Six Weeks' Hoist ; *, without remarks or debate ; Accts., Accounts; Adjn., Adjourn; Adjd., Adjourned ; Amt., Amendment ; Amts., Amendments ; Amalg., Amalgamation ; Ans., Answer ; Ass., Assurance ; B., Bill ; B.C., British Columbia ; Can., Canada or Canadian ; C.P.R., Canadian Pacific Railway ; Com., Committee ; Co., Company ; Conc., Concur, Concurred, Concurrence ; Consd., Conside ; Consdn., Consideration ; Cor., Correspondence ; Deb., Debate ; Dept., Department ; Depts., Departments ; Div., Division ; Dom., Dominion ; Govt., Government ; His Ex., His Excellency the Governor General ; Hse., House ; H. of C., House of Commons ; Incorp., Incorporation ; Ins., Insurance ; I.C.R., Intercolonial Railway ; Man., Manitoba ; Mess., Message ; M., Motion ; m., moved ; Neg., Negatived ; N.B., New Brunswick ; N.W.T., North-west Territories ; N.S., Nova Scotia ; O.C., Order in Council ; Ont., Ontario ; P.E.I., Prince Edward Island ; P.O., Post Office ; Par., Paragraph ; Prop., Proposed ; Q., Quebec ; Ques., Question ; Recom., Recommit ; Ref., Refer, Referred, Reference ; Rep., Report, Reported ; Reps., Reports ; Res., Resolution ; Ret., Return ; Ry., Railway ; Rys., Railways ; Sel., Select ; Sen., Senate ; Sp., Special ; Stmnt., Statement ; Sup., Supply ; Suppl., Supplement, Supplementary ; Wthdn., Withdrawn Wthdrl., Withdrawal ; Y.N., Yeas and Nays ; Names in Italics and parentheses are those of the mover.

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Bickerdike, Mr. R., *Montreal, St. Lawrence.*

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Blain, Mr. R., *Peel.*

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Blain, Mr. R.—*Con.*
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Public Works—Harbours and Rivers—Que. (Grand Machins) 6103; (Lavaltrie wharf) 6112; (Rivière du Loup) 6123; (Rivière Maskinonge) 6124; (St. Maurice River) 6126; (Three Rivers) 6134 (iv).

Burrows, Mr. T. A., *Dauphin.*

Fuel Famine in N.W. (personal explanation) *re* Rep. in 'Telegram,' 2824 (ii).

Lumber Combine in N.W., Charges *re*, on M. (Mr. Herron) for Sel. Com., 1831 (i).

SUPPLY—

Dom. Lands (homestead inspectors) 6246 (iv).

Timber Regulations, Number of Permits, &c. (Ques.) 7007 (iv).

Caldwell, Mr. T. B., *North Lanark.*

Iron and Steel Bounties B. 173 (Mr. Fielding) in Com., 7507 (iv).

Ottawa Terminals Ry. Co.'s incorp. (B. 152) in Com., 7203, 7311, 7483 (iv).

Caldwell, Mr. T. B.—*Con.*

Strikes and Lockouts Settlement B. 36 (Mr. Lemieux) in Com., 3991 (iii).

Tariff—Dumping Clause, in Com. on Ways and Means, 1008 (i).

——— Wool, in Com., 2371 (ii).

Calvert, Mr. W. S., *W. Middlesex.*

Central Canada Manufacturers' Mutual Fire Insurance Co. incorp. (B. 81) 1°*, 1923 (i); in Com., 4409, 4557 (iii).

Eastern Canada Manufacturers' Mutual Fire Insurance Co.'s incorp. (B. 93) 1°*, 2482 (ii).

London and St. Clair Ry. Co.'s (B. 47) 1°*, 1120 (i).

Petroleum Bounty Act Amt. B. 97 (Mr. Templeman) in Com., 3892 (ii).

Private Bills, Pets. *re*, M. to receive, 1920 (i).

Campbell, Mr. A., *Centre York, Ont.*

Address, The 175 (i).

Ansley, Selina Kingan, Relief (B. 117) 1°*, 4771 (iii).

Atlantic, Quebec and Western Ry. Co.'s B. 90 (Mr. Gauvreau) in Com., 5204 (iii).

Canadian Northern Ontario Ry. Co.'s B. 72 (Mr. Pardee) in Com., 4410 (iii).

Canadian Northern Ry. Co.'s (B. 154) 1°*, 6376 (iv).

Committees, Sel. Standing, (M.) to sit concurrently with Hse, 6833 (iv).

Damen, Wm. A., Patent Relief (B. 8) 1°*, 515; in Com., 1750, 1754 (i).

Jordan, Light, Heat and Power, and Erie and Ontario Development Co.'s Amalgamation (B. 115) 1*, 4664 (iii); in Com., 7909 (iv).

Hadley, Geo. Wm., Relief (B. 118) 1°*, 4771 (iii).

Hamilton Radial Electric Ry. Co.'s (B. 158) in Com., 7315, 7912 (iv).

Manitoulin and North Shore Ry. Co.'s B. 133 (Mr. Dyment) in Com., 6586 (iv).

Ontario, Hudson Bay and Western Co's B. 132 (Mr. Dyment) in Com., 6585 (iv).

Orders of the Day, Printing in English (remarks) 7838 (iv).

Ottawa Terminals Ry. Co.'s incorp. B. 152 (Mr. Caldwell) in Com., 7207, 7311 (iv).

Owen Sound Bridge and Terminal Co.'s incorp. (B. 66) 1°*, 1472 (i); (M.) to wthdrw, 3720 (ii).

Port Arthur Power and Development Co.'s B. 167 (Mr. Conmee) 2° m., 7212 (iv).

——— on Protest (Mr. Conmee) *re* moving on Order Paper, 7911 (iv).

Provincial Rights: *See* 'Hamilton Radial B. 158.'

Quinze and Blanche River Ry. Co.'s incorp. B. 56 (Mr. McCool) in Com., 2455, 2459 (ii).

Campbell, Mr. A.—*Con.*
Quebec Oriental Ry. Co.'s B. 69 (Mr. Gauvreau) in Com., 4972 (iii).
Spain, O. G. V., Relief (B. 104) 1°*, 4117 (iii).
SUPPLY—
Public Works—Harbours and Rivers—Ont. (Rondeau) 6985 (iv).
Tariff—Tomatoes, in Com., 1875 (i).
——— Vegetables, in Com., 1885 (i).
Transportation Question, Mr. Ashdown's Rep., on prop. res. (Mr. Bennett) Amt. 4115 (iii).
Winnipeg and Northwestern Ry. Co.'s incorp. B. 129 (Mr. McCraney) in Com., 6585 (iv).

Carrier, Mr. L. A., *Lévis.*
Levis Military Forts, Clearing of Land, &c. (Ques.) 5655 (iii).
St. Joseph de Levis, Military Cabins, Burning of, &c. (Ques.) 5656 (iii).

Carvell, Mr. F. B., *Carleton, N.B.*
Electric Power Export B. 60 (Mr. Aylesworth) in Com., 2251 (ii), 4623 (iii), 7050 (iv).
G.T.P. Investigation *re* Payment on Construction, on M. to conc. in 6th Rep. of Pub. Accts. Com., 5118 (iii).
I.C.R. Accidents, Deaths, &c., on M. (Mr. Laurence) for Ret., 3409 (ii).
Insurance Commission, Charges against Cabinet Ministers, on Amt. (Mr. Bourassa) to Com. of Sup., 5434 (iii).
North Atlantic Trading Co., Summons of Mr. Beddoe to Bar of Hse, on Amt. (Mr. Monk) 5824 (iii).
P.E.I. Tunnel and Winter Communication, Cor. Tels, &c., on M. (Mr. A. Martin) for Copies, 3260 (ii).
Privilege, Ques. of (Mr. Bourassa) *re* Charges of Graft against Ministers and Members, 3435 (ii).
Railway Subsidies B. 178 (Woodstock, N.B.) in Com. on Res., 7802 (iv).
Southern Alberta Land Co., on Amt. (Mr. M. S. McCarthy) to Com. of Sup., 2653 (ii).
Strikes and Lockouts Settlement B. 36 (Mr. Lemieux) in Com., 3833 (ii).
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Public Works—Harbours and Rivers—N.B. (St. John River) 6078 (iv).

Cash, Mr. E. L., *Mackenzie.*
Doukhobor Colonies in Sask., Cor. Papers, Reps. &c. (M. for copies*) 4458 (iii).
Hudson Bay Railway, Construction, on prop. res. (Mr. Knowles) 3568 (ii).
Manitoba and Northwestern Ry. Co.'s (B. 41) 1°*, 1119 (i).

Chisholm, Mr. T., *East Huron.*
Address, The, 69 (i).
British Periodicals, Postage, &c. (Ques.) 1134 (i).

Chisholm, Mr. T.—*Con.*
Cattle Embargo, Cor. with G.B., &c. (Ques.) 1055 (i).
Cold Storage Warehouses B. 20 (Mr. Fisher) in Com. on Res., 698 (i); on M. for 2°, 2429 (ii).
Cold Storage System *re* Transportation, on Amt. (Mr. E. D. Smith) to Com. of Sup., 5166 (iii).
G.B. and Her Colonies, Partnership Union between, on prop. res. (Mr. S. Hughes) 2860 (ii).
Iron and Steel Bounties B. 173 (Mr. Fielding) in Com. on Res., 7467 (iv).
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McGee, Thomas D'Arcy, Monument, Erection of (Ques.) 7700 (iv).
'Montague,' Dredge, Total Cost of repairing (Ques.) 2980 (ii).
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Petroleum, Bounties *re*, Total Amount (Ques.) 4052 (iii).
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Chisholm, Mr. W., *Antigonish.*
P.E.I. Tunnel and Winter Communication, Cor., Tels, &c., on M. (Mr. A. Martin) for Copies, 3246 (ii).
——— N.S., Tests *re* Open Route, &c. (Ques.) 1048 (i).
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Christie, Mr. P., *South Ontario.*
Immigration Agents in Ont., Number and Names, &c. (Ques.) 713 (i).
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Trent Valley Canal, Total Expenditure, Estimated Cost, &c. (Ques.) 713 (i).

Clare, Mr. G. A., *South Waterloo.*
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Welland Canal and Cataract Power Co., Application *re* Water Power (Ques.) 3187 (ii).

Clarke, Mr. A. H., *South Essex.*
Hamilton Radial Electric Co. (B. 158) in Com., 7314, 7340, 7484 (iv).

Clarke, Mr. A. H.—*Con.*

G. T. P. Investigation *re* Payments on Construction, on M. to conc. in 6th Rep. of Pub. Accts. Com., 5070 (iii).

Life Saving Stations, P. E. I., Complaints *re* Wrecked Vessels, on M. (Mr. Lefurgey) for Cor., 931 (i).

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Nichols Copper Co.'s Patent Relief (B. 119) in Com., 5589 (iii).

Nipissing Central Ry. Co.'s incorp. (B. 94) 1°*, 2482 (ii).

Petroleum Bounty Act Amt. B. 97 (Mr. Templeman) in Com., 3891 (ii).

Point Pelee Life Saving Crew (remarks) in debate on P. E. I. Life Saving Stations, 931 (i).

Provincial Rights: *See* 'Hamilton Radial B. 158.'

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Clements, Mr. H. S., *West Kent.*

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Cold Storage Warehouses B. 20 (Mr. Fisher) on M. for 2°, 2418 (ii).

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Clements, Mr. H. S.—*Con.*

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Tariff—in Com. on Ways and Means (brass coils) 2129 (ii), 4198 (iii); Dumping Clause Amts. (binder twine) 1220 (i); (malleable chains) 4391; (marble) 4191 (iii); (tomatoes) 1877 (i); (wool) 2369 (ii).

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Cockshutt, Mr. W. F.—*Con.*
Brantford Drill Hall (remarks) in Com. of Sup., 4599 (iii).
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Conmee, Mr. J., *Thunder Bay and Rainy River.*
Electric Power Export B. 60 (Mr. Aylesworth) in Com., 2263 (ii), 4626; on Amt. (Mr. Lancaster) to M. for 3°, 4965 (ii).
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Iron and Steel Bounties B. 173 (Mr. Fielding) in Com. on Res., 7480, 7492 (iv).
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Copp, Mr. A. J. S., *Digby.*
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Crawford, Mr. J., *Portage la Prairie.*
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Crocket, Mr. O. S., *York, N.B.*
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Crocket, Mr. O. S.—*Con.*
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Crocket, Mr. O. S.—*Con.*
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Daniel, Mr. J. W., *St. John City.*
Adulteration Act (analysts) Amt. B. 127 (Mr. Templeman) in Com., 6270 (iv).
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Daniel, Mr. J. W.—*Con.*

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Stockton, Mr. A. A., M.P., Decease of (remarks) 4758 (iii).

SUPPLY—

Arts, Agriculture, &c. (Dublin exhibition) 6900 (iv); (Year-book) 2971 (ii), 7810 (iv).
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Bill (No. 3) To amend the Railway Act, 1903. —(Mr. Lancaster.)
1°, 90; 2°, 594; in Com., 595; 3°*, 618 (i); Sen. Amts., 7012 (iv).

Bill (No. 4) In further amendment of the Railway Act, 1903.—(Mr. Lancaster.)
1°, 91; on Order for 2°, 595; 2° m., 951; in Com., 961 (i).

Bill (No. 5) To amend the Act respecting Certificates to Masters and Mates of Ships.—(Mr. Lancaster.)
1°, 91; 2°, 595 (i).

BILLS—*Con.*

Bill (No. 6) To amend the Railway Act, 1903.—(Mr. Maclean.)
1°, 274; 2°, 618 (i); M. for Com., 3674 (ii).

Bill (No. 7) To amend the Act respecting the sale of Railway Passenger Tickets. —(Mr. Maclean.)
1°, 275; 2°, 961 (i).

Bill (No. 8) Respecting Patent of William A. Damen.—(Mr. Campbell.)
1°*, 515; 2°*, 707; in Com., 1750, 1798 (i).

Bill (No. 9) Respecting a Patent of Edgar Webster Summers and Hadley Herbert Summers.—(Mr. Galliher.)
1°*, 515; 2°*, 707; in Com., and 3°*, 1798 (i).

Bill (No. 10) Respecting a Patent of the George E. Smith Lumber Company.—(Mr. Parmelee.)
1°*, 515; 2°*, 707; in Com., and 3°*, 1798 (i).

Bill (No. 11) To incorporate the Saskatchewan Valley and Hudson Bay Railway Company.—(Mr. McCraney.)
1°*, 515; 2°*, 708 (i); in Com., and 3°*, 2452 (ii).

Bill (No. 12) To incorporate the Malone and Hopkins Point Railway Company. —(Mr. Walsh, Huntingdon.)
1°*, 515; 2°*, 708 (i); in Com., and 3°*, 2109 (ii).

Bill (No. 13) Respecting La Compagnie du chemin de fer de Colonisation du Nord. —(Mr. Bureau.)
2°*, 708 (i); in Com., 2768; 3°*, 2769 (ii).

Bill (No. 14) Respecting the Georgian Bay and Seaboard Railway Company.—(Mr. Grant.)
2°*, 708; in Com., and 3°*, 1798 (i).

Bill (No. 15) Respecting the Joliette and Brandon Railway Company.—(Mr. Bureau.)
2°*, 708 (i); in Com., and 3°*, 3588 (ii).

Bill (No. 16) To amend the Dominion Elections Act, 1900.—(Mr. Macdonell.)
1°, 612 (i).

Bill (No. 17, from the Senate) To amend an Act respecting Commercial Treaties affecting Canada.—(Mr. Fisher.)
1°*, 657; 2°, 1552; in Com., and 3°*, 1553 (i).

Bill (No. 18) To amend the Steamboat Inspection Act, 1898.—(Mr. McCarthy, Simcoe.)
1°*, 657 (i); 2°*, and ref. to Sel. Com., 4838 (iii).

Bill (No. 19, from the Senate) Respecting the Revised Statutes, 1906, and to provide for the French version thereof.—(Mr. Aylesworth.)
1°*, 945; 2°, and in Com., 1502, 1510. 3° m., 1543; Amt. (Mr. Bourassa) Neg. (Y. 31; N. 84) 1546 (i).

BILLS—*Con.*

Bill (No. 20) To encourage the Establishment of Cold Storage Warehouses for the Preservation of Perishable Food Products.—(Mr. Fisher.)

Res. prop., 515; M. for Com. on Res., 658; 1°* of B., 702 (i); 2°, 2416; in Com., 2449, 2460; 3°, 2476 (ii).

Bill (No. 21) To Consolidate and amend the Act respecting the Public Lands of the Dominion.—(Mr. Oliver.)

1°, 703 (i); 2° m., 4669; in Com., 4739, 4785, 4804, 4865 (iii).

Bill (No. 22, from the Senate) To amend the Naturalization Act.—(Sir Wilfrid Laurier.)

1°*, 803; 2°, 1092; in Com., 1094; 3°*, 1300 (i).

Bill (No. 23, from the Senate) Respecting a certain Treaty between Canada and Japan.—(Sir Wilfrid Laurier.)

1°*, 803; 2°, 1546; in Com., and 3°*, 1552 (i).

Bill (No. 24) Respecting the Orford Mountain Railway Company.—(Mr. Parmelee.)

1°*, 803; 2°*, 1045 (i); in Com., and 3°*, 2768 (ii).

Bill (No. 25) Respecting the Qu'Appelle, Long Lake and Saskatchewan Railroad and Steamboat Company.—Mr. McIntyre, Strathcona).

1°*, 803; 2°, 1045 (i); in Com., 2110; ref. back to Ry. Com., 2525, 3172; 3°*, 3180 (ii).

Bill (No. 26) To incorporate the Manufacturers Bank of Canada.—(Mr. Kemp).

1°*, 803; 2°*, 1045 (i).

Bill (No. 27) Respecting La Banque Nationale.—(Mr. Lachance).

1°*, 803; 2°*, 1045 (i); in Com. and 3°*, 4008 (iii).

Bill (No. 28) To incorporate the Residential Fire Insurance Company.—(Mr. Macdonell).

1°*, 803; 2°*, 1046 (i); in Com., and 3°*, 3588 (ii).

Bill (No. 29) To incorporate the National Accident and Guarantee Company of Canada.—(Mr. Pardee).

1°*, 803; 2°*, 1046 (i); in Com., and 3°*, 2768 (ii); Sen. Amts., 4411 (iii).

Bill (No. 30) To incorporate the Women's Art Association of Canada.—(Mr. Grant).

1°*, 803; 2°*, 1046 (i); in Com., and 3°*, 2453 (ii).

Bill (No. 31) To incorporate the Northwestern Trusts Company.—(Mr. McCarthy, Calgary).

1°*, 803; 2°*, 1046 (i); in Com., 4008; 3°*, 4008 (iii).

Bill (No. 32) Respecting the Hours of Labour on Public Works.—(Mr. Verville.)

1°, 803 (i).

BILLS—*Con.*

Bill No. 33) To provide for the further supervision and inspection of Canned Food Products, Meats and Fish.—(Mr. Fisher).

Res. prop., 523; in Com. on Res., 804; 1°* of B., 838; 2°, and in Com., 1300, 1615 (i), 1992; 3°*, 2229 (ii); Sen. Amts., 6770 (iv).

Bill (No. 34) Respecting Inland Navigation Companies.—(Mr. Lavergne, Montmagny.)

1°, 884 (i).

Bill (No. 35) To provide for the Official Inspection of Barges.—(Mr. Laurence.)

1°, 1035 (i).

Bill (No. 36) To aid in the Prevention and Settlement of Strikes and Lockouts in Coal Mines, and Industries connected with Public Utilities.—(Mr. Lemieux).

1°, 1036 (i); 2°m., 3002; in Com., 3278, 3802, 3844 (ii), 3978, 4458, 4616, 4772; 3°m., 4978; 3°*, 5015 (iii).

Bill (No. 37) Respecting the Royal Victoria Life Insurance Company.—(Mr. Bickerdike).

1°*, 1119; 2°*, 1329 (i); in Com., 2769; 3°*, 2769 (ii).

Bill (No. 38) Respecting the Klondike Mines Railway Company.—(Mr. Thompson).

1°*, 1119; 2°*, 1329 (i); in Com., 2769; 3°*, 2769 (ii).

Bill (No. 39) Respecting the Brockville, Westport and Northwestern Railway Company.—(Mr. Derbyshire).

1°*, 1119; 2°*, 1329 (i); in Com., and 3°*, 2453 (ii).

Bill (No. 40) Respecting the Indian River Railway Company.—(Mr. Bureau).

1°*, 1119; 2°*, 1329 (i); in Com., and 3°*, 2109 (ii).

Bill (No. 41) Respecting the Manitoba and Northwestern Railway Company of Canada.—(Mr. Cash).

1°*, 1119; 2°*, 1329 (i); in Com., and 3°*, 2109 (ii).

Bill (No. 42) To incorporate the Eastern Townships Railway Company.—(Mr. Lavergne, Drummond and Arthabaska).

1°*, 1119; 2°*, 1330 (i); in Com., and 3°*, 2109 (ii).

Bill (No. 43) Respecting the Dominion Central Railway Company.—(Mr. Hall).

1°*, 1119; 2°*, 1330 (i); in Com., and 3°*, 2109 (ii).

Bill (No. 44) Respecting the Canada Central Railway Company.—(Mr. Schell, Oxford).

1°*, 1120; 2°*, 1330 (i); in Com., and 3°*, 2109 (ii).

Bill (No. 45) Respecting the Arthabaska Railway Company.—(Mr. McIntyre, Strathcona.)

1°*, 1120; 2°*, 1330 (i); in Com., and 3°*, 2453 (ii).

BILLS—*Con.*

Bill (No. 46) To incorporate the Manitoba Radial Railway Company.—(Mr. Bole).

1°*, 1120; 2°*, 1330 (i); in Com., and 3°*, 3587 (ii); Sen. Amts., 4976 (iii), 6204 (iv).

Bill (No. 47) Respecting the London and St. Clair Railway Company.—(Mr. Calvert).

1°*, 1120; 2°*, 1330 (i); in Com., and 3°*, 2109 (ii).

Bill (No. 48) Respecting the Canadian Northern Quebec Railway Company.—(Mr. Dugas).

1°*, 1120; 2°*, 1330 (i); in Com., and 3°*, 2453 (ii).

Bill (No. 49) Respecting the Central Counties Railway Company.—(Mr. Schell, Glengarry.)

1°*, 1120; 2°*, 1330 (i); in Com., and 3°*, 2768 (ii).

Bill (No. 50) To amend an Act to confirm an agreement entered into by Her late Majesty with the Grand Trunk Railway Company of Canada, for the purpose of securing the extension of the Intercolonial Railway System to the City of Montreal.—(Mr. Aylesworth.)

1°, 1120 (i); 2°*, and in Com., 2476; 3°*, 2478 (ii).

Bill (No. 51) For the Representation in the House of Commons of the Provinces of Saskatchewan and Alberta.—(Sir Wilfrid Laurier.)

1°, 1120; 2°, 1614 (i); M. for Com., 5670; in Com., 5673 (iii), 6766; 3°*, 6766 (iv).

Bill (No. 52) To confirm certain Agreements between the British Columbia Electric Railway Company, Limited, the Canadian Pacific Railway Company, Lord Strathcona and Mount Royal, and Richard B. Angus; and between the Canadian Pacific Railway Company, the British Columbia Electric Railway Company, Limited, the Vancouver and Lulu Island Railway Company, Lord Strathcona and Mount Royal, and Richard B. Angus.—(Mr. Macpherson.)

1°*, 1293; 2°*, 1509 (i); in Com., and 3°*, 2768 (ii).

Bill (No. 53) Respecting the Dominion Fire Insurance Company.—(Mr. Macpherson.)

1°*, 1293; 2°*, 1509 (i); in Com., and 3°*, 2768 (ii); Sen. Amts., 4409 (iii).

Bill (No. 54) To incorporate the Edmonton, Dunvegan and British Columbia Railway Company.—(Mr. Ross, Yale-Cariboo.)

1°*, 1293; 2°*, 1509 (i); in Com., and 3°*, 3587 (ii).

Bill (No 55) Respecting the Huron and Ontario Railway Company.—(Mr. Ratz.)

1°*, 1293; 2°*, 1509 (i); in Com., and 3°*, 2453 (ii).

BILLS—*Con.*

Bill (No. 56) To incorporate the Quinze and Blanche River Railway Company.—(Mr. McCool.)

1°*, 1293; 2°*, 1509 (i); in Com., 2453; ref. back to Ry. Com., 2526; in Com., and 3°*, 3122 (ii); Sen. Amts., 4412 (iii).

Bill (No. 57) Respecting the St. Mary's and Western Ontario Railway Company.—(Mr. McIntyre, Perth.)

1°*, 1293; 2°*, 1509 (i); in Com., and 3°*, 2453 (ii).

Bill (No. 58) To incorporate the Western Rivers Improvement Company.—(Mr. Ross, Yale-Cariboo.)

1°*, 1293; 2°*, 1509 (i); in Com., and 3°*, 3588 (ii).

Bill (No. 59) Respecting the Surveys of the Public Lands of the Dominion, and the Surveyors entitled to make such Surveys.—(Mr. Oliver.)

1°*, 1293 (i); 2°, 3091; in Com., 3093, 3461; 3°*, 3464 (ii).

Bill (No. 60) To regulate the Exportation of Electric Power and certain Liquids and Gases.—(Mr. Aylesworth.)

1°*, 1293 (i); 2° and in Com., 2229 (ii); on Order for 3°, 4669; 3° m., 4946 (iii); Sen. Amts., 6770 (iv).

Bill (No. 61) To amend the Act respecting the Judges of Provincial Courts.—(Mr. Lennox.)

1°, 1380 (i).

Bill (No. 62) To further amend the Railway Act, 1903.—(Mr. Kennedy.)

1°, 1380 (i).

Bill (No. 63) To incorporate the Masonic Protective Association of Canada.—(Mr. Parmelee.)

1°*, 1472; 2°*, 1798 (i); in Com., and 3°*, 4008 (iii).

Bill (No. 64) To incorporate the Alsek and Yukon Railway Company.—(Mr. Thompson.)

1°*, 1472; 2°*, 1798 (i); in Com., and 3°*, 2768 (ii).

Bill (No. 65) Respecting the Annuity Company of Canada.—(Mr. Bole.)

1°*, 1472; 2°*, 1798 (i); in Com., and 3°*, 2768 (ii).

Bill (No. 66) To incorporate the Owen Sound Bridge and Terminal Company.—(Mr. Campbell.)

1°*, 1472; 2°*, 1879 (i); withdrawn, 3720 (ii).

Bill (No. 67) Respecting the Vancouver and Coast-Kootenay Railway Company.—(Mr. Macpherson.)

1°*, 1472; 2°*, 1798 (i).

Bill (No. 68) To establish the Intercolonial and Prince Edward Island Railways Employees' Fund.—(Mr. Emmerson.)

Res. prop., 1297, 1473; in Com. on Res., 1500; 1°* of B., 1501 (i); 2°, and in Com., 2907, 2943; 3°*, 3002 (ii); Sen. Amts., 4865 (iii).

BILLS—*Con.*

Bill (No. 69) Respecting the Quebec, Oriental Railway Company.—(Mr. Gauvreau.)
1°*, 1553; 2°*, 1798 (i); in Com., 4969; 3°*, 4976 (iii); Sen. Amts., 6633 (iv).

Bill (No. 70) To amend the Supreme Court Act.—(Mr. Gervais.)
1°, 1608 (i).

Bill (No. 71) To incorporate the Burrard, Westminster Boundary Railway and Navigation Company.—(Mr. Macpherson.)
1°*, 1794 (i); 2°*, 2109; in Com., and 3°*, 3588 (ii).

Bill (No. 72) Respecting the Canadian Northern Ontario Railway Company.—(Mr. Pardee.)
1°*, 1794 (i); 2°*, 2110 (ii); in Com., 4410; in Com., and 3°*, 4557, 4850 (iii).

Bill (No. 73) Respecting a Patent of the International Paper Company.—(Mr. Pardee.)
1°*, 1794 (i); 2°*, 2110; in Com., and 3°*, 3763 (ii).

Bill (No. 74) Respecting the Athabaska Northern Railway Company.—(Mr. Turriff.)
1°*, 1794 (i); 2°*, 2110; in Com., and 3°*, 2768 (ii).

Bill (No. 75) To amend the Railway Act.—(Mr. Aylesworth)
1°, 1794 (i); 2°, and in Com., 7410; 3°, 7435 (iv).

Bill (No. 76) To amend the Northwest Territories Act.—(Mr. Aylesworth.)
1°, 1796 (i); 2°, and in Com., 2478; 3°*, 2479 (ii).

Bill (No. 77) To amend the Criminal Code.—(Mr. Gervais).
1°*, 1841 (i).

Bill (No. 78) Respecting the Canadian Pacific Railway Company.—(Mr. Guthrie.)
1°*, 1923 (i); 2°*, 2110; in Com., and 3°*, 3588 (ii).

Bill (No. 79) Respecting the Great West Railway Company.—(Mr. Galliher.)
1°*, 1923 (i); 2°*, 2110; in Com., and 3°*, 3588 (ii).

Bill (No. 80) To incorporate the Prudential Savings Society.—(Mr. Macpherson.)
1°*, 1923 (i); 2°*, 2110; in Com., and 3°*, 3588 (ii).

Bill (No. 81) To incorporate the Central Canada Manufacturers Mutual Fire Insurance Company.—(Mr. Calvert.)
1°*, 1923 (i); 2°*, 2138 (ii); on Order for Com., 4409; in Com., 4442, 4557; 3°*, 4558 (iii).

Bill (No. 82) Respecting the Grand Trunk Railway Company of Canada.—(Mr. Bureau.)
1°*, 1986; on Order for 2°, 2827; 2°*, 3122 (ii); on Order for Com., 4409; in Com., 4442; 3° m., 4794, 4844; in Com., 4844; 3°, 4844 (iii).

BILLS—*Con.*

Bill (No. 83) To amend the Copyright Act.—(Mr. Macdonell.)
1°, 1985 (ii).

Bill (No. 84) To amend the Inspection and Sale Act.—Mr. Porter.)
1°, 1985 (ii).

Bill (No. 85) To amend the Criminal Code.—(Sir Frederick Borden.)
1°, 2068; 2°, and in Com., 3092; 3°*, 3091 (ii).

Bill (No. 86) Respecting the National Transcontinental Railway.—(Mr. Aylesworth.)
1°, 2137; 2°, and in Com., 2479; 3°*, 2479 (ii).

Bill (No. 87) To amend the Winding-up Act.—(Mr. Macdonell.)
1°, 2342 (ii).

Bill (No. 88) To incorporate the Ontario and Quebec Railway Ferry Company.—(Mr. Geoffrion.)
1°*, 2415; 2°*, 2527 (ii); in Com., and 3°*, 4850 (iii).

Bill (No. 89) Respecting the Crawford Bay and St. Mary's Railway Company.—(Mr. Galliher.)
1°*, 2482; 2°*, 2770 (ii); in Com., and 3°*, 4411 (iii).

Bill (No. 90) Respecting the Atlantic, Quebec and Western Railway Company.—(Mr. Gauvreau.)
1°*, 2482; 2°*, 3122 (ii). in Com., 5204; ref. back to Sel. Com., 5205 (iii).

Bill (No. 91) Respecting the St. Maurice Valley Railway Company.—(Mr. Bureau.)
1°*, 2482; 2°*, 2770 (ii); in Com., and 3°*, 4850 (iii).

Bill (No. 92) Respecting the Grand Valley Railway Company.—(Mr. Smith, Oxford.)
1°*, 2482; 2°*, 2943 (ii); in Com., and 3°*, 4411 (iii).

Bill (No. 93) To incorporate the Eastern Canada Manufacturers' Mutual Fire Insurance Company.—(Mr. Calvert.)
1°*, 2482; 2°*, 2943 (ii); in Com., and 3°*, 5284 (iii).

Bill (No. 94) To incorporate the Nipissing Central Railway Company.—(Mr. Clarke.)
1°*, 2482; 2°*, 2770 (ii); in Com., and 3°* 4411 (iii).

Bill (No. 95) To incorporate the Yukon Central Railway Company.—(Mr. Macpherson.)
1°*, 2482; 2°*, 2770 (ii).

Bill (No. 96) For granting to His Majesty certain sums of money for the Public Service for the financial year ending the 31st March, 1907.—(Mr. Fielding.)
In Com. on Res., 2727; 1°*, 2°*, in Com., and 3°*, 2727 (ii).

BILLS—*Con.*

Bill (No. 97, from the Senate), To amend the Petroleum Bounty Act.—(Mr. Templeman).

1°*, 2728; 2°, 3890; in Com., 3890 (ii), 4656; 3°, 4657 (iii).

Bill (No. 98) To amend the Government Railways Act.—(Mr. Macdonald.)

1°, 3424 (ii).

Bill (No. 99) Respecting Proprietary and Patent Medicines.—(Mr. Templeman).

M. for Com. on Res., 3464; 1°* of B., 3465 (ii).

Bill (No. 100) To amend the Railway Act.—(Mr. Conmee).

1°, 3723 (ii).

Bill (No. 101) To amend the Criminal Code.—(Mr. Gervais.)

1°, 3725 (ii).

Bill (No. 102) To ratify an agreement between the Government of Canada and the Government of British Columbia respecting the Western Boundary of the Railway Belt.—(Mr. Oliver).

1°, 3977; 2°, and in Com., 4655; 3°*, 4655 (iii).

Bill (No. 103, from the Senate) Respecting the Calgary and Edmonton Railway Company.—(Mr. McIntyre, Strathcona).

1°*, 4045; 2°*, 4156; in Com., and 3°*, 4411 (iii).

Bill (No. 104, from the Senate) For the relief of Osprey George Valentine Spain.—(Mr. Campbell).

1°*, 4117; 2°*, 4413; in Com., and 3°*, 5590 (iii).

Bill (No. 105, from the Senate) To incorporate the United Baptist Woman's Missionary Union of the Maritime Provinces.—(Mr. Logan.)

1°* 4117; 2°*, 4413; in Com., and 3°*, 5590; Fees remitted, 5504 (iii).

Bill (No. 106, from the Senate) Respecting the Accident and Guarantee Company of Canada, and to change its name to the Royal Accident Company of Canada.—(Mr. Ames).

1°*, 4117; 2°*, 4413 (iii), in Com., and 3°*, 6586 (iv).

Bill (No. 107, from the Senate) Respecting the Témiscouata Railway Company.—(Mr. Gauvreau.)

1°*, 4117; 2°*, 4413; in Com., and 3°*, 4850 (iii).

Bill (No. 108) To amend the Canada Shipping Act.—(Mr. Aylesworth).

1°*, 4209; 2°, and in Com., 4656; 3°*, 4656 (iii).

Bill (No. 109) To amend the Yukon Act.—(Mr. Oliver).

1°, 4440; 2°, 5016; in Com., 5016, 5674; 3°*, 5701 (iii).

BILLS—*Con.*

Bill (No. 110, from the Senate) Respecting the Traders' Fire Insurance Company.—(Mr. Johnston).

1°*, 4518; 2°*, 4850; in Com., 5285; ref. back to Sel. Com., 5285 (iii); in Com., and 3°*, 6586 (iv).

Bill (No. 111, from the Senate) Respecting the Inspection of Electricity.—(Mr. Fisher).

1°*, 4610 (iii); 2°, and in Com., 7030; 3°*, 7052 (iv).

Bill (No. 112, from the Senate) Respecting the British American Assurance Company.—(Mr. Parmelee).

1°*, 4610; 2°*, 4850; in Com., and 3°*, 5284 (iii).

Bill (No. 113) To amend the Post Office Act.—(Mr. Lemieux).

1°, 4610 (iii); 2°, and in Com., 7020; 3°*, 7030; Sen. Amts., 7839 (iv).

Bill (No. 114) To authorize the Exchange of certain Lands.—(Mr. Oliver).

1°*, 4610; 2°, and in Com., 5701; 3°*, 5704 (iii).

Bill (No. 115, from the the Senate) To amalgamate the Jordan Light, Heat and Power Company and the Erie and Ontario Development Company, Limited, into one corporation, under the name of "The Jordan-Erie Power Company."—(Mr. Campbell).

1°*, 4664; 2°*, 4850 (iii); M. for Com., 7482, 7694; in Com., 7909; 3°*, 7911 (iv).

Bill (No. 116) To amend the Interpretation Act.—(Mr. Aylesworth).

1°, 4664; 2°, and in Com., 5016; 3°*, 5016 (iii).

Bill (No. 117, from the Senate) For the relief of Celina Kingan Ansley.—(Mr. Ross, Yale-Cariboo).

1°*, 4771; 2°*, 4850; in Com., and 3°*, 5590 (iii).

Bill (No. 118, from the Senate) For the relief of George William Hadley.—(Mr. Ross, Yale-Cariboo).

1°*, 4771; 2°*, 4850; in Com., and 3°*, 5590 (iii).

Bill (No. 119, from the Senate) To revive certain Patents of the Nichols Copper Company.—(Mr. Clarke.)

1°*, 4927; M. for 2°, 4928; 2°*, 4977; in Com., 5589; 3°*, 5590 (iii).

Bill (No. 120, from the Senate) To incorporate the Travellers' Indemnity Company of Canada.—(Mr. Bickerdike).

1°*, 4927; 2°*, 4977; in Com., and 3°*, 5284 (iii).

Bill (No. 121, from the Senate) To incorporate the Ottawa Life Insurance Company.—(Mr. Turriff).

1°*, 4927; M. for 2°, 4928; 2°*, 4977 (iii); in Com., and 3°*, 6586 (iv).

BILLS—*Con.*

Bill (No. 122, from the Senate) Respecting the Quebec, Montreal and Southern Railway Company.—(Mr. Turgeon.)
1°*, 4838; 2°*, 4977 (iii).

Bill (No. 123, from the Senate) Respecting the Midway and Vernon Railway Company.—(Mr. Ross, Yale-Cariboo.)
1°*, 4839; 2°*, 4977 (iii); in Com., and 3°*, 6010 (iv).

Bill (No. 124, from the Senate) Respecting the Alberta Railway Company.—(Mr. McIntyre, Strathona.)
1°*, 4839; 2°*, 4977 (iii); in Com., and 3°*, 6010 (iv).

Bill (No. 125, from the Senate) Respecting the Lake Superior Power Company.—(Mr. Dyment.)
1°*, 4839; M. for 2°, 4928; 2°*, 4977; in Com., and 3°*, 5590 (iii).

Bill (No. 126, from the Senate) To incorporate the Bonaventure and Gaspé Telephone Company, Limited.—(Mr. Marcil.)
1°*, 4928 (iii); in Com., and 3°*, 6010 (iv).

Bill (No. 127) To amend the Adulteration Act.—(Mr. Templeman.)
1°, 4929 (iii); 2°*, 6259; in Com. 6260; 3°*, 6279 (iv).

Bill (No. 128) Respecting the Winnipeg Terminals of the Canadian Northern Railway Company, and the Grand Trunk Pacific Railway Company.—(Mr. Emmerson.)
1°, 4929; 2°, 5512; in Com., 5515; 3° m., 5670 (iii), 6259 (iv).

Bill (No. 129, from the Senate) To incorporate the Winnipeg and Northwestern Railway Company.—(Mr. McCraney.)
1°*, 5084; 2°*, 5285 (iii); in Com., 6585. 3°*, 6585 (iv).

Bill (No. 130, from the Senate) Respecting the Algoma Central and Hudson Bay Railway Company.—(Mr. Dyment.)
1°*, 5084; 2°*, 5285 (iii); in Com., and 3°*, 6586 (iv).

Bill (No. 131) Respecting the St. Mary River Bridge Company.—(Mr. Dyment.)
1°*, 5084; M. for 2°, 5258; 2°*, 5441 (iii); in Com., and 3°*, 6586; Sen. Amts., 7840 (iv).

Bill (No. 132, from the Senate) Respecting the Manitoulin and North Shore Railway Company.—(Mr. Dyment.)
1°*, 5084; 2°*, 5285 (iii); in Com. 6586; 3°°, 6586 (iv).

Bill (No. 133, from the Senate) Respecting the Ontario, Hudson Bay and Western Railway Company.—(Mr. Dyment.)
1°*, 5084; 2°*, 5285 (iii); in Com., 6585; 3°*, 6586 (iv).

Bill (No. 134) Respecting the Duties of Customs.—(Mr. Fielding.)
Prop. Res., 4862; 1°, 5015; 2°, and in Com., 5510; in Com., 5562, 5590; 3° m., 5627; 3°*, 5643 (iii).

BILLS—*Con.*

Bill (No. 135) To amend the Yukon Placer Mining Act.—(Mr. Oliver.)
1°, 5022; 2°, and in Com., 5704; 3°, 5717 (iii); Sen. Amts., 7544, 7578 (iv).

Bill (No. 136) To amend the Provisions of the Criminal Code respecting the preservation of the Peace in the vicinity of Public Works.—(Mr. Aylesworth.)
1°*, 5023 (iii); 2°, and in Com., 7187; 3°*, 7189 (iv).

Bill (No. 137, from the Senate) To amend the Gold and Silver Marking Act.—(Mr. Macpherson.)
1°*, 5258 (iii); 2° and ref. to Sel. Com., 6008; in Com., 7012; 3°*, 7014 (iv).

Bill (No. 138) To amend the Railway Act.—(Mr. Maclean, York.)
1°*, 5175 (iii).

Bill (No. 139) To create a Department of Mines.—(Mr. Templeman.)
1°, 5258 (iii); 2°, and in Com., 7189; in Com., 7212, 7213, 7252; 3°*, 7255 (iv).

Bill (No. 140, from the Senate) To incorporate the St. Leon Railway Company.—(Mr. Finlayson.)
1°*, 5441; 2°*, 5590 (iii). in Com., and 3°*, 6586 (iv).

Bill (No. 141) For granting to His Majesty certain sums of money for the Public Service of the financial year ending the 31st March, 1908.—(Mr. Fielding.)
M. for Com. on Res., 5395; in Com. on Res., 5397; 1° of B., 5397; 2°, 5561; in Com., 5561; 3°, 5561 (iii).

Bill (No. 142, from the Senate) To incorporate the Abitibi and Hudson Bay Railway Company.—(Mr. McCool.)
1°*, 5504; 2°*, 5590 (iii); in Com., and 3°*, 6586 (iv).

Bill (No. 143) To amend the Immigration Act.—(Mr. Oliver.)
1°, 5504; 2°, and in Com., 5717; 3°*, 5721 (iii).

Bill (No. 144) To amend the Militia Pension Act.—(Sir Frederick Borden.)
Res. prop., 4612; in Com. on Res., 5643; 1°*, [illegible] of B., 5645; in Com., 5645; 3°*, 5646 (iii).

Bill (No. 145) To amend the Criminal Code.—(Mr. Aylesworth.)
1°, 5777; 2°, and in Com., 5778 (iii), 7014-15; 3°*, 7019 (iv).

Bill (No. 146) To make certain amendments to the Statute Law in its application to the Provinces of Saskatchewan and Alberta.—(Mr. Aylesworth.)
1°*, 5778 (iii); in Com. on Res., 7440; 2° and in Com., 7442, 7578; 3°, 7578 (iv).

Bill (No. 147) To amend the Winding-up Act.—(Mr. Aylesworth.)
1°, 5778 (iii); 2°, and in Com., 7019; 3°*, 7020 (iv).

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Bill (No. 148) To amend Schedule A to the Revised Statutes, 1906.—(Mr. Aylesworth.)
1°, 5883; 2°, and in Com., 5884 (iii), 6766; 3*, 6770 (iv).

Bill (No. 149, from the Senate) To incorporate the Rock Life Assurance Company of Canada.—(Mr. Parmelee.)
1°*, 6005; 2°*, 6205; in Com., and 3°*, 7203 (iv).

Bill (No. 150, from the Senate) To incorporate the Collingwood Southern Railway Company.—(Mr. McCarthy, Simcoe.)
1°*, 6005; 2°*, 6205; in Com., and 3°*, 6586 (iv).

Bill (No. 151, from the Senate) To incorporate the General Animals Insurance Company of Canada, Limited.—(Mr. Walsh, St. Ann's.)
1°*,6005: 2°*, 6205; in Com., and 3°*, 7203 (iv).

Bill (No. 152, from the Senate) To incorporate the Ottawa Terminals Railway Company.—(Mr. Caldwell.)
1°*, 6005; M. for 2°, 6376; 2°*, 6587; in Com., 7203, 7311, 7483; 3°*, 7484 (iv).

Bill (No. 153, from the Senate) For the relief of Victor Harold Lyon.—(Mr. Wilson, Russell.)
1°*, 6005; 2°*, 6205; in Com., and 3°*, 7203 (iv).

Bill (No. 154, from the Senate) Respecting the Canadian Northern Railway Company.—(Mr. McIntyre, Strathcona.)
1°*, 6376; 2°*, 6587; in Com., 7911; 3°*, 7912 (iv).

Bill (No. 155, from the Senate) Respecting a certain Patent of Philp J. Green, Melvin Hunt and John D. McMurchy.—(Mr. Perley.)
1°*, 6135; 2°*, 6587; in Com., and 3°*, 7203 (iv).

Bill (No. 156, from the Senate) To amend the Civil Service Act.—(Mr. Fielding.)
1°*, 6256; withdn., 7793 (iv).

Bill (No. 157, from the Senate), For the relief of Arthur Leon McPherson.—(Mr. Parmelee.)
1°*, 6256; M. for 2°, 6376; 2°*, 6587; in Com., and 3°*, 7203 (iv).

Bill (No. 158, from the Senate) Respecting the Hamilton Radial Electric Railway Company.—(Mr. Clarke.)
1°*, 6377; 2°*, 6587; in Com., 7484, 7912 (iv).

Bill (No. 159) To increase the Borrowing Powers of the Quebec Harbour Commissioners.—(Mr. Fielding.)
1°, 6518; 2°, and in Com., 7545; 3°*, 7569 (iv).

Bill (No. 160) To amend the Railway Act.—(Mr. Lanctot, Laprairie-Napierville.)
1°, 6518 (iv).

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Bill (No. 161) To amend the Act of the present Session incorporating the Residential Fire Insurance Company.—(Mr. Fielding.)
1°*, 6519; 2°*, and in Com., 7014; 3°*, 7014 (iv).

Bill (No. 162, from the Senate), To amend the Inspection and Sale Act.—(Mr. Fisher.)
1°*, 6630; 2°, 6774; in Com., 6778; 3°*, 6781 (iv).

Bill (No. 163, from the Senate) To incorporate the Prudential Life Insurance Company of Canada.—(Mr. Gervais.)
1°*, 6630; 2°*, 6836; in Com., 7312; 3°*, 7407 (iv).

Bill (No. 164, from the Senate) To incorporate the Fidelity Life Insurance Company of Canada.—(Mr. Johnston.)
1°*, 6764; 2°*, 6836; in Com., 7312; 3°*, 7407 (iv).

Bill (No. 165) To amend the Customs Act.—(Mr. Paterson.)
In Com. on Res., 6781; 1°*, 6790; 2°*, in Com., and 3°*, 7517 (iv).

Bill (No. 166) To provide for further Advances to the Harbour Commissioners of Montreal.—(Mr. Fielding.)
Res. prop., 5781 (iii); in Com. on Res., 7054 1°* of B., 7091; 2°, and in Com., 7569; 3°*, 7575 (iv).

Bill (No. 167, from the Senate) To incorporate the Port Arthur Power and Development Company.—(Mr. Conmee.)
1°*, 7123; 2° m., 7123; M. for 2°, 7482 (iv).

Bill (No. 168, from the Senate) Respecting the Erie-Ontario Power Company.—(Mr. Macdonell.)
1°*, 7213; M. for 2°, 7482 (iv.)

Bill (No. 169) To authorize a Loan to the Quebec Bridge and Railway Company.—(Mr. Fielding.)
Res. prop., 6906; in Com. on Res., 7230; 1°* of B., 7245; 2° m., 7939; in Com., 7955; 3°*, 7968 (iv).

Bill (No. 170) To amend the Department of Railways and Canals Act.—(Mr. Fielding.)
1°, 7246; 2°, and in Com., 7808 (iv).

Bill (No. 171) To amend the Exchequer Court Act.—(Mr. Aylesworth.)
Res. prop., 6257; in Com. on Res., 7255; 1°*, 2°* of B., 7257; in Com., and 3°*, 7544 (iv).

Bill (No. 172) Respecting the Surveys of the Public Lands of the Dominion and the Surveyors entitled to make such Surveys.—(Mr. Oliver.)
1°*, 7308; 2°*, 7308; in Com., 7437; in Com., and 3°*, 7544 (iv).

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Bill (No. 173) Respecting Bounties on Iron and Steel made in Canada (Mr. Fielding.)

Res. prop., 4612, 5888 (iii); in Com. on Res., 7443, 7492; 1°* of B., 7514; 2° and in Com., 7515; 3°*, 7515 (iv).

Bill (No. 174) Respecting the manufacture of Binder Twine in Canada (Mr. Fielding.)

Res. prop., 5887 (iii); in Com. on Res., 7515; 1°*, 2°*, in Com., and 3°*, 7517; Sen. Amts., 7985 (iv).

Bill (No. 175) To amend the Canada Shipping Act.— (Mr. Fielding.)

1°, 7694; 2° m., 7694; in Com., and 3°*, 7696 (iv).

Bill (No. 176) To empower the Courts to declare certain marriages invalid.— (Mr. Aylesworth.)

1°, 7696; 2°*, and in Com., 7841 (iv).

Bill (No. 177) To amend the Judges' Act.— (Mr. Aylesworth.)

Res. prop., 5781 (iii); in Com. on Res., 7781; 1°*, 2°*, and in Com., 7792; 3°*, 7793 (iv).

Bill (No. 178) To authorize the granting of subsidies in aid of the construction of the lines of railway therein mentioned. —(Mr. Fielding.)

Res. prop., 7126; in Com. on Res., 7799; 1°*, 2°*, in Com., and 3°*, 7808 (iv).

Bill (No. 179) For granting to His Majesty certain sums of money for the Public Service of the period of nine months ending the 31st March, 1907, and of the financial year ending the 31st March, 1908.—(Mr. Fielding.)

In Com. on Ways and Means, 7990; 1°*, 2°*, in Com., and 3°*, 7993 (iv).

Binders for Harvesting: in Com. on Ways and Means, 4427 (iii).

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